NOTICE OF MEETING
Notice is hereby given that the next ordinary meeting of Council will be held on Wednesday 27 January 2021 in the Council Chambers, 43 – 51 Tanunda Road, Nuriootpa, commencing at 9.00am. The meeting will be live streamed and recorded and posted onto Council’s website by Friday 29 January 2021.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

AGENDA

1. THE BAROSSA COUNCIL

1.1 Welcome by Mayor Lange - meeting declared open
1.2 Present
1.3 Leave of Absence - Cr Wiese-Smith
1.4 Apologies for Absence
1.5 Minutes of previous meetings – for confirmation: Council meeting held on Tuesday 15 December 2020, 9.00am
1.6 Matters arising from previous minutes
   Nil
1.7 Petitions
   Nil
1.8 Deputations
   Nil
1.9 Notice of Motion
   Nil
1.10 Questions with or without Notice
    Nil


2. **MAYOR**
   2.1 Mayor’s report – attached

3. **COUNCILLORS’ REPORTS**
   3.1 Nil

4. **CONSENSUS AGENDA**
   4.1 **MAYOR**
      Nil
   4.2 **EXECUTIVE SERVICES**
      4.2.1 **CHIEF EXECUTIVE OFFICER**
         4.2.1.1 Australian Local Government Association - Call for Notice of Motions
         4.2.1.2 SAROC Annual Business Plan 2021-22
      4.2.2 **COMMUNICATION AND ENGAGEMENT OFFICERS**
         Nil
   4.3 **CORPORATE & COMMUNITY SERVICES**
      Nil
   4.3.2 **MANAGER COMMUNITY PROJECTS**
      4.3.2.1 Tourism Barossa Inc – Marketing Recovery Campaign Update #2
      4.4 **WORKS AND ENGINEERING**
      4.4.1 **DIRECTOR’S REPORT**
      Nil
   4.5 **DEVELOPMENT & ENVIRONMENTAL SERVICES**
      4.5.1 **DEVELOPMENT SERVICES**
      Nil
      4.5.2 **ENVIRONMENTAL SERVICES**
      4.5.2.1 Gawler River Floodplain Management Authority
      4.5.2.2 Trees for Life - Bush for Life Report
      4.5.2.3 Progress Report
   4.5.3 **HEALTH SERVICES**
      4.5.3.1 Food Recalls
      4.5.3.2 Food Premises Inspections
      4.5.3.3 Regional Public Health Plan Update
4.5.4  REGULATORY SERVICES
Nil

4.5.5  WASTE SERVICES
Nil

5.  CONSENSUS AGENDA ADOPTION
5.1  ITEMS FOR EXCLUSION FROM CONSENSUS AGENDA
5.2  RECEIPT OF CONSENSUS AGENDA
5.3  DEBATE OF ITEMS EXCLUDED FROM CONSENSUS AGENDA

6.  VISITORS TO THE MEETING/ADJOURNMENT OF MEETING
6.1  VISITORS TO THE MEETING
Mr Peter Brass, Chair of the Audit Committee (9.30am)

6.2  ADJOURNMENT OF COUNCIL MEETING

7.  DEBATE AGENDA
7.1  MAYOR
Nil

7.2  EXECUTIVE SERVICES
7.2.1  CHIEF EXECUTIVE OFFICER
7.2.1.1  Draft Hospitality Policy
7.2.1.2  Planning, Development and Infrastructure Act delegations

7.2.2  FINANCE
7.2.2.1  Monthly Finance Report (as at 31 December 2020)
7.2.2.2  Consideration and Adoption of Audit Committee Resolutions

7.3  CORPORATE AND COMMUNITY SERVICES
7.3.1  DIRECTOR CORPORATE AND COMMUNITY SERVICES
7.3.1.1  The Big Project - Office of Recreation, Sport & Racing - Grant Application - Rugby (Barossa Rams) - Update of Financial Details and Application for Community Loan Arrangements
7.3.1.2  The Big Project - Barossa United Football Club (Soccer) Project - Allocation of Prioritised Landscaping/Civil/Road/Services Funding Component
7.3.1.3  Fee Waiver for Kind Hearted Kitchen – Tanunda Show Hall
7.3.2 MANAGER COMMUNITY PROJECTS

7.3.2.1 Mount Pleasant Show Society – Request for additional funding for Show Office Upgrade Project

7.3.2.2 Men’s Shed Defibrillator Initiative - Deed of Acknowledgement

7.3.2.3 Community Consultation - Mount Pleasant Shopping Bus

7.3.2.4 Draft Barossa Regional Heritage Strategy 2021-2025

7.4 WORKS AND ENGINEERING

7.4.1 DIRECTOR’S REPORTS

7.4.1.1 Land Acquisition – Capital Works Road Upgrade – Authority For Documentation Execution

7.4.1.2 Proposed Road Closure - 2021 Barossa Vintage Festival – Ziegenmarkt

7.5 DEVELOPMENT AND ENVIRONMENTAL SERVICES

7.5.1 DEVELOPMENT SERVICES

7.5.1.1 Mount Lofty Ranges Agrarian Landscape World Heritage Bid – Update

7.5.2 ENVIRONMENTAL SERVICES

7.5.2.1 Consideration and Adoption of Committee Resolutions - Barossa Bushgardens

7.5.3 HEALTH SERVICES

Nil

7.5.4 REGULATORY SERVICES

Nil

7.5.5 WASTE SERVICES

7.5.5.1 Mandatory Green Organic Service Exemption

8. CONFIDENTIAL AGENDA

8.1 EXECUTIVE SERVICES - CHIEF EXECUTIVE OFFICER

8.1.1 COVID-19 Recovery Grant Program - Updated Matters

8.1.2 Proposal to develop Autonomous Vehicle Business Case

8.2 DIRECTOR WORKS AND ENGINEERING SERVICES

8.2.1 Menge Road - Tanunda - Noise Complaint
9. **URGENT OTHER BUSINESS**

9.1 Request for Leave of Absence – Cr Johnstone 28 January 2021 to 22 March 2021 inclusive

10. **NEXT MEETING**

Tuesday 16 February 2021 at 9.00am

11. **CLOSURE**
December

8/12/2020  Meeting with Charlie Scalzi, Graham Burns and Barossa Council Planning staff regarding the Lyndoch development.

9/12/2020  Peri Urban meeting convened by the Mayor of Gawler, attended with CEO Martin McCarthy including representatives from Adelaide Hills Council, Mount Barker District Council, City of Onkaparinga and Adelaide Plains Council.

10/12/2020  Gawler River Flood Management Association (GRFMA) meeting attended with Director, Development and Environmental Services, Gary Mavrinac.

14/12/2020  Citizenship Ceremony - Barossa Council Chambers.

16/12/2020  Service Recognition Award Ceremony - Tanunda Show Hall.

18/12/2020  Official Opening of Electronic Vehicle Charger with Member for Schubert, Stephan Knoll.

18/12/2020  Meeting with John Gebber.

18/12/2020  Barossa Valley Brewing 15th Birthday Celebrations – Tanunda.

22/12/2020  Seppeltsfield “Oscar” meeting with CEO Martin McCarthy, Seppeltsfield representatives Nicole Hodson and Stephen Trigg.

January

4/01/2021  Teams Meeting with Director, Corporate and Community Services, Joanne Thomas and Working Group representatives - Adelaide Wine Cycling Trail.

13/01/2021  Promotional visit to new business - Browns Gourmet Donuts located in Tanunda.
4.2.1 CONSENSUS AGENDA – CHIEF EXECUTIVE OFFICER

4.2.1.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – CALL FOR NOTICES OF MOTION
B10495

Correspondence has been received from the Australian Local Government Association calling for Notices of Motion under the theme of “Working Together for our Communities” for the upcoming National General Assembly in 2021.

This theme acknowledges the need to come together and with other partners, including the Federal Government, to deliver for our communities.

The correspondence and discussion paper are attached for information.

RECOMMENDATION:
That Report 4.2.1.1 be received and noted.
27 November 2020

The Barossa Council
PO Box 867
NURIOOTPA SA 5355

To the Mayor, Councillors and CEO (please distribute accordingly)

The Australian Local Government Association (ALGA) is now calling for Notices of Motions for National General Assembly 2021 (NGA).

The NGA provides a platform for Local Government to address national issues and advocate to the federal government on critical issues facing our sector.

The theme for the 2021 NGA is 'Working Together for our Communities'. This theme acknowledges the need to come together and with other partners, including the Federal Government, to deliver for our communities.

ALGA received significant feedback on the motions process and topics from the 2018 and 2019 NGA. In response to the feedback received, ALGA has prepared a discussion paper that explores data that identifies critical areas local government needs to consider now and into the future.

To inform the submission of motions, please read the discussion paper (included with this letter) and ensure motions meet the identified criteria.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of your state and territory local government association;
4. be from a council which is a financial member of their state or territory local government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be lodged online at alga.asn.au no later than 11:59pm on Friday 26 March 2021.

Any administrative inquiries can be directed to ALGA by calling 02 6122 9400.

Included with the Discussion Paper is an invitation to register for the 2021 National General Assembly for Local Government, which will be held in Canberra on 20-23 June. The Regional Forum will be held onsite in Canberra on 20 June 2021. At this time it is unclear whether COVID-19 restrictions will still be in force in June 2021, but if this is the case the NGA may also include virtual participation and attendance. Lastly, Stilmark has recently become a major sponsor for the Australian Local Government Association events and we have included a brochure outlining how they wish to partner with Councils to improve the resilience of telecommunications for your community.

Yours sincerely

Adrian Beresford-Wylie
ALGA CEO
Call for Motions

20 - 23 June 2021
National Convention Centre Canberra
KEY DATES

16 November 2020
Opening of Call for Motions

26 March 2021
Acceptance of Motions Close

20 - 23 June 2021
National General Assembly

To submit your motion go to: alga.asn.au
SUBMITTING MOTIONS

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

The 2020 NGA “Working Together for Our Communities” was unfortunately cancelled due to COVID-19 but the ALGA Board has decided to retain the theme and emphasise the importance of partnerships to building and maintaining resilience in our councils and our communities.

To assist you to identify motions that address the theme of the 2021 NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all the sections of the paper but are not expected to respond to every question. Your motion/s can address one or more of the issues identified in the discussion paper.

Remember that the focus of the NGA is on partnerships, working together, and resilience so your questions could focus on how local governments can work in partnership with the Australian Government to address the challenges our communities face, or the opportunities that are arising to build back better.

Criteria for motions

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic national importance and should be discussed at a national conference;
3. be consistent with the themes of the NGA;
4. complement or build on the policy objectives of your state and territory local government association;
5. be submitted by a council which is a financial member of their state or territory local government association;
6. propose a clear action and outcome i.e. call on the Australian Government to do something;
7. be a new motion that has not already been debated at an NGA in the preceding two years; and
8. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
OTHER THINGS TO CONSIDER

Motions should generally be in a form that seeks the NGA’s support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. Motions should commence as follows: This National General Assembly calls on the Australian Government to restore funding for local government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue.

To ensure efficient and effective debate where there are numerous motions on a similar issue, the ALGA Board NGA Subcommittee will group the motions together under an overarching strategic motion. The strategic motions have either been drafted by ALGA or are based on a motion submitted by a council which best summarises the subject matter. Debate will focus on the strategic motions. Associated sub-motions will be debated by exception only.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and the endorsement of your council. Motions should be received no later than 11:59pm AEST on Friday 26 March 2021.

Please note that for every motion it is important to complete the background section on the form. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. There is a word limit of 150 for the motion and 200 for the national objective and 300 for the key arguments.

All motions submitted will be reviewed by the ALGA Board’s NGA Sub-Committee, as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government and whether the motions meet all the criteria detailed above.

Please note that motions should not be prescriptive in directing how the matter should be pursued.

With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, the ALGA Secretariat will raise these with the nominated contact officer.

Any motion deemed to be primarily concerned with local, state or territory issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

There is an expectation that any council that submits a motion will be present at the National General Assembly to move and speak to the motion.
INTRODUCTION

2020 has been a year like no other. A year that many individuals and organisations, including councils, would wish to forget. While the drought lessened its hold on parts of the country to be replaced by floods, more than 110 local government areas were severely impacted by the Black Summer (2019-20) bushfires - and no one was spared the effects of the battle against COVID-19. The 2020-21 storm and fire season may add to the sense that it was a year of disasters.

Friedrich Nietzsche said: “That which does not kill us, makes us stronger.” So how can councils become stronger after 2020? How can we ensure that our communities are stronger and more resilient? How do we work together and with our partners to ensure that we build back better from the series of unprecedented events that have marked 2020?
COUNCIL RESILIENCE

In the first quarter of 2020, state and territory Governments closed facilities where people gathered in numbers to reduce the probability that hospitals would be overwhelmed by a rise in COVID-19 cases. This included a substantial number of council owned and operated revenue generating facilities which had flow-on effects for other revenue-generating enterprises such as paid parking. Major funding gaps rapidly emerged in many councils that typically generated significant amounts of own revenue.

Councils that cannot generate significant amounts of the own revenue are typically dependent on grant funding from other levels of government, including Financial Assistance Grants from the Australian Government. These councils tend to service rural, regional and remote communities that are often large in area but small in terms of population. The capacity of these councils to deliver all their required services and infrastructure can be severely strained at any time.

With local government funding under pressure across the nation, and other levels of government facing fiscal constraints, councils may need to do more with less in the near term and be innovative with both budgeting, service delivery, balancing competing demands and longer term financial planning. Services may need to be scaled down or delivered in innovative ways. Asset management and maintenance programs may need to be varied. Working collaboratively with neighbouring councils or forming alliances may be a way of achieving efficiencies and enhancing service delivery along with fostering innovation, cutting red tape, and working in partnership with third parties may be others.

Digital service delivery and working from home - adopted during the height of the pandemic - may become the new norm. This may increase opportunities for councils to innovate, work together and share resources, and fill long term skill gaps. New challenges may emerge including how staff are supported and how productivity, collaboration and motivation maintained. There may be significant consequences for local democracy and council’s ability to engage authentically with their communities. Digital transformation and technology modernisation will be essential for some councils. Even already well-established adopters of digital technology may need to rethink their approach.
Can the Australian Government assist councils with efficiency measures that reduce the cost of services without a major change in service levels experienced by the community?

What opportunities are available to enhance the adaptive capacity of councils and its potential to ‘weather the storm’ through innovation and creativity? How can the Australian Government assist?

Apart from Financial Assistance Grants, how can the Australian Government assist councils to become more financially sustainable and able to better meet the needs of their communities? Are there new partnership programs or policy changes the Government
COMMUNITY RESILIENCE

Community resilience is the capacity of communities to respond to, withstand, and recover from adverse situations including natural disasters, persistent drought, pandemics, fluctuations in global trade, recession, and a rise in inequality. In some circumstances in response to these pressures and stresses, local communities are not able to recover to their previous state. Instead they need to adapt to cope with long term stresses. But ideally, we want all communities to not only survive but thrive.

Local governments play a critical role in building resilient and sustainable communities and helping to buffer people and places against social, economic, and environmental disruptions and overcome adversity. One critical area is through the provision of resilient infrastructure. Councils’ infrastructure should meet the community’s current and future demand, be built to contemporary standards, be affordable for both the council and the user, and be reliable with appropriate asset management practices in place to ensure maximum return on investment.

In addition to physical infrastructure, social infrastructure is also vital for resilience. Social infrastructure is broader than just buildings, it includes the individuals and groups, places, and institutions, including councils, that foster community cohesion and social support. Communities and individuals with good social networks and connections demonstrate greater resilience.

The loneliness epidemic is challenging social resilience. Research produced before the coronavirus pandemic revealed that one in four adult Australians are experiencing loneliness with over half the nation reporting they feel lonely for at least one day each week. In addition to its impacts on community resilience, feeling lonely can pose a bigger risk for premature death than smoking or obesity and can be associated with depression, poorer cardiovascular health and, in old age, a faster rate of cognitive decline and dementia.

Communities that are more vulnerable to shocks and disasters are often reliant on only one industry, have minimal redundancy or no backups for essential services and infrastructure such as only one source of water, one powerline or one access road. They also often only have few voluntary or charitable organisations working in the community. Often community leadership is weak or fails to inspire, engage, and unleash the power of other leaders and critical social networks.

Community resilience cannot be built and then left to its own devices. It needs to be strengthened continuously, not just in times of crisis. It involves people getting together to create sustainable links within their community and the community and its leaders having the ability to learn from experience and improve over time.
How can councils work in partnership with the other tiers of government to adopt a community development approach that builds resilience?

What are the best models available to councils to ensure that our communities thrive and focus on prevention and preparation rather than relief and recovery? How can the Australian Government partner with councils to ensure thriving communities?

What actions can councils take, in partnership with others including the Australian Government to promote community resilience and protect against external shocks such as industry closures or natural disasters? Are tools available to assist councils build community resilience or do we need new or different tools?
COLLABORATION AND PARTNERSHIPS

Creating a resilient community and ensuring a resilient and sustainable council requires partners. Councils can work with partners in different ways to find local solutions to local problems. They can partner with a wide range of organisations including other councils, other levels of government, the voluntary and community sector or business and research sector organisations. The aims of these partnerships are typically to improve services and deliver changes to benefit the local area.

Collaboration and partnerships with other councils and public or private organisations can also bring benefit from economies of scale in providing services or purchasing in bulk for example. Procurement partnerships have been a particularly successful example of this. Working in partnership can make a considerable contribution to efficiency improvements, such as through cost savings in back-office functions or sharing of plant and equipment.

Other benefits associated with partnerships and collaboration include opening the way for local communities to share ideas and connect with others. Partnerships enhance the ability of a council to access innovation, enhance skills development, work across council boundaries to address regional issues, and maximise competitive advantage in the delivery of major infrastructure projects.

Strategic collaboration is not just about savings and sharing resources. It is also about maximising capacity in addressing community expectations, or working with members of the community to overcome challenges and seize opportunities. For example, building and maintaining productive partnerships with Aboriginal and Torres Strait Islander people and communities is critical for councils committed to Closing the Gap and involving Aboriginal and Torres Strait Islander communities in decision-making and service development and delivery.

Collaboration and partnerships that work well are underpinned by good governance, an agreed purpose, and mutual benefit.

There is a long history of local government partnering with the Australian Government to deliver projects and programs that benefit local communities, achieve fairness and equity across the nation, and support local delivery of services and infrastructure. In the absence of constitutional change, how do we further build and strengthen this partnership with the Australian Government?
How do we encourage and incentivise councils to embrace partnerships and collaborative arrangements more enthusiastically including those which seek to ensure the development of economic development supporting infrastructure?

What are the obstacles to working in partnership with other councils or organisations? Can the Australian Government help overcome these?

How do councils, together with their communities, work in partnership to build resilience and entrench it into everyday life?
COUNCIL

CHIEF EXECUTIVE OFFICER

CONSENSUS

27 JANUARY 2021

4.2.1 CONSENSUS AGENDA – CHIEF EXECUTIVE OFFICER

4.2.1.2
SAROC ANNUAL BUSINESS PLAN 2021-22
B11722

Correspondence has been received from the Chair of the South Australian Region of Councils seeking input into the Annual Business Plan for 2021-22. Should members wish to make a submission please provide matters of response as part of request to withdraw this matter.

The correspondence is attached for information.

RECOMMENDATION:
That Report 4.2.1.2 be received and noted.
5 January 2021

Mayor Michael (Bim) Lange OAM
The Barossa Council
PO Box 867
Nuriootpa SA 5355
Email: mayor.lange@barossa.sa.gov.au

Dear Mayor Lange

South Australian Regional Organisation of Councils (SAROC) Annual Business Plan 2021-22

I am writing on behalf of the Local Government Association’s SAROC committee to seek your input into the development of our Annual Business Plan 2021-22.

The Annual Plan is a key driver of SAROC’s mission to provide leadership support, representation and advocacy on behalf of regional South Australian Councils for the benefit of the Community.

Over the next year, SAROC will seek to build on what we have achieved in partnership with councils. There is an opportunity for regional councils to come together through SAROC to increase State Government awareness of the needs of regional communities and the support role of councils in the social and economic recovery from drought, bushfires and the COVID-19 pandemic.

Through our Strategic Plan 2019-23, SAROC has committed to prioritise and address issues that are common across the regional councils. At a recent meeting, members discussed the opportunity for SAROC to maintain its focus on actions that support to the following strategic themes:

**Economic Development**

Regional South Australia plays a critical role in supporting the South Australian economy. SAROC is responding to the needs of councils by advocating to State and Federal governments and identifying opportunities for improved regional partnerships.

*What are the ways in which SAROC can support regional councils to play their important role in stimulating the economic growth in post COVID-19 recovery?*

**Community Development**

SAROC recognises the importance of strong, vibrant and cohesive regional communities through advocacy and partnerships that unlock local government’s potential to deliver quality community services and meaningful outcomes in public health and wellbeing.

*What actions can SAROC take to support councils to deliver quality community services and meaningful outcomes in public health and wellbeing?*
Natural and Built Environment

SAROC acknowledges local government’s role in influencing, informing and advocating for the State Government to address policy and legislative barriers that hinder councils from undertaking their roles in maintaining and enhancing the natural and built environment in regional South Australia.

What are the key policy and legislative barriers that hinder councils from undertaking their roles and how can SAROC support councils?

Financial Sustainability and Governance

SAROC recognises the challenges regional councils face in attaining and maintaining financial sustainability. SAROC acknowledges that councils proactively improve practices to achieve best practice in financial management, governance and reporting.

What are the key issues that SAROC can pursue on behalf of regional councils that would contribute toward local government financial sustainability and governance arrangements?

A copy of the current SAROC Annual Business Plan may be accessed via this link: SAROC Annual Business Plan 2020-21 for further reference.

SAROC has also discussed the opportunity to engage widely with all regional councils, regardless of their seat on the SAROC committee. As such, I also encourage you to discuss ideas with your Regional LGAs.

Please provide any written response by Friday, 5 February 2021. Subsequently, SAROC will host a series of workshops commencing in February 2021 with council members, CEOs and managers/practitioners to facilitate discussion and input in setting the 2021-22 Annual Business Plan.

If you have any questions, or require further information, please email Allison Down, Executive Coordinator GAROC & SAROC Committees, at allison.down@lga.sa.gov.au or telephone 8224 2054.

Thank you in advance for your input. Together we can continue to play an essential role in the long-term prosperity, sustainability and wellbeing of the South Australian regional communities.

Yours sincerely

Mayor Erika Vickery

Chairperson – South Australian Regional Organisation of Councils (SAROC)

Email: lgasa@lga.sa.gov.au

Copy CEO – Martin McCarthy
COUNCIL
CORPORATE AND COMMUNITY SERVICES
CONSENSUS
27 JANUARY 2021

4.3.2.1 CONSENSUS AGENDA – MANAGER, TOURISM SERVICES

TOURISM BAROSSA INC – RECOVERY MARKETING CAMPAIGN UPDATE #2
B10434

Council has allocated $50,000 in funding to Tourism Barossa towards intrastate and interstate marketing activities in 2020/21 as part of its COVID-19 Recovery Plan.

Tourism Barossa has provided Council with a Recovery Marketing Campaign Update #2. The report details high level marketing activities and expenditure for Quarters 1 and 2 and forecasts for Quarters 3 and 4 for 2020-21.

Attachment 1: Report #2 Tourism Barossa Recovery Marketing Campaign Update
Attachment 2: Provides an overview of the campaign results for Q1 and Q2.

RECOMMENDATION:
That Council receive and note Tourism Barossa Recovery Marketing Campaign Update #2.
Report #2 Tourism Barossa Recovery Marketing campaign update
for The Barossa Council COVID-19 Recovery Plan funding
2020-2021 Quarter 1 & Quarter 2

Funding allocation: $50,000 2020-2021
Target Market: Intrastate & Interstate
Activation timeframe: Q1 & Q2 2020-2021

Campaign Partners: Key campaign partners included The Barossa Council, South Australian Tourism Commission and Tourism Barossa

Campaign Overview:

Quarter 1 / Quarter 2: The Q1 & Q2 Recovery Marketing Campaign activity focussed on continuing to position the Barossa as a destination of choice for the intrastate market and targeting relevant interstate markets as state borders were opening up. Campaign platforms included Free to Air TV, connected TV, native digital, glossy magazines, regional newspaper and digital platforms.

The Free to Air, Connected TV and Digital Advertising activations of the Barossa Recovery Marketing campaign intentionally aligned with South Australian Tourism Commission marketing timeframes, to maximise the impact in market.

Wavemaker campaign July 2020 – Oct 2020: South Australian Tourism Commission provided in-kind support to Tourism Barossa, providing access to consultants in Wavemaker, SATC’s marketing agency, to advise on the Barossa’s Recovery Marketing strategy. The Wavemaker recommendation was a TV and digital campaign using Barossa’s Find Your Place in Our Story video and imagery, with Barossa.com as the call to action. Advertisements were placed across free to air TV and streaming services as well as online native digital content. using Barossa.com as the call to action.

Free to Air TV (intrastate)
4-week campaign, Nine (Nine, GO!, Gem, 9Life, 9Rush), Seven & SBS (SBS ONE, Food, Viceland, World Movies) networks CREATIVE Barossa. Find Your Place in our Story TVC x 30 sec

Connected TV (interstate: QLD & NSW)
4-week campaigns, 7Plus, 9Now, 10Play, SBS OnDemand, Foxtel, Kayo CREATIVE Barossa. Find Your Place in our Story TVC x 30 sec

Digital Advertising (intrastate and interstate QLD & NSW)
4-week campaigns *Apple News, Yahoo, MSN, CREATIVE: Wine & Food, Roadtrips / Self-drive, Unexpected Barossa, Family
**Glossy Magazines**

Editorial and advertisements were placed in magazines which aligned with the Barossa’s Recovery Marketing strategic outcomes, including:

- Leveraging the increased interest in self-drive / road trips
- Re-positioning the Barossa as a summer destination
- Highlighting nature and great outdoors

Placements include:

**Reclaim Summer by Australian Traveller (intra / interstate)** 5 November 2020 + 3 month digital Unexpected Barossa Summer campaign: A significant investment in print and digital content and advertising to reposition the Barossa as a summer holiday destination. View print article here and online content here.

**SA Life Food and Wine List (intrastate)** 5 November 2020

20+ incredible pages of coverage for the region including a focus on wineries, restaurants, cafes, Barossa made products, places to stay, places to eat and things to do.

**Caravanning Australia advertorial (intra / interstate)** 1 October 2020 with a focus on culinary and wine experiences.

**Broadsheet publications (intrastate)**

Full page advertisements in regional publications in Riverland Press and The Leader, Barossa enticing regional South Australians to rediscover the Barossa, as a catalyst to drive visitation to Barossa immediately after COVID-19 intrastate restrictions were eased.

**Results:**

**Wavemaker campaign:** Comprehensive data on placement, reach and engagement has been provided by the agency, reflecting an excellent campaign result. The campaign saw strategic exposure for the Barossa in South Australia, Queensland and New South Wales, to drive visitation from these key markets as border restrictions were being lifted. Please refer Attachment 1 for campaign results overview. The full campaign data report can be provided on request.

**Glossy Magazines:** The magazine editorial / advertisements have only recently been printed, and the 3-month digital campaign for Reclaim Summer - Unexpected Barossa Summer has only been in market since 5 November 2020. Specific data from this campaign is not yet available, however examples of the campaign creative have been included in Attachment 1.

While specific data from various aspects of the Barossa’s various Recovery Marketing campaigns may not yet be available, anecdotal evidence from local tourism operators and the Barossa Visitor Centre team indicate strong visitation to the Barossa, both from intrastate and interstate markets.
As well as the paid campaign activity highlighted above, the Tourism Barossa team continues to field a high number of editorial enquiries and famil requests from media directly through our established relationships, and via Tourism Australia and South Australian Tourism Commission. Key areas of interest from media include culinary and wine experiences and natural therapy. Examples of articles include: The Advertiser Barossa Revisited and Ready to Heat

**International:**

**New Zealand:** The Tourism Barossa team made contact in the early stages of COVID-19 restrictions, with the key South Australian Tourism Commission representative in Auckland. This has resulted in SATC promoting the Barossa via the Find Your Place in our Story video in market in New Zealand. This has included exposure through social media, digital advertising and a dedicated landing page showcasing the Barossa.

**USA / UK & Europe:** Cathy Wills attended the North America Marketplace and UK & Europe Marketplace virtually, during October and November 2020. These international tourism trade shows would usually be attended in market, however for 2020 the extensive number of trade appointments were facilitated by Tourism Australia virtually. While it is acknowledged that Australia and the Barossa will not receive international guests in the medium term, the relationships with international trade partners are important to maintain for the long term.

**Quarter 3 / Quarter 4:** Plans for the quarters 3 and 4 are well advanced, and highlights are as follows.

**Villages, Townships & Trails project, Dec 20 – Jun 21:** This joint project of The Barossa Council (Barossa Visitor Centre) and Tourism Barossa aims to deliver high quality printed maps to promote dispersal to the various villages and subregional hubs throughout the Barossa, and to encourage extended length of stay. The printed collateral will be augmented by Alpaca trails and collections software, which integrates with ATDW business listings, and enables staff to create and publish digital trails, itineraries and collections. Visitors to the Barossa are also able to create their own itineraries and collections, in preparation for or during their Barossa stay. The

**2021 Barossa Vintage Festival, Jan 21 – Mar 21:** During Q1, our Recovery Marketing campaign will include a focus on the 2021 Barossa Vintage Festival, as a catalyst to drive visitation to the event, and as a vehicle to promote the Barossa region in general.

Additional Recovery Marketing funding has been kept in reserve and will be allocated for strategic expenditure during Q3 & Q4.

Tourism Barossa continues to seek potential additional funding with key regional stakeholders, to extend the Barossa Recovery Marketing strategy.
## Budget:

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th>Instratate $</th>
<th>Interstate $</th>
<th>Total domestic $</th>
<th>Campaign overview</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Q1 &amp; Q2</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Television</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metro TV Adelaide (Wavemaker)</td>
<td>$ 40,000</td>
<td></td>
<td></td>
<td>4 weeks, Nine (Nine, GO!, Gem, 9Life, 9Rush), Seven &amp; SBS (SBS ONE, Food, Viceland, World Movies) networks CREATIVE Barossa. Find Your Place in our Story TVC x 30 sec</td>
</tr>
<tr>
<td>Metro TV Adelaide (Wavemaker)</td>
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<td></td>
<td></td>
<td>Technical support to prepare TVC for broadcast TV (Filmpark, Showpony Advertising and Shed Space Studios)</td>
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<tr>
<td>Connected TV QLD (Wavemaker)</td>
<td>$ 6,000</td>
<td></td>
<td></td>
<td>4 weeks, 7Plus, 9Now, 10Play, SBS OnDemand, Foxtel, Kayo CREATIVE Barossa. Find Your Place in our Story TVC x 30 sec</td>
</tr>
<tr>
<td>Connected TV NSW (Wavemaker)</td>
<td>$14,000</td>
<td></td>
<td></td>
<td>5 weeks, 7Plus, 9Now, 10Play, SBS OnDemand, Foxtel, Kayo CREATIVE Barossa. Find Your Place in our Story TVC x 30 sec</td>
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<tr>
<td><strong>Subtotal Television</strong></td>
<td>$ 45,050</td>
<td>$ 20,000</td>
<td>$ 65,050</td>
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<tr>
<td><strong>Digital Advertising</strong></td>
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<tr>
<td>Verizon Native SA (Wavemaker)</td>
<td>$10,000</td>
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<td></td>
<td>4 weeks *Apple News, Yahoo, MSN, CREATIVE: Wine &amp; Food, Roadtrips / Self drive, Unexpected Barossa, Family</td>
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<tr>
<td>Verizon Native QLD (Wavemaker)</td>
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<td>4 weeks *Apple News, Yahoo, MSN, CREATIVE: Wine &amp; Food, Roadtrips / Self drive, Unexpected Barossa</td>
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<tr>
<td>Verizon Native NSW (Wavemaker)</td>
<td>$ 6,000</td>
<td></td>
<td></td>
<td>4 weeks *Apple News, Yahoo, MSN, CREATIVE: Wine &amp; Food, Roadtrips / Self drive, Unexpected Barossa</td>
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<tr>
<td><strong>Subtotal Digital Advertising</strong></td>
<td>$ 10,000</td>
<td>$ 10,000</td>
<td>$ 20,000</td>
<td></td>
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<tr>
<td><strong>Broadsheet publications</strong></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Riverland press</td>
<td>$ 980</td>
<td></td>
<td></td>
<td>Full page advertisement + editorial: CREATIVE: Discover Your Own Backyard as per The Leader</td>
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<tr>
<td><strong>Subtotal Broadsheet</strong></td>
<td>$ 980</td>
<td>-</td>
<td>$ 980</td>
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<tr>
<td><strong>Glossy magazines</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Australian Traveller</td>
<td>$11,750</td>
<td></td>
<td></td>
<td>Full page editorial in Australian Traveller's Reclaim Summer magazine + extended content on Reclaim Summer website + social media support. CREATIVE: Unexpected Barossa Summer. 3 month campaign Nov &amp; Dec 20, Jan 21</td>
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<tr>
<td>SA Life</td>
<td>$ 2,100</td>
<td></td>
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<td>Full page advertisement + editorial CREATIVE: FYPIOS</td>
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<td>Caravan &amp; Camping</td>
<td>$ 2,409</td>
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<td>Full page advertisement + editorial CREATIVE: Road trips</td>
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<td><strong>Subtotal Glossy Mags</strong></td>
<td>$ 2,100</td>
<td>$14,159</td>
<td>$ 16,259</td>
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## EXPENDITURE Q3 & Q4

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<tr>
<th>Campaign overview</th>
<th>Intrastate $</th>
<th>Interstate $</th>
<th>Total domestic $</th>
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<tbody>
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<td><strong>Villages, Townships &amp; Trails project</strong></td>
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<tr>
<td>Alpaca trails software Barossa.com</td>
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<td>6,000</td>
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<tr>
<td>1st year annual subscription Alpaca software for online replication of printed maps, itineraries &amp; collections Jan 21</td>
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<td></td>
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<tr>
<td>Trails collateral development</td>
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<tr>
<td>Co-contribution support for regional trails (10 x $500 The Barossa Council, 3 x $500 Light Regional Council) Dec 20 – Jun 21</td>
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<td></td>
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<tr>
<td>Socials, PR &amp; Marketing support</td>
<td>2,500</td>
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<td></td>
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<tr>
<td>Jan 21 – Jun 21</td>
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<td></td>
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<tr>
<td><strong>Subtotal Trails</strong></td>
<td>6,500</td>
<td>8,500</td>
<td>15,000</td>
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<tr>
<td><strong>Other Marketing</strong></td>
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<td></td>
<td></td>
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<tr>
<td>2021 Barossa Vintage Festival</td>
<td>5,000</td>
<td>5,000</td>
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<tr>
<td>3 months Jan 21 - Mar 21</td>
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<tr>
<td>Other Marketing tbc</td>
<td>12,500</td>
<td>12,500</td>
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<td><strong>Subtotal Other Marketing</strong></td>
<td>17,500</td>
<td>17,500</td>
<td>35,000</td>
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<td><strong>Total</strong></td>
<td>82,130</td>
<td>70,159</td>
<td>152,289</td>
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## INCOME - Campaign Partners

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<tr>
<th>Partners</th>
<th>Amount $</th>
<th>Notes</th>
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<tr>
<td>The Barossa Council</td>
<td>50,000</td>
<td>Attraction Strategy - Recovery Funding 2020-21</td>
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<tr>
<td>South Australian Tourism Commission</td>
<td>30,000</td>
<td>20-21 Regional Co-operative Marketing + Recovery Marketing</td>
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<tr>
<td>Tourism Barossa</td>
<td>76,000</td>
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<tr>
<td><strong>Total</strong></td>
<td>156,000</td>
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</table>
Draft Minutes and Key Outcome Summary of the Gawler River Floodplain Management Authority meeting held 10 December 2020 are attached for information.

RECOMMENDATION:
That report items 4.5.2.1 be received.
MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
BOARD

9:45am Thursday 10 December 2020
City of Playford – Civic Centre, 10 Playford Boulevard, Elizabeth

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 122nd meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Mr Ashley Curtis, Adelaide Hills Council, Deputy Board Member
- Mayor Bim Lange, The Barossa Council, Board Member
- Mr Gary Mavrinac, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Mr Sam Dilena, Town of Gawler, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Cr Clint Marsh, City of Playford, Deputy Board Member
- Mr Andrew Philpott, Light Regional Council, Deputy Board Member
- Mr David Hitchcock, Executive Officer

1.3 Apologies

- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Cr William Close, Light Regional Council, Board Member
- Mr Brian Carr, Light Regional Council, Board member
- Cr Peter Rentoulis, City of Playford, Board Member
- Cr John Lush, Adelaide Plains Council, Deputy Board Member
- Cr Russell Johnstone, Barossa Council, Deputy Board member

1.4 Appointment of Observers

GRB 20/81 Observers
Moved: Mr S Dilena
Seconded: Cr P Koch

That Mayor Karen Redman and Mr Henry Inat, Town of Gawler, be appointed as Observers.

CARIED UNANIMOUSLY
1.5 Declarations of Interest

Nil

2. Confirmation of Minutes

2.1 GRFMA Ordinary Meeting Minutes

GB20/82   GRFMA Ordinary Meeting Minutes
Moved:    Mr A Philpott
Seconded: Mr G Mavrinac

That the minutes of the Gawler River Floodplain Management Authority Board meeting, as amended, held on 15/10/2020 be confirmed as a true and correct record of that meeting.

CARRIED UNANIMOUSLY

It was noted that Cr John Lush was an apology for the 15/10/2020 GRFMA meeting.

2.2 GRFMA Confidential Meeting Minutes

GB20/83   GRFMA Confidential Meeting Minutes
Moved:    Cr T Keen
Seconded: Cr P Koch

That the Confidential Minutes of the Gawler River Floodplain Management Authority Board Confidential meeting held 15/10/2020 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY

2.3 Actions on Previous Resolutions

Nil

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

Ms Cate Hart, Department of Environment and Water, attended at 11:35am to discuss the recent State Budget flood mitigation funding initiatives.
6. Audit Committee

6.1 Audit Committee Meeting Minutes

GB20/84 Audit Committee Meeting Minutes
 Moved: Mr G Mavrinac
 Seconded: Mr G Pattinson

That the minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held 25/11/2020 be received.

CARRIED UNANIMOUSLY

7. Technical Assessment Panel

Nil meetings.

8. Reports

8.1 GRFMA Schedule of Meetings

GB20/85 GRFMA Schedule of Meetings
 Moved: Mr G Pattinson
 Seconded: Mr S Dilena

That the Schedule of ordinary GRFMA Board meetings for 2021 be:
• Thursday 11 February 2021, Light Regional Council;
• Thursday 15 April 2021, Adelaide Hills Council;
• Thursday 17 June 2021, The Barossa Council;
• Thursday 19 August 2021, Town of Gawler;
• Thursday 21 October 2021, Adelaide Plains Council; and
• Thursday 9 December 2021, City of Playford.

CARRIED UNANIMOUSLY

8.2 GRFMA Charter Review 2

GB20/86 GRFMA Charter Review 2
 Moved: Mr J Miller
 Seconded: Mr S Dilena

That the GRFMA:
1. Receives the report.
2. Endorses expenditure of up to $10,000 to enable the Charter Review 2 Working Group to engage resources to compile and evaluate required data so that the Group can further understand and validate its deliberations regarding identified funding principles and formula to be applied in any proposed funding model.
3. Requests the Working Group to complete its deliberations expeditiously with endorsement to seek support of the GRFMA Chair to call a Special Meeting, if required, to consider the recommendation of the preferred funding model, and to enable further consultation with constituent councils.

CARRIED UNANIMOUSLY
8.3 Stormwater Management Plan

GB20/87 Stormwater Management Plan
Moved: Cr T Keen
Seconded: Cr P Koch

That the GRFMA:
1. Endorses the draft Gawler River Stormwater Management Plan (SMP) scope as amended; and
2. Receives a report at the next available GRFMA meeting for endorsement to proceed with the SMP, determination of preferred provider and submission of application to the SMA for supporting funding.

CARRIED UNANIMOUSLY

The SMP scope amendment related to request for inclusion in SMP document (page 5, table 1): in use of more examples further to land developers (ie other industries) to reflect the diversity of industry and interest in the area. Examples to use being Olive Growers, Produce packers etc.

8.4 Northern Floodway Project

GB20/88 Northern Floodway Project
Moved: Mr J Miller
Seconded: Mr S Dilena

That the Agenda Item 8.4 lay on the table, pending discussion at 11:30am with Ms Cate Hart.

CARRIED UNANIMOUSLY

8.5 Financial Report and Budget Review 1

GB20/89 Financial Report and Budget Review 1
Moved: Mr G Pattinson
Seconded: Mr A Philpott

That the GRFMA:
1. Receives the financial report as at 30 November 2020 showing a balance of total funds available $198,911.00; and

CARRIED UNANIMOUSLY

8.6 Bruce Eastick North Para Flood Mitigation Dam – Dam Safety Emergency Plan

GB20/90 Bruce Eastick North Para Flood Mitigation Dam – Dam Safety Emergency Plan
Moved: Mr G Pattinson
Seconded: Mr S Dilena

That the GRFMA
1. Adopts the Bruce Eastick North Para Flood Mitigation Dam Safety Emergency Plan; and
2. Receives a further report addressing the next level detail required to implement the plan and relevant operations.

CARRIED
11:01am Mayor Bim Lange left the meeting.

11:02am Mayor Bim Lange returned to the meeting.

8.7 GRFMA Annual Business Plan Progress Report

GB20/91 GRFMA Annual Business Plan Progress Report
Moved: Mr G Pattinson
Seconded: Cr T Keen

That the GRFMA receives the progress report of the GRFMA Business Plan 2020-2021 as amended (being removal of reference to South Para Reservoir works no longer current or applicable).

CARRIED UNANIMOUSLY

8.8 GRFMA Executive Officer Review (Interim)

11:03am the Executive Officer David Hitchcock left the meeting.

GB 20/92 GRFMA Executive Officer Review (Interim)
Moved: Mr J Miller
Seconded: Cr T Keen

That the GRFMA:
1. Requests the Chair, Mr I Baldwin, to facilitate an interim review of the Executive Officer service provision as per Consultancy Agreement (GRFMA Contract: 1/20).
2. Be presented with a report on findings of the Review to the February 2021 GRFMA Board meeting.

CARRIED UNANIMOUSLY

11:06am the Executive Officer David Hitchcock returned to the meeting.

9. Correspondence


Moved: Mayor Lange
Seconded: Mr G Pattinson

That the correspondence be noted.

CARRIED UNANIMOUSLY
10. Confidential

10.1 Bruce Eastick North Para Flood Mitigation Dam Repairs

GB20/94 Bruce Eastick North Para Flood Mitigation Dam Repairs
Moved: Mr G Mavrinac
Seconded: Mr G Pattinson

That pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting, with the exception of:
• Executive Officer; and
• Observers

in order to consider in confidence agenda item 10.1 Quotations repairs Bruce Eastick North Para Flood Mitigation Dam pursuant to Section 90(3)(d) of the Local Government Act 1999 on the basis that:

d)
   i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
   (ii) would, on balance, be contrary to the public interest.

This matter is confidential because the information herein provides commercial terms and conditions for provision of services to repairs to the Bruce Eastick North Para Flood Mitigation Dam and would provide advantage to a third party for negotiations regarding the service.

On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board consider it necessary to consider this matter in confidence.

CARRIED UNANIMOUSLY

11:14am confidential session commenced.

GB20/95 Bruce Eastick North Para Flood Mitigation Dam Repairs
Kept in confidence

The meeting considered quotations for replacement of both High Level Outlet Pipe (HLOP) safety covers and welding repairs to Dam crest safety hand railing.

GB20/96 Bruce Eastick North Para Flood Mitigation Dam Repairs
Moved: Mr A Philpott
Seconded: Cr P Koch

That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 Quotations repairs Bruce Eastick North Para Flood Mitigation Dam be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) of the Local Government Act 1999:
• Report for Item 10.1
• Attachments for item 10.1

This order shall operate until terms of agreement are reached with the preferred contractor. This order will be reviewed within twelve (12) months in accordance with the Act.

CARRIED UNANIMOUSLY
11:21am the confidential session concluded.

11:22am the meeting adjourned for a short break.

11:35am the meeting reconvened.

8.4 Northern Floodway Project (discussion reconvened)

The Chair welcomed Mayor Karen Redman and CEO Mr Henry Inat of Town of Gawler, noted attendance of Mr D Musolino in the Gallery and introduced Ms Cate Hart, Executive Director, Department of Water and Environment.

Ms Hart presented on the recent State Budget flood mitigation funding initiatives and undertook subsequent discussion regarding further funding opportunities and collaboration with GRFMA and Constituent Councils.

GB20/97 Northern Floodway Project
 Moved: Cr P Koch
 Seconded: Cr T Keen

That the Agenda Item 8.4 be removed from the table.

CARRIED UNANIMOUSLY

GB20/98 Northern Floodway Project
 Moved: Cr T Keen
 Seconded: Mr G Mavrinac

That the GRFMA receives a verbal update regarding the proposed Gawler River Flood Management projects as included in the State Government Budget.

CARRIED UNANIMOUSLY

11. Urgent Matters Without Notice

Nil

12. Next Meeting

Date and Time: Thursday 11 February 2021 at 9:45am
Host: Light Regional Council

13. Closure

The Chairperson thanked members for their attendance and contributions and the City of Playford as host and wished everyone a safe and enjoyable festive season and closed the meeting at 12:24pm.

Chair ____________________ Date ___________
Gawler River Floodplain Management Authority
Adelaide Hills Council, Adelaide Plains Council, The Barossa Council,
Town of Gawler, Light Regional Council, City of Playford

KEY OUTCOMES SUMMARY

GRFMA Board Meeting 10 December 2020

Gawler River Flood Mitigation
Ms Cate Hart, Department of Environment and Water, attended at 11:35am to discuss the recent State Budget flood mitigation funding initiatives.

State Government Budget Allocation
- $9 Million over three years, Operating expenditure(grant).
- Delivered through the Storm Water Management Fund. Local government co-contribution details to be determined.
- Any infrastructure constructed or upgraded to be owned by GRFMA or constituent council. DEW to recruit a dedicated project manager.

Key projects and partnerships
- Removal of trees following Hillier bushfire, $350k -$370k (Town of Gawler)
- Construction of a drainage system for Virginia, Carmelo and Park Road drain, $3.8 Mil (City of Playford).
- New control structures(gawler west, North Para, Nuriootpa), flood warning infrastructure,flood warning levels, $1Mil (GRFMA).
- Northern Floodway early works, existing levee banks, river survey and works.$3.8 Mil(GRFMA,DEW,DIT, Landscape Boards).

Stormwater Management Plan
The meeting endorsed the draft Gawler River Stormwater Management Plan (SMP) scope as amended. A further report is to be provided at the next available GRFMA meeting for endorsement to proceed with the SMP, determination of preferred provider and submission of application to the SMA for supporting funding.

GRFMA Charter Review 2 - Governance and Funding Report
The Meeting endorsed expenditure of funds to enable the Charter Review 2 Working Group to engage resources to compile and evaluate required data to further understand identified funding principles and formula to be applied in any proposed funding model. The Working Group was requested to complete its deliberations expeditiously with endorsement to seek support of the GRFMA Chair to call a Special Meeting, if required, to consider the recommendation of the preferred funding model, and to enable further consultation with constituent councils.

Financial Report
The 2020/2021 Budget Review 1, October 2020, was adopted as the amended and current budget for the period ended 30 June 2021.

Dam Safety Emergency Plan
The Bruce Eastick North Para Flood Mitigation Dam Safety Emergency Plan was adopted. A further report addressing the next level detail required to implement the plan and relevant operations is to be provided.

GRFMA Executive Officer Review (Interim)
The GRFMA Chair was requested to facilitate an interim review of the Executive Officer service provision as per Consultancy Agreement (GRFMA Contract: 1/20).
Schedule of ordinary GRFMA Board meetings for 2021
The Schedule of ordinary GRFMA Board meetings for 2021 was resolved as:

- Thursday 11 February 2021, Light Regional Council;
- Thursday 15 April 2021, Adelaide Hills Council;
- Thursday 17 June 2021, The Barossa Council;
- Thursday 19 August 2021, Town of Gawler;
- Thursday 21 October 2021, Adelaide Plains Council; and
- Thursday 9 December 2021, City of Playford.

Next Ordinary Board Meeting
The next Ordinary Board Meeting will be held at 9:45am on Thursday 11 February 202.
4.5.2 CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.2 TREES FOR LIFE – BUSH FOR LIFE REPORT
B1727


RECOMMENDATION:
That report items 4.5.2.2 be received.
BUSH FOR LIFE
QUARTERLY REPORT
July to September  2020

Site Owner:  The Barossa Council
BFL Coordinator:  Dave Ellis
Email/Phone:  davide@treesforlife.org.au / 0417 814 760

<table>
<thead>
<tr>
<th>Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of BFL sites owned</td>
</tr>
<tr>
<td>Number of site carer allocations (at end of quarter)</td>
</tr>
<tr>
<td>Staff on-ground work hours this quarter</td>
</tr>
<tr>
<td>Volunteer on-ground work hours this quarter</td>
</tr>
<tr>
<td>Carer movements this quarter</td>
</tr>
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</table>

A wombat captured on remote camera at the Boehm Springs Bush for Life site by the site carer

COMMENTS:

During July, a new Regional Coordinator for the Barossa Region joined the Bush for Life team and visited each of the Barossa Bush for Life sites to perform site hazard assessments and to become familiar with the ecological values and threats to each site.

The site carer for the Winters Road site near Williamstown has done a great job maintaining the diversity of this site over the last few years but is now unable to continue volunteering. In a mini-BAT run at the site in early September, all of the bridal creeper throughout the site was sprayed.
The mini-BAT at the Boehm Springs Bush for Life site was very productive with many of the large arum lilies and dog roses being targeted. During the mini-BAT, we noticed some suspected wombat burrow entrances on the adjacent property. The site carer, Kym (who used to be a Bush for Life Regional Coordinator), returned to the site a few days later with a remote camera and struck gold when he confirmed that wombats were using the burrows.

During September, Barossa Council staff met with the Trees for Life Works Team Manager to discuss perennial veldt grass control and management at the Magnolia Road Heritage Agreement site in Tanunda.

<table>
<thead>
<tr>
<th>Date</th>
<th>Sitecode</th>
<th>Site Name</th>
<th>Activity</th>
<th>OGW time (hrs)</th>
<th>Number of volunteers</th>
<th>Total hours (staff + vols)</th>
<th>Main weeds/tasks</th>
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<td>BR002</td>
<td>WINTERS RD</td>
<td>Support</td>
<td>0.5</td>
<td>0</td>
<td>1</td>
<td>Hazard assessment and coordinator handover</td>
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<td>8/07/2020</td>
<td>BR003</td>
<td>BOEHM SPRINGS</td>
<td>Support</td>
<td>1</td>
<td>0</td>
<td>2</td>
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<tr>
<td>8/07/2020</td>
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<td>ALTMANN RD</td>
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<td>3</td>
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<td>BR008</td>
<td>MOUNT RD</td>
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<td>0</td>
<td>1.5</td>
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<td>GOTTWALD RD</td>
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<td>1.5</td>
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<td>22/07/2020</td>
<td>BR007</td>
<td>MAGNOLIA RD RESERVE</td>
<td>Support</td>
<td>0.75</td>
<td>0</td>
<td>1.5</td>
<td>Hazard assessment and coordinator handover</td>
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<td>1/09/2020</td>
<td>BR002</td>
<td>WINTERS RD</td>
<td>MiniBAT</td>
<td>6</td>
<td>1</td>
<td>12</td>
<td>Annual Grasses, Bridal Creeper, Olives, Freesia</td>
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<tr>
<td>3/09/2020</td>
<td>BR003</td>
<td>BOEHM SPRINGS</td>
<td>MiniBAT</td>
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<td>Blackberry, Dog Rose, Arum Lily</td>
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<td>15/09/2020</td>
<td>BR007</td>
<td>MAGNOLIA RD RESERVE</td>
<td>Support</td>
<td>1.25</td>
<td>0</td>
<td>2.5</td>
<td>Meeting re heritage agreement grant</td>
</tr>
</tbody>
</table>

| # BATs     | 0        | # support visits | 7        |
| # miniBATs | 2        | Total hours OGW (staff+vol) | 105      |
Indigenous Australians have sustainably managed our landscapes and wildlife for tens of thousands of years. Trees For Life acknowledges and respects the Traditional Custodians of our Country and we pay our respects to Elders past, present and emerging. We also acknowledge and respect the deep spiritual connection and relationship that Aboriginal and Torres Strait Islander people have to Country.
OUR IMPACT

20,000 seedlings grown for bushfire recovery and distributed to Cudlee Creek, Kangaroo Island and Yorke Peninsula

165,000+ hours of work by volunteers

5,355 Seedlings planted through Trees For Habitat and Gift of Trees

274 hectares of new Paddock Trees established

475,000 native seedlings grown across South Australia

344 people trained in propagation, seed collection and bushcare

986 tonnes of emissions offset through TFL Carbon

472 volunteer growers

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FROM OUR CHIEF EXECUTIVE

“We sense that ‘normal’ isn’t coming back, that we are being born into a new normal: a new kind of society, a new relationship to the earth, a new experience of being human.”

Charles Eisenstein

While the 2019-20 financial year brought us face to face with the devastating impacts we’re having on our planet, it also showed us the immense love people hold for South Australian landscapes and wildlife. We have seen the resilience of communities and nature alike as farms and businesses rebuild and the natural world slowly heals after the catastrophic fires.

We were overwhelmed by the generous offers from the South Australian and global community to help with bushfire recovery. This was a major focus of our work for the first half of 2020.

However, just as we were gearing up recovery efforts, COVID-19 forced us to change our plans. The risks and restrictions meant we had to suspend volunteering in our nursery, seed bank and with Bush For Life. We also had to cancel all scheduled workshops, resuming in June with strict protocols in place. Our TFL Works team continued working safely throughout the year and we were able to introduce a number of new systems to make sure we could get Tree Scheme and Bushfire Recovery seedlings in and out of our nursery safely.

Amidst all the challenges, so much great conservation and nature education work has taken place over the last 12 months. From helping the recovery of the red-tailed black-cockatoo in the South East, to bolstering the long term prospects of the silver daisy bush, we’ve had a significant impact. We’re also delivering an increasing range of interesting activities to involve people in nature protection and enjoyment.

Another important area of work for 2019-20 has been developing a long term climate change resilience plan for Trees For Life. Climate change will affect almost every area of our operations and mission. It will also have a profound impact on South Australian ecosystems and species, and on the communities we work with. The aim of the plan is to present the operational and strategic risks we face, to outline areas where we can play a significant role in the adaptation to challenges facing South Australia, and to identify constructive action we can take now. This action includes securing seed for the future, building landscape resilience, supporting communities to adapt, integrating knowledge from First Nations Peoples and, importantly, providing hope and inspiration about the role we can all play in building resilient natural systems. We look forward to developing many strong partnerships to deliver this plan – we can’t do this alone.

Our staff demonstrated incredible resilience, creativity and care with everything the year has thrown at them – you are awesome and I’m very lucky to have such an incredible team. I’m also grateful to the Board for their leadership and support, especially through the early months of managing COVID-19. And to each of you – our supporters and partners – I thank you for your dedication, your generosity and above all, your love of nature.

Natasha Davis
Chief Executive Officer
With 2019-20 establishing itself as ‘annus tumultus’ (the year of turmoil), the resilience of Trees For Life has been clearly demonstrated. The bushfire response and recovery contributions from our extended community were remarkable – many heartfelt offers of both financial and practical support enabled us to make an impactful contribution to immediate bushfire recovery, as well as develop a plan for the long recovery path ahead.

We look forward to you being part of this journey to help our native vegetation, wildlife and communities recover, and working with us to create more resilience in our landscapes for future catastrophic events. The bushfires confirmed that our core mission of supporting the protection and regeneration of the land by engaging and empowering local communities is as relevant now as always.

Our response to COVID-19 also demonstrated our adaptability and resilience as new protocols, systems and delivery approaches had to be developed in very short timeframes. Thank you to everyone who helped Trees For Life navigate this difficult new territory – volunteers who have worked with us to implement new protocols, our partners for supporting changes to timing and approach of projects, and the staff and Board who provided strong and thoughtful leadership, effective communication and flexible ways of working.

Once again, we could not achieve the breadth and quality of work without significant partnerships – with all levels of government and the private sector. We were extremely pleased to receive funding to enable us to continue the Paddock Tree Project, with a strong focus on restoring habitat for declining bird species in the areas around the Cudlee Creek fire. This project has already planted scattered trees across over 7,000 hectares of farmland in the Mt Lofty Ranges.

Trees For Life has continued to play an active role in the SA Nature Alliance, and our Chief Executive Officer Natasha Davis has provided positive and energetic leadership in this space, which has included securing funding for a new Heritage Agreement program. Through this work an exciting new partnership has been developed to deliver Revitalising Private Conservation in SA, and we particularly look forward to working with Livestock SA to deliver the landholder outreach service for current and aspiring Heritage Agreement landholders.

New Board members Ingrid Franssen, Phil Donaldson and Therese Halili were welcomed at our last AGM. This year we farewell Morgan Muirhead, who has been a highly valued and effective Board member.

As we accustom ourselves to the current pandemic situation and restrictions, our appreciation of nature and the benefits it provides become more apparent and the role of Trees For Life more invaluable. On this note, I’ll leave you with a quote from environmentalist, Lady Bird Johnson: “The environment, after all, is where we all meet, where we all have a mutual interest. It is one thing that all of us share.”

Jeanette Gellard
President

“While natural disasters capture headlines and national attention short-term, the work of recovery and rebuilding is long-term.”

Silvia Mathews Burwell
OUR VOLUNTEERS

Our passionate and dedicated volunteers are the heart and soul of Trees For Life. This amazing, diverse group collect and process seed, grow and plant seedlings, distribute growing materials, care for our bushland and help around the office. It’s been a tough year for volunteers and we’ve relied on your patience, flexibility and hard work more than ever. We were flooded with offers of help after the bushfires and we’re extremely grateful to those who took on extra growing work to help fire-affected landholders.

When we suspended activities due to COVID-19 you were itching to get back to work, but also understanding and patient. And since we have introduced new COVID-19 protocols, you have worked with us to make sure everyone stays safe. Thank you for everything you do to protect our precious environment and to help us thrive.

Natasha Davis
Chief Executive Officer

Despite being unable to meet for most of the year, the Willunga Trees For Life group has still been busy in the local environment. Our growers have worked hard, growing for revegetation projects and local gardens. We sold over 1,000 plants at our May plant sale, many of which were planted at local wineries for sustainable agriculture projects.

We want to say a big ‘thank you’ to Graham Hancox, who has been an outstanding manager of the Willunga seed bank. We’re now looking forward to working with Dianne Mignanelli, who will be overseeing the seed bank at Tatachilla.

Saskia Gerhardy
Willunga Tree For Life Group Coordinator

The Fleurieu Planting Group volunteers provide much needed assistance to landholders by planting species ordered through the Tree Scheme and other sources.

In 2019-20, over six days we put 1,620 plants in the ground. 90 volunteers spent 212.5 hours planting. This is equivalent to 35.41 volunteer hours per day, 2.24 more than 2018-19. We averaged 15 volunteers per planting, which is a substantial improvement on previous years.

Originally the planting team wasn’t going to proceed for 2020 due to concerns about COVID-19, but once things settled we decided to go ahead and undertake planting for the 2020-21 financial year.

Bunti Pellen
Fleurieu Planting Group Coordinator
YOUR SUPPORT

This year’s fundraising can be characterised by a deepening of connections.

The connection felt across the world in response to the devastating bushfires led to donations pouring in during our Come Home for Christmas campaign. We were all reminded in this time of crisis that there is no place like home. We received donations from across the globe as people reached out to us with compassion and concern. Here at home we were overwhelmed with offers of support from our diverse community.

After much consideration, the decision was made to not hold a lottery this year in order to concentrate on Bushfire Recovery efforts. We thank everyone who has supported past lotteries.

Restore. Recover. Revive. was the theme of our online autumn fundraising campaign to help grow seedlings for Bushfire Recovery and to create homes for our native wildlife. The success of this online campaign is consistent with the increasing trend of supporters donating via our website.

With the uncertainty that followed the outbreak of COVID-19, it was difficult to predict how our fundraising would be impacted, particularly as the end of financial year approached.

As we launched our winter campaign, we focused on the importance of staying connected to each other and to nature, and highlighted how this connection and support can help us protect our native wildlife. This appeal to help fund our Direct Seeding program exceeded our expectations, demonstrating the generosity of our community and truly restoring hope for our land and our future.

Our Visionary regular giving program offers us the opportunity to grow our financial resilience and we look forward to developing this further in the next financial year.

This year we’ve been fortunate to receive two generous gifts from loyal supporters who remembered Trees For Life in their will. Their desire to restore and revive our precious home, where future generations of people and nature can live and thrive together, is greatly appreciated.

As always, we are incredibly grateful to all the partners and sponsors who support our mission, and to every single person who has donated to our appeals, supported our campaigns or left a gift in their will. It’s only with your help that we can continue to restore the land, for today, for tomorrow and forever. Thank you for your support.

Maureen McKinnie
Manager, Fundraising and Marketing
OUR PROGRAMS

Tree Scheme and Nursery

It’s amazing to cast your eye over the Tree Scheme seedlings when our nursery is bursting at the seams mid-year. The love and care required to provide seeds, distribute growing materials, sow and raise the seedlings ready to be planted, is epic. A heartfelt thanks to all our Tree Scheme volunteers for all that you did in 2019-20. There is no Tree Scheme without you.

Several long-standing staff members moved on in 2019-20 including Jennifer Howe (Tree Scheme Liaison Officer), Brett Oakes (Tree Scheme and Nursery Operations Manager) and Rohan Cleeves (Seed Bank Manager). Our thanks to you for all the hard work and talent you contributed. We welcomed Brianee Albrighton, Flora Holton and Daniel May to the roles and look forward to what they will bring. Roger Brown, Seed Bank stalwart, also retired from volunteering during the period of significant COVID-19 restrictions. We miss you Roger, and thank you for your immeasurable contribution and dry sense of humour over many years.

Between community volunteers and our nursery we were able to give away 20,000 seedlings to landholders affected by the Cudlee Creek, Yorketown and Kangaroo Island fires. Thanks to ElectraNet, we were able to offer a subsidy on the cost of native seedlings and tree guards and stakes for landholders with an ElectraNet easement through our 2019 Tree Scheme. We look forward to seeing the positive impact these plants will have across the state.

The Westwood Nursery had another productive year, growing 92,500 seedlings to order. The months without nursery volunteers on site had staff (and volunteers) counting down the days until their return.

Vicki-Jo Russell
Manager, Revegetation Services

TFL Works

The TFL Works team had another busy financial year, carrying out over 10,500 hours of on-ground works.

The team completed 130 contracts. Of these, 20 sites were new to the team, including coastal sites at Henley Beach and Taperoo. As well as the usual weed control, we also planted 15,000 seedlings across 10 sites.

Some of our larger contracts included weed control and planting within Tennyson Dunes, post-burn follow up and woody weed control within Belair National Park, and swamp oak (Casuarina glauca) and olive (Olea europaea) control within the former O’Halloran Hill Recreation Park.

We were also involved in a planting event to help revegetate a private property affected by the Pinery bushfire. The property owners had lost so much during these fires, including natives they’d planted many years earlier.

With the help of ElectraNet staff, we planted new native seedlings on the property and all those involved appreciated the chance to help restore some of what was lost.

Despite the challenges COVID-19 presented this year, we’ve been very fortunate to continue working across our sites. We implemented a number of protocols to minimise risk, not only for staff but also for the community. These challenges, mostly logistical, provided an opportunity to think differently about how TFL Works operates, helping to make us a more adaptable and efficient team.

Sam Jones
Manager, TFL Works
It was a year of change as Dennis Hayles left us in July 2019, after 17 and a half years of service.

We continued our work at Newland Head and Deep Creek Conservation Parks working with the Department for Environment and Water, seeding a further 210 kilometres. This project is proving very successful and will grow to provide important habitat in the future.

We also successfully wrapped up two 20 Million Trees Projects, one near Strathalbyn and another at Steinfield.

Throughout this year we’ve done many smaller projects and more private work than the past few years and it’s great to meet so many landholders committed to restoring their land with native species.

The Trees For Habitat program has had a steady year, with 19 hectares restored over three sites. Our Carbon supporters offset nearly 1,000 tonnes of emissions.

Seed collection was again very difficult this year. Another dry winter and spring meant acacia, dodonaea and senna species set little or no seed, and the Murray Darling Basin region again proved especially difficult.

Thanks to Alan Dandie, Norm Lee, Richard Winkler, Bill Scott, Graeme Brettig and Jim Humphrys who make up the small but very enthusiastic group of volunteers who have assisted with seed collection throughout the year.

David Hein
Manager, Direct Seeding & Carbon

The 2019-20 year has been one of extremes for Bush For Life. The year began strongly with an increasing number of volunteers joining up. In December and January, the impact of the summer bushfires was felt with a huge volume of people contacting us to get involved in bushfire recovery activities. Our bushcare workshops were solidly booked and we had to schedule additional workshops to meet demand. We were also poised to deliver a range of new grant projects.

And then the COVID-19 pandemic brought an abrupt halt to Bush For Life activities. We suspended all volunteering at the end of March and instead of volunteer support on site, the Bush For Life team focused on two key areas: maintaining our connection with volunteers and ensuring on-ground targets were delivered to the greatest extent possible. We were able to resume volunteering for the final month of the 2019-20 year, with many people returning and our workshops quickly booking out with new volunteers.

Despite the rocky road we travelled this year, the Bush For Life team has emerged at the end of the year stronger than ever. We feel confident that we’ve regained the momentum lost during the COVID-19 hiatus and we’ll continue to build and grow our engagement with the South Australian community to deliver excellent on-ground outcomes.

Amelia Hurren
Manager, Bush For Life
OUR PROJECTS

Stepping Stones into Nature engages new Australians by introducing them to the local environment at their own pace, helping to stop them feeling confronted or overwhelmed by unfamiliar experiences. Bushcare, nature walks, propagation and gardening with natives were all enjoyed by both returning and first-time participants. We’ve found that ‘new’ can also encompass those who have lived in Australia for a few years but haven’t had the opportunity to engage with, and learn about, nature.

Connecting people with their local community has been a major role of the program. With this in mind, we supported participants to plant a Migrant Resource Centre garden, to enjoy both individually and at community events. This garden will demonstrate how native plants can be grown in home gardens and how best to plant and care for them.

Whilst COVID-19 prevented us from undertaking activities together, we used our time well and developed a video, ‘Gardening with Natives’, with English and Mandarin subtitles.

Tricia Curtis
Operations Manager, Volunteers

The Paddock Tree Project has seen almost 18,000 paddock trees established since it began in 2016.

Phase 5 of the project focused on monitoring the trees that have been planted to date and undertaking watering, guard maintenance and replacement of dead trees. With an exceptional survival rate of 87 per cent, very little replanting of dead seedlings was required, which allowed us to plant more new trees on project properties. Over the 2019-20 year, the Paddock Tree Project team replanted 850 dead trees and planted 1,450 new trees.

A highlight this year was finding many seedlings naturally regenerating in the absence of stock, which were taken elsewhere due to the dry conditions. We guarded these seedlings so they could establish well.

The Cudlee Creek fire of December 2019 burnt through nine Paddock Tree Project properties and affected 432 planted trees. Of those burnt, 43 died. We were pleased to see the rest were only partially burnt or are now reshooting. Replanting of the dead trees will be undertaken through the new Bushfire Recovery Paddock Tree Project (Phase 6) which began in April 2020.

Amelia Hurren
Manager, Bush For Life
South-eastern Red-tailed Black-Cockatoo

The nationally endangered South-eastern Red-tailed Black-Cockatoo (*Calyptorhynchus banksii graptogyne*) is found only in south-eastern South Australia and south-western Victoria. Red-tails only eat seeds from three species of tree: brown stringybark, desert stringybark and buloke. They rely on hollows in large gum trees for nesting. Much of this habitat has disappeared across their range and protecting and planting more is critical to their survival.

Our habitat project is working to manage weeds, protect and plant more habitat trees, and restore our precious endangered buloke woodlands. In 2019-20, with support from the Communities helping Cockies program, we delivered restoration activities over 300 hectares and planted 1,000 habitat trees (4,600 seedlings in total). Commencing next year we will also deliver a Smart Farms project focused on protecting and replacing scattered paddock trees.

As you can imagine, the COVID-19 border controls that divide the cockatoo’s range presented some interesting challenges and we say thanks to staff member Cassie Hlava for going above and beyond to work effectively and safely to get the job done.

Communities helping Cockies is supported by the Limestone Coast Board (formerly South East Natural Resources Management Board), through funding from the Australian Government’s National Landcare Program and is delivered in partnership with Trees For Life, Birdlife Australia and Zoos SA.

Vicki-Jo Russell
Manager, Revegetation Services

Securing Silver Daisy

The Securing the Future of the Silver Daisy Project was funded through the Commonwealth Government’s Threatened Species Recovery Fund (2016-17). The project involved a wide array of stakeholders including The University of Adelaide, Terrestrial Ecosystem Research Network (TERN), government, non-government and not-for-profit organisations, as well as a number of community groups, landholders and volunteers.

The project was completed in December 2019 and achieved the translocation of 3,000 silver daisy (*Olearia pannosa ssp pannosa*) plants, at new and existing sites to supplement remnant populations. We undertook genetic and climate change analyses and established three provenance trial sites.

One unexpected outcome of the project is that a new Olearia species may be described as a result of the genetic analysis. The Securing the Future of the Silver Daisy Project was a finalist in the Australian Government Partnerships for Landcare Award in 2019.

Amelia Hurren
Manager, Bush For Life

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Amelia Hurren
Manager, Bush For Life
This third year of the Regenerate program has again increased opportunities for people wanting to improve their mental health through activities in nature. Participants explored nature across Adelaide and joined in citizen science activities such as the City Nature Challenge. Walks through the mallee section of the Adelaide Botanic Gardens encouraged lively chats about bush tucker, and a stroll through the Oaklands Wetlands provided opportunities to try out bird watching, a skill some took home to share with family members.

Knowing they’ve contributed to the improvement of our local biodiversity was a common reason participants gave for joining in the bushcare activities and the propagation of hundreds of native seedlings for future planting. During the months where participants could not gather, we kept connected with regular ‘keeping in touch’ emails, providing information on more citizen science activities, good news nature stories and virtual nature walks.

The 2020-21 year will see the Regenerate model expand, engaging more people through additional mental health service providers and other groups in our community.

Tricia Curtis
Operations Manager, Volunteers

It’s always a joy to hear people say ‘I never realised this beautiful place was here, so close to my home’, or to witness people discovering native orchids for the first time. Burnside Village and Trees For Life’s Nature in the Suburbs program continues to surprise both adults and children with easy-to-access green places to visit.

Participants joined our walks amongst their local patches of nature to learn more about the areas they visit regularly. One of these areas is Fergusson Recreation Park where we were joined by residents who live directly opposite and wanted to learn more from us about the place they walk each week. A long-term neighbour of the park told us her husband had campaigned to keep its public reserve status for generations to come. We love hearing people’s stories and how they connect to their patch of nature in the suburbs.

This year we also provided a list of nature locations for people to visit during COVID-19. They included local spots to explore with children and enjoy a picnic, a place to exercise and breathe in the fresh air, and somewhere for a romantic stroll.

Nature in the Suburbs aims to show people the value of their local patch of nature, no matter how small it is. These special places not only provide homes for wildlife and plants but also offer sanctuaries of beauty and diversity which are so important for wellbeing.

Tricia Curtis
Operations Manager, Volunteers
It would be fair to say that 2019-20 has been a challenging year for everyone ... and the frontline team at Trees For Life are no different. Between the devastating impact of the summer bushfires and the still-present threat to health and wellbeing from COVID-19, our team has been put under a lot of pressure this year.

I’m very proud of the way our Administration and Finance staff have risen to these challenges. Listening and providing comfort to devastated landholders who lost their homes and their beloved bush surroundings in December, while co-ordinating the enormous volume of emails and phone calls from the community who were desperate to offer their help in any way they could, meant long hours and took a heavy emotional toll. As always though, the team recovered its footing and delivered their usual high standard of service to our supporters.

And then, COVID-19 arrived. First it hampered some of those bushfire recovery activities, then it led to a curtailing of our on-ground volunteer work, and finally, closing our doors became necessary.

But again, we recovered. We found new ways to stay connected and work effectively from our homes. We kept the engine room of Trees For Life chugging along while we adapted our premises, and our practices, to provide a COVID safe environment for staff and supporters alike.

The Administration and Finance team of Angela, Anna, Hayley, Helen, Martina, Meena and Munazza, have taken our message ‘ Restore. Recover. Revive’ to heart this year. It has been, and continues to be, a powerful ally in a time of challenge.

Stay safe.

Julie Holloway
Manager, Administration & Finance

The events of the past year have highlighted the importance of staying in touch. Throughout the devastating bushfires and COVID-19 pandemic that followed so soon afterwards, we focused on offering responsive and effective communication with our supporters, making sure everyone understood how we were responding to these crises as they unfolded.

Our rapid delivery of a Bushfire Recovery communication plan ensured clarity and consistency of our important messages. Creating a clear call to action helped us direct the many hundreds of people who got in touch with generous offers of help during this challenging time.

Through these messages, we reinforced our standing as a trustworthy South Australian organisation with many years of experience in successful Bushfire Recovery. This focus helped us reassure our supporters that we have the necessary expertise to manage funds and restore our landscapes during the ongoing recovery.

Social media has been instrumental in keeping the community up to date this year, and our Facebook engagement grew significantly in the year following June 2019. By mid-June 2020 we saw:

› 283% increase in post reach
› 93% increase in post engagement
› 135% increase in new page likes to 14,523
› 14,650 page followers, with 2,778 people newly following this year

Our weekly Weedy Wednesday and Floral Friday Facebook posts continue to be popular, generating interest and interaction that helps grow our supporter base.

Our quarterly ReLeaf magazine helped us stay connected with our supporters through the COVID-19 restrictions and offered us an opportunity to convey our gratitude for all the support we receive. We continue to seek out opportunities to tell inspiring stories of extraordinary people taking action for the land they love.

Maureen McKinnie
Manager, Fundraising & Marketing
SUPPORTERS, SPONSORS AND PARTNERS

We’re extremely grateful to our partners and sponsors. Their financial support allows us to continue our important work, as does the generosity of organisations and individuals who donate to our appeals or leave a gift in their will.

Perpetual sponsor

CMV Foundation

Sponsors

ElectraNet
Viterra
SA Power Networks
Burnside Village

Alfred James
Earth Greetings
Taking Care of Trees
City of Tea Tree Gully

Carbon and Trees For Habitat supporters

Whyalla Veterinary Clinic
Statewide Superannuation Trust
BJ Energy
Church Point Ferry Service
Eco Smart Heating & Cooling
Aesthetic Innovations

First Paige Form 1
Fenwicks
Ravtec
AL RU Farm
Feathermark Photography
Metta Sol
Eco Patch

Bush For Life financial partners

Adelaide and Mount Lofty Ranges Natural Resources Management Board; Adelaide Hills Council; Adelaide Plains Council; Alexandrina Council; Barossa Council; Clare and Gilbert Valleys Council; Carrick Hill Trust; City of Adelaide; City of Burnside; City of Holdfast Bay; City of Mitcham; City of Marion; City of Onkaparinga; City of Playford;

City of Port Adelaide Enfield;
City of Tea Tree Gully; City of Victor Harbor; Department for Environment and Water; Department for Education; District Council of Mount Barker; ElectraNet; Light Regional Council; Office for Recreation, Sport and Racing; Rural City of Murray Bridge; SA Water; Town of Gawler; Wakefield Regional Council.

Bush For Life supporters

Aboriginal Lands Trust;
Australia Migrant Resource Centre; Baptist Care SA;
Catherine House; Elpida House; Flinders University;
Neami National; Novita;
TAFE SA.

Grants

Adelaide and Mt Lofty Ranges Natural Resources Management Board: Bush For Life and Paddock Tree Project

Department of Industry, Innovation and Science: Communities Environment Program and Environment Restoration Fund

Australian Government National Landcare Program – 20 Million Tree Program: Steinfeld Mailee Woodland Restoration and Belvidere Revegetation Project

Australian Government National Landcare Program - Threatened Species Recovery Fund: Securing Silver Daisy

Harvey Foundation: Tree Scheme Community and School Revegetation Subsidy

WIRES Landcare Australia Wildlife Relief and Recovery Grants: Recovering the land we love

National Australia Bank: Bushfire seedling recovery

South Australian Murray-Darling Basin Natural Resources Management Board: Stepping Stones into Nature

South East Natural Resources Management Board: Communities helping Cockies project

Suzanne Elliott Charitable Trust: Bushfire recovery

Walkerville Residents Association: On-ground works
OUR BOARD
2019-2020

President
Jeanette Gellard

Vice President
Morgan Muirhead

Treasurer
Janine Lynch

Secretary
Sarah van Marsaveen (until October 2019)
Therese Halili (from October 2019)

Dr Stuart Collard
Anita Crisp (until October 2019)
Andrew Dolley
Phil Donaldson (from October 2019)
Ingrid Franssen (from October 2019)
Ngaire Henderson
Dr John Virtue

IMAGE (from left to right):
Phil Donaldson, Jeanette Gellard, Andrew Dolley, Janine Lynch, Dr Stuart Collard, Ingrid Franssen, Ngaire Henderson.

ABSENT: Morgan Muirhead, Dr John Virtue, Therese Halili.
AUDITED REPORT

INDEPENDENT AUDITOR’S REPORT ON THE SUMMARY FINANCIAL REPORT FOR TREES FOR LIFE INCORPORATED

The accompanying summary financial statements, which comprises the statement of financial position as at 30 June 2020, and the statement of profit or loss and other comprehensive income for the year then ended, are derived from the audited financial report of Trees for Life Incorporated for the year ended 30 June 2020. We expressed an unmodified audit opinion on that financial report in our report dated 24 September 2020. That financial report, and the summary financial statements, do not reflect the effects of events that occurred subsequent to the date of our report on that financial report.

The summary financial statements do not contain all the disclosures required by Australian Charities and Not-for-profits Commission Act 2012. Reading the summary financial statements, therefore, is not a substitute for reading the audited financial report of Trees for Life Incorporated.

The Responsibility of the Board Members for the Summary Financial Report

The Board Members of the entity are responsible for the preparation of a summary of the audited financial report.

Auditor’s Responsibilities for the Audit of the Financial Report

Our responsibility is to express an opinion on the summary financial statements based on our procedures, which were conducted in accordance with Auditing Standard ASA 810 Engagements to Report on Summary Financial Statements.

Opinion

In our opinion, the summary financial statements derived from the audited financial report of Trees for Life Incorporated for the year ended 30 June 2020 are consistent, in all material respects, with that audited financial report.

NOT FOR PROFIT ACCOUNTING SPECIALISTS
KESWICK SA 5035

[Signature]

Nicholas Matsis CPA
Registered Company Auditor No 77466

Dated: 24 September 2020

CHARTERED ACCOUNTANTS
AUSTRALIA • NEW ZEALAND

Liability limited by a scheme approved under Professional Standards Legislation
# TREES FOR LIFE INCORPORATED

## STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

FOR THE FINANCIAL YEAR ENDED 30 JUNE 2020

<table>
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<tr>
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<th>2019 $</th>
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<td>Subscriptions</td>
<td>122,930</td>
<td>106,276</td>
</tr>
<tr>
<td>Fundraising &amp; Donations</td>
<td>455,953</td>
<td>539,592</td>
</tr>
<tr>
<td>Sponsorship</td>
<td>104,959</td>
<td>78,573</td>
</tr>
<tr>
<td>Fee Income</td>
<td>1,439,627</td>
<td>1,334,011</td>
</tr>
<tr>
<td>Grant Income</td>
<td>1,227,457</td>
<td>1,487,504</td>
</tr>
<tr>
<td>Sundry Sales</td>
<td>133,985</td>
<td>162,302</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>3,484,911</td>
<td>3,708,258</td>
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<tr>
<td><strong>OTHER INCOME</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest Received</td>
<td>15,770</td>
<td>27,919</td>
</tr>
<tr>
<td>Government COVID-19 Stimulus Income</td>
<td>410,500</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Other Income</strong></td>
<td>426,270</td>
<td>27,919</td>
</tr>
<tr>
<td><strong>Total Revenue &amp; Other Income</strong></td>
<td>3,911,181</td>
<td>3,736,177</td>
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<tr>
<td><strong>EXPENDITURE</strong></td>
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<tr>
<td>Employee Related Expenses</td>
<td>2,556,252</td>
<td>2,495,912</td>
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<td>Travel &amp; Vehicle Costs</td>
<td>80,252</td>
<td>87,405</td>
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<td>Supplies &amp; Services Expense</td>
<td>228,010</td>
<td>185,294</td>
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<td>Project Expenses</td>
<td>273,766</td>
<td>297,070</td>
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<td>Contractor Costs</td>
<td>30,557</td>
<td>53,051</td>
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<td>Administrative Costs</td>
<td>171,089</td>
<td>185,512</td>
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<td>Fundraising &amp; Marketing Expenses</td>
<td>63,414</td>
<td>72,243</td>
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<td>Depreciation &amp; Amortisation</td>
<td>98,745</td>
<td>73,251</td>
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<td>Other Operating Expense</td>
<td>46,707</td>
<td>57,886</td>
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<tr>
<td>Loss on Disposal of Property, Plant &amp; Equipment</td>
<td>2,091</td>
<td>2,947</td>
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<tr>
<td><strong>Total Expenditure</strong></td>
<td>3,550,883</td>
<td>3,510,571</td>
</tr>
<tr>
<td><strong>NET SURPLUS/(DEFICIT) FOR THE YEAR</strong></td>
<td>360,298</td>
<td>225,606</td>
</tr>
<tr>
<td>Other Comprehensive Income</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Comprehensive Income For The Year</strong></td>
<td>360,298</td>
<td>225,606</td>
</tr>
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</table>
TREES FOR LIFE INCORPORATED

STATEMENT OF FINANCIAL POSITION

FOR THE FINANCIAL YEAR ENDED 30 JUNE 2020

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CURRENT ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash &amp; Cash Equivalents</td>
<td>1,421,768</td>
<td>1,246,269</td>
</tr>
<tr>
<td>Trade &amp; Other Receivables</td>
<td>599,697</td>
<td>304,517</td>
</tr>
<tr>
<td>Inventories</td>
<td>258,265</td>
<td>255,792</td>
</tr>
<tr>
<td>Prepayments</td>
<td>25,720</td>
<td>16,778</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>2,305,450</td>
<td>1,823,356</td>
</tr>
<tr>
<td><strong>NON-CURRENT ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property, Plant &amp; Equipment</td>
<td>1,177,074</td>
<td>1,241,891</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>3,482,524</td>
<td>3,065,247</td>
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<tr>
<td><strong>CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade &amp; Other Payables</td>
<td>280,296</td>
<td>175,391</td>
</tr>
<tr>
<td>Income Received in Advance</td>
<td>308,438</td>
<td>319,527</td>
</tr>
<tr>
<td>Provisions</td>
<td>322,449</td>
<td>355,304</td>
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<tr>
<td>Borrowings</td>
<td>9,882</td>
<td>10,695</td>
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<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>921,065</td>
<td>860,917</td>
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<tr>
<td><strong>NON-CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Borrowings</td>
<td>21,508</td>
<td>27,677</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td>942,573</td>
<td>888,594</td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td>2,539,951</td>
<td>2,176,653</td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td>2,539,951</td>
<td>2,176,653</td>
</tr>
</tbody>
</table>
I’m pleased to present the Trees For Life annual financial report for the year ended 30 June 2020. In 2019-20 we reported a positive financial result with a surplus of $360,298 and cash reserves of $1,421,768.

Much of the surplus achieved was due to Government COVID-19 stimulus income. Like many organisations, Trees For Life was affected by the global pandemic. The receipt of Government stimulus income allowed the organisation to continue on, whilst managing through the financial and operational uncertainties arising.

Trees For Life continues to be awarded market-contested contracts to deliver South Australian based solutions in landscape restoration and protection. This is a direct reflection of the trust and credibility our programs are achieving with their customers.

Trees For Life remains financially sustainable and has worked hard on a deliberate strategy to build a modest reserve to weather the many challenges of operating in the environmental and not-for-profit sectors. To date we have yet to draw down on the reserve and will continue to keep this protected in the event our funding changes dramatically.

We are mindful to manage expenditure responsibly on behalf of our members, donors, partners and supporters while we strategically invest in the ongoing financial viability of the organisation.

The effect of change in our natural environment has never been felt so acutely as we continue to feel the impact of drought, climate change, bushfire and now a global pandemic. These impacts will challenge our financial performance into the foreseeable future.

We continue to adapt accounting policies based on our ongoing review of financial reporting and compliance requirements for our statutory obligations.

Once again, I would like to personally thank the Chief Executive Officer, Natasha Davis and the Administration and Finance team for their continued efforts in financial reporting to the Board and diligence in managing the financials of the organisation.

We are now well into the new 2020-21 financial year and Trees For Life is managing well through the uncertainties continuing to arise from the pandemic. Trees For Life remains a financially resilient organisation with a healthy balance sheet at 30 June 2020. We continue to invest appropriately in our operational capability and good governance which provide us with confidence in our ability to weather current and future challenges.

Janine Lynch
Treasurer

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**Income by source**

**2019-2020**

- Bush For Life - 36%
- Tree Scheme - 16%
- TFL Works - 15%
- Fundraising - 14%
- Other - 10%
- Direct Seeding - 4%
- Nursery - 4%
Get in touch

5 May Terrace
Brooklyn Park SA 5032

08 8406 0500
info@treesforlife.org.au
treesforlife.org.au
@treesforlifesaa
#treesforlifesaa
4.5.2 CONSENSUS AGENDA – ENVIRONMENTAL SERVICES REPORT

4.5.2.3 PROGRESS REPORT
B11623

Council’s Senior Environmental Officer has provided the following update of works for the period of 9 December 2020 – 12 January 2021.

- Reviewed and made comments on The Barossa Council Draft Corporate Plan
- Met with Ratepayer in Sovereign Estate, Tanunda to identify environmental weed species proliferating on Council Reserve, median strip, sold and unsold vacant blocks. St Barnaby’s Thistle (Centaurea solstitialis) is isolated to this subdivision; suspect contaminated landfill has enabled this plant to become established in this area. Actions developed for Depot staff, ratepayers and land developer to remove this plant urgently and communication has been sent to all ratepayers within Sovereign Estate to be vigilant on their own property.
- Met with property owner at Lyndoch to discuss neighbours removal of native vegetation on private road.

Northern and Yorke Landscape Board Summary Regional Operations (relevant to The Barossa Council):

- Roadside Weed Control Workplan signed and being implemented.
- Wildlife for Wine (WFW) (Barossa) Project aims to engage grape and wine industry to provide key initiatives that will improve economic and environmental aspects of sustainable wine, which in turn benefits biodiversity. Activities include community planting event with 20 participants at Nietschke Farms, Moppa. Presentation by Ian Falkenberg on his bird surveys of WFW properties.
- Formation of Rabbit Control Group, Lyndoch which will facilitate meetings to distribute advice about integrated control techniques and follow up control methods.

RECOMMENDATION:
That report items 4.5.2.3 be received.
4.5.3 CONSENSUS AGENDA – HEALTH SERVICES REPORT

4.5.3.1 FOOD RECALLS
B10499

Consumer Level recalls were monitored for:

- Steggles Frozen Turkey Breast Roast – 1kg
- Naderi Traditional Cookie – 210g
- Wellness Road ABC Spread – 250g
- Simply Tasty Chicken Parmigiana with Creamy Mashed Potato – 400g
- Woolworths Peeled and Cooked Cocktail Prawns – 1kg
- Nudie Nothing But 2 Apples – 200ml

RECOMMENDATION:
That the report item 4.5.3.1 be received.
4.5.3 CONSENSUS AGENDA – HEALTH SERVICES REPORT

4.5.3.2 FOOD PREMISES INSPECTIONS
B4573

During the month of December 2020 the following food businesses were inspected for their compliance with the Food Act 2001:

- The Happy Black Sheep, Roaming Café – Routine inspection
- Baker St – Routine inspection
- Baker St – Reinspection
- Browns Barossa Donuts – Routine inspection
- Tanunda Bakery – Routine inspection
- D & M’s Bakery Café – Routine inspection
- Mount Pleasant Bakery – Routine inspection
- Lyndoch Bakery – Reinspection

RECOMMENDATION:
That the report items 4.5.3.2 be received.
CONSENSUS AGENDA – HEALTH SERVICES REPORT

4.5.3.3 REGIONAL PUBLIC HEALTH PLAN UPDATE B10702

Under Section 52 of the South Australian Public Health Act 2011 (the Act), Councils that are responsible for a Regional Public Health Plan must, on a two (2) yearly basis, prepare a report for the reporting period, outlining the implementation of the Regional Public Health Plan. This report is then submitted to the Chief Public Health Officer at SA Health. The report must be provided to the Chief Public Health Officer on or before 30 September in the reporting year.

For this reporting period, the regional councils were written to by the Chief Public Health Officer advising that an extension had been granted to the due date for Regional Public Health Plan reports, prescribed under Section 52 of the Act. The new due date for the report was 31 December 2020. The extension was implemented due to the extraordinary circumstances of COVID-19.

To undertake the Section 52 report for the region, the regional council’s engaged Healthy Environments to coordinate responses from each council and prepare the final report for submission to the Chief Public Health Officer.

Council had endorsed the report at the November 2020 meeting.

The report has been endorsed by the other partner Councils, and subsequently submitted by the due date, completing the reporting for the current period.

RECOMMENDATION:
That report item 4.5.3.3 be received and noted.
7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.1 DRAFT HOSPITALITY POLICY
B6888

Author: Governance Advisor

PURPOSE
Council is asked to receive, consider and approve the draft Hospitality Policy, which is provided at Attachment 1 to this report.

RECOMMENDATION
That Council receives, considers and approves the draft Hospitality Policy as Attachment 1.

REPORT

Background
On 19 December 2017, Council adopted its Hospitality Policy. The policy is now due for periodic review and is presented at Attachment 1 for Council’s consideration.

Introduction
The Hospitality Policy provides a framework for when Council might provide hospitality, and applies to all situations where Council funds or provides hospitality, including both internal and external events.

Discussion
Updates to the Policy are shown by way of track changes in the draft policy at Attachment 1 and include:

- New “Scope” section to clarify when the Policy applies.
- Removal of content in the Policy that is captured within the Workplace Drug and Alcohol Policy, restructure of the Policy to accommodate remaining content and to reflect current practices.
- Update to the review period to four years (from three years) for consistency with Council’s usual policy review timeframes.
- Update to the new policy document template and other minor updates including grammatical and format changes.

Summary and Conclusion
Council is now asked to receive, consider and approve the Hospitality Policy at Attachment 1.
COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

**Community Plan**

How We Work – Good Governance

**Corporate Plan**

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

**Advocacy Plan**

Nil

**Legislative Requirements**

Local Government Act 1999, Section 125
Code of Conduct for Council Members
Code of Conduct for Council Employees

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There is no financial or resource implications in finalising and implementing this policy as management will be absorbed as part of officers’ existing duties. Risk is mitigated by reliance on content from the Ombudsman SA’s own report into hospitality expenditure and in having defined and documented expectations of how hospitality expenditure is authorised and controlled.

COMMUNITY CONSULTATION

Community engagement is not legislatively required.
THE BAROSSA COUNCIL
HOSPITALITY POLICY

1. Purpose

1.1 The Barossa Council ("Council") recognises that, in order to foster effective relationships with the community, business, government and its own Elected Members and Staff, reasonable expenditure on hospitality is appropriate.

1.1.2 This Policy provides:

- a framework for the efficient and responsible use of public resources in the provision of hospitality to promote and support Official Council Business; and
- guidance for when that hospitality may include the responsible provision of alcohol.

2. Scope

2.1 This Policy applies to all situations where Council funds or provides official hospitality and/or entertainment, either for internal or external events or functions.

2.2 Employees receiving hospitality from third parties should be aware of, and act in accordance with the Code of Conduct for Employees (as prescribed within Schedule 2A of the Local Government (General) Regulations) and all relevant Council policies and processes.

2.3 This Policy does not apply where Employees or Elected Members are seeking reimbursement of expenditure related to hospitality under the Enterprise Bargaining Agreements or the Employment Award or contract; or another Council Policy or Process, such as the Employee Training and Development Policy and Process, Elected Member Allowances and Benefits Policy.

3. Policy Statement

3.1 Principles of Expenditure

3.1.1 Council’s hospitality expenditure must only be incurred where it has first been identified that providing the hospitality will facilitate the conduct of Official Council Business and, if so, then the expenditure must be:

- be reasonable in terms of cost and frequency, having regard to accepted community practice and expectations of the Barossa as a premium winemaking region;

- be open, transparent and available for scrutiny by both internal and external audit processes; and

- be applied in accordance with Council’s Procurement Policy and associated Processes, delegated authorities, which are made in accordance within the adopted budget; and
result in or be reasonably expected to contribute to achieving the Council’s objectives, and should not be used merely for social occasions or convenience;

- and where alcohol is provided, the provision of alcohol should be incidental to the overall level of hospitality provided;

3.2. Events where hospitality may be provided by Council

3.2.1. Subject to clause 3.4.3.3 below, Council may provide hospitality, including alcohol, where it hosts the following:

- civic receptions for intrastate, interstate and overseas dignitaries;
- representatives of commerce, professional associations relevant to local government and recognised community organisations or groups;
- representatives of other levels of government;
- events or functions to recognise particular achievements or milestones within Council or volunteer contributions to our community; and
- formal Council and standing committee meetings and associated Council workshops.

3.2.2. Council may also provide hospitality, but will not provide alcohol unless otherwise approved by the CEO or Director, where it hosts the following:

- morning or afternoon teas for community visitors to Council premises for Official Council Business;
- Staff Worker Employee conferences, meetings, seminars and training events; and
- subject to clause 3.3 below, informal Staff Worker Employee social events and functions.

3.2.3. Provision of Alcohol

Worker Alcohol may only be provided at a Council event or function when approved in writing by the CEO or Director, noting the following requirements:

- Alcohol should not, as a matter of principle, be provided during Employee conferences, meetings, seminars and training events, except in limited circumstances, with the approval of the CEO or a Director.
- The supply of alcohol at any function can lead to increased risks, including the risk of anti-social behaviour and reputational damage to both an individual and Council. For this reason, appropriate risk and safety measures must be in place.
- Before supplying alcohol at a Council function, the organising Council Officer must note their responsibilities under the Work Health and Safety Act 2012, Code of Conduct for Employees and any other relevant Council Policies or Processes. Employees Workers are expected to, at all times, comply with Council’s Workplace Drug and Alcohol Policy and associated Process.

- The storage and control of alcohol should be closely monitored; and

3.4.3.3 Staff Worker Employee Social Events and Functions
3.4.1.3.3.1. From time to time, *Staff social gatherings or events* [social events and functions] are co-ordinated by *Employees* to raise donations for charity, and to celebrate *Staff* achievements, *team building* and milestones such as birthdays, new appointments, farewells and retirements. These *functions events* include lunches, morning and afternoons teas held within their own time, unless otherwise approved by a Supervisor. Generally, Council does not provide hospitality for these social events and functions.

3.4.2.3.3.2. To support organisational culture, however, *In limited circumstances*, Council may support organisational culture by arranging morning teas at appropriate times provide a small monthly morning tea during *Staff announcements*.

3.4.3.3.3.3. Council may make a small financial contribution per head towards an informal whole-of-Council, Directorate or team event held annually, as a small thank you for each *Employee*, in lieu of the expense of a formally organised Council Christmas Staff function.

3.3.4. *Staff–Employee* events and functions co-ordinated by the *Staff–Employee Social Club* are held outside of business hours and at the expense of attending *Staff–Employee* members.

3.5.  

3.6. **Provision and Consumption of Alcohol**

3.7. The supply of alcohol at any function can lead to increased risks, including the risk of anti-social behaviour and reputational damage to both an individual and Council.

3.8. Before supplying alcohol at a Council function, the organising Council Officer must note their responsibilities under the Work Health and Safety Act 2012 and Code of Conduct for Employees, and consider the following controls:

3.9.  

3.10. the function should be held at a time which minimises the risk of participants being impaired by alcohol;

3.11. the function should not exceed two hours in duration;

3.12. the storage and control of alcohol should be closely monitored; and

3.13. the provision of alternative transport arrangements for participants if needed.

3.14. All those attending a Council function are expected to be responsible in their consumption and, where the event takes place at a worksite, mindful of the workplace.

3.15. *Staff should not consume alcohol during work hours* (which excludes lunch periods) except:

3.16. at functions approved verbally or in writing by Council, the CEO or relevant Director; or

3.17. when undertaking Official Council Business off-site that is associated with Barossa industries; for example at tourism sites and familiarisation visits.

3.18. *While of course* Staff are free to consume alcohol during their own time off-site, their return to work will be subject to clause 3.4.5 below.

3.19. Staff will not be permitted to commence work or return to work after the function or their lunch break if:

3.20. their Supervisor considers that their fitness for work appears to be impaired, reduced or affected due to alcohol; or

3.21. their Supervisor considers that they may create a risk to safety; or
3.22. their task(s) require a zero blood alcohol content, for example – Staff driving heavy vehicles.

3.23. Such activity could result in a workplace investigation into breaches of Council Policy and the Code of Conduct for Council Employees.

3.24.3.4. Fringe Benefits Tax

3.24.1.3.4.1. Fringe Benefits Tax (FBT) may be payable on certain types of hospitality.

3.24.2.3.4.2. Officers who request and approve hospitality expenditure on behalf of Council should be aware of any FBT implications of the expenditure and manage same in accordance with relevant processes.

1. Supporting Processes and Documents

Hazard Management Process

Drug and Alcohol Management Process (upon commencement)

2. Related Policies

Code of Conduct for Council Members
Code of Conduct for Council Employees
Elected Members Allowances and Benefits Policy
Hazard Management Policy
Procurement Policy and associated Processes
Recognition of Employee Service Policy
Training and Professional Development Policy
Workplace Drug and Alcohol Policy and Process

3. Legislation and References

Fringe Benefits Tax Assessment Act 1986
Local Government Act 1999
Local Government Employees Award
Road Traffic Act 1961
South Australian Municipal Salaried Officers Award
The Barossa Council Enterprise Agreements
Work Health and Safety Act 2012

4. Review

This Policy will be reviewed by [the Council / Document Control Officer] in consultation with the relevant stakeholders, within four (4) years or more frequently if legislation or Council’s need changes.

5. Further Information

5.1. This Policy is available on Council’s website at www.barossa.sa.gov.au. It can also be viewed electronically at Council’s principal office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Policy can be obtained at those venues upon payment of a fixed fee.

5.2. Complaints regarding this Policy or its application can be made to the Customer Service team on 8563 8444 or barossa@barossa.sa.gov.au at first instance, who will
refer you to the most appropriate officer according to Council’s Customer Service Policy (see clause 5.18.1 above for availability).

6. Document Control

<table>
<thead>
<tr>
<th>Corporate Plan Link:</th>
<th>6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.</th>
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<td>Chief Executive Officer</td>
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<tr>
<td>Document Control Officer:</td>
<td>Senior People and Culture Advisor</td>
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<tr>
<td>Consultation Rating:</td>
<td>A</td>
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<td>Next Review Date:</td>
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Version history

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<th>Version No.</th>
<th>Date</th>
<th>Description of Change</th>
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<td>2.0</td>
<td>DD/MM/YYYY</td>
<td>Policy updated following periodic review</td>
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<tr>
<td>1.0</td>
<td>19/12/2017</td>
<td>New Policy</td>
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10. Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>Where Council provides alcohol in accordance with this Policy, it will be limited to beer and wine.</td>
</tr>
<tr>
<td>Business Day</td>
<td>A day when Council is normally open for business – Monday to Friday, excluding Public Holidays and when Council’s Principal Office may be closed (e.g. over the Christmas holiday period).</td>
</tr>
<tr>
<td>CEO or Director</td>
<td>Chief Executive Officer, The Barossa Council and a person occupying the position of Director of The Barossa Council.</td>
</tr>
<tr>
<td>Employee</td>
<td>All full-time, part-time and casual employees of The Barossa Council including trainees, apprentices, and on-hire employees.</td>
</tr>
<tr>
<td>Electronic Document and Records Management System (“EDRMS”)</td>
<td>An automated system used to manage the creation, use, management, storage and disposal of physical and electronic Documents and Records, for the purposes of supporting the creation, revision and management of digital Documents; improving Council’s work-flow, and providing evidence of business activities.</td>
</tr>
<tr>
<td>Hospitality</td>
<td>The provision of food and beverages.</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Any direct line supervisor, including Chief Executive Officer, Director, Team Manager, Line Manager, Coordinator, Supervisor or Leading Worker who are responsible for Worker(s) reporting to them.</td>
</tr>
<tr>
<td>Worker</td>
<td>A person is a worker if the person carries out work in any capacity for Council, including work as:</td>
</tr>
<tr>
<td></td>
<td>(a) an employee; or</td>
</tr>
<tr>
<td></td>
<td>(b) a contractor or subcontractor; or</td>
</tr>
<tr>
<td></td>
<td>(c) an employee of a contractor or subcontractor; or</td>
</tr>
<tr>
<td></td>
<td>(d) an employee of a labour hire company who has been assigned to work in the person’s business or undertaking; or</td>
</tr>
<tr>
<td></td>
<td>(e) an outworker; or</td>
</tr>
<tr>
<td></td>
<td>(f) an apprentice or trainee; or</td>
</tr>
<tr>
<td></td>
<td>(g) a student gaining work experience; or</td>
</tr>
<tr>
<td></td>
<td>(h) a volunteer; or</td>
</tr>
<tr>
<td></td>
<td>(i) a person of a prescribed class.</td>
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7.2.1 DEBATE AGENDA – CHIEF EXECUTIVE OFFICER

7.2.1.2 PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT DELEGATIONS

Author: Governance Advisor

**PURPOSE**

Council is asked to:

- revoke delegations to the Chief Executive Officer under the Planning, Development and Infrastructure Act, as it is proposed that this Instrument of Delegation be replaced by the new Instrument A and B, at Attachments 1 and 2;
- delegate to the CEO, the new Instrument A – Power of Council as a Council, Designated Authority and Designated Entity under the Planning Development and Infrastructure Act at Attachment 1;
- delegate to the CEO, the new Instrument B – Power of Council as a Relevant Authority under the Planning Development and Infrastructure Act at Attachment 2;
- receive and note Instrument C – Power of the Barossa Assessment Panel as a Relevant Authority under the Planning, Development and Infrastructure Act at Attachment 3; and Instrument D – Power of the Assessment Manager as a Relevant Authority under the Planning Development and Infrastructure Act at Attachment 4, noting that the powers contained in these instruments will be delegated by the Barossa Assessment Panel and Assessment Manager, respectively.

**RECOMMENDATION**

Instrument A – Power of Council as a Council, Designated Authority and Designated Entity under the Planning Development and Infrastructure Act

(1) Council hereby revokes all delegations to the Chief Executive Officer of those powers and functions under the provisions of the Planning Development and Infrastructure Act, set out in Attachment 5 of this Report.

(2) In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation as Attachment 1, Council hereby delegates to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified in the proposed Instrument A as Attachment 1 to this report.
(3) 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 in the proposed Instrument of Delegation.

Instrument B – Power of Council as a Relevant Authority under the Planning Development and Infrastructure Act

(4) In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation as Attachment 2, Council hereby delegates to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified in the proposed Instrument of Delegation.

(5) Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated in the proposed Instrument of Delegation.

Instrument C and D

(6) That Council receive and note the proposed Instrument C – Power of the Barossa Assessment Panel (Relevant Authority); and Instrument D – Power of the Assessment Manager (Relevant Authorities), noting that the powers contained in Instruments C and D are subject to delegation by the Barossa Assessment Panel and the Assessment Manager, respectively.

REPORT

Background

The Planning, Development and Infrastructure Act 2016 ("PDI Act") is expected to come into full operation in the first half of 2021, upon the commencement of the Planning and Design Code for Phase 3 Councils.

Prior to it becoming fully operational, it is now necessary for Council to consider delegations under the PDI Act, noting that the majority of the powers will be used upon the PDI Act becoming fully operational. Powers that are relevant to parts of the PDI Act that are operational can be used from the date of delegation by Council.

It should be noted that any delegations under the PDI Act will not replace current delegations from Council under the Development Act 1993 and associated regulations. The current Development Act delegation instruments will remain in force, as dual systems will be required until we have fully transitioned to the new planning system under the PDI Act.

Introduction

The PDI Act confers powers directly on:
- Council as a Council, Designated Authority and Designated Entity;
- Council as a Relevant Authority;
- the Barossa Assessment Panel as a Relevant Authority; and
- the Assessment Manager as a Relevant Authority.
Council may delegate its statutory powers and functions pursuant to Section 44 of the Local Government Act 1999, and it is proposed that Council do so with respect to Council’s powers as a Council, Designated Authority and Designated Entity.

Further, Relevant Authorities may delegate their powers and functions pursuant to Section 100 of the PDI Act. Accordingly, it is proposed that Council do so with respect to Council’s powers as a Relevant Authority.

Discussion

Council’s Delegation Register and instruments are based on LGA templates. The LGA has identified that due to the nature of the powers conferred by the PDI Act, it is appropriate to have four instruments of delegation under the PDI Act.

The proposed instruments of delegation are described below and are attached to this report at Attachments 1 to 4. The instruments contain both the proposed delegations as well as proposed sub-delegations, which are subject to sub-delegation by the delegate.

Instrument A – Powers of a Council as a Council; a Designated Authority and a Designated Entity
Instrument A contains powers conferred to Council by the PDI Act, in Council’s capacity as a Council, a Designated Authority and a Designated Entity.

Council may delegate its powers to the Chief Executive Officer under Section 44 of the Local Government Act 1999, and, unless otherwise indicated, the Chief Executive Officer may further sub-delegate these powers under Sections 44 and 101 of the Local Government Act. The proposed delegations and sub-delegations are included in Attachment 1, noting that the latter are subject to sub-delegation by the Chief Executive Officer.

Once approved, Instrument A and B, at Attachments 1 and 2, will replace current delegations from Council to the Chief Executive Officer under the PDI Act. Accordingly, it is proposed that Council revoke its current delegations to the Chief Executive Officer under the PDI Act, at Attachment 5.

Instrument B – Powers of a Council as a Relevant Authority
Instrument B contains powers conferred to Council by the PDI Act, in Council’s capacity as a Relevant Authority. The role of a Relevant Authority is to grant or refuse various types of development approvals. Council will generally be a Relevant Authority with respect to building consent.

Council may delegate its powers to the Chief Executive Officer under Section 100 of the PDI Act, and, unless otherwise indicated, the Chief Executive Officer may further sub-delegate these powers under Section 100(2)(c) of the PDI Act. The proposed delegations and sub-delegations are included in Attachment 2, noting that the proposed sub-delegations are subject to sub-delegation by the Chief Executive Officer.

Instrument C - Powers of an Assessment Panel (Relevant Authority)
Instrument C contains powers conferred to the Barossa Assessment Panel by the PDI Act, in the Panel’s capacity as a Relevant Authority. The Panel’s role as a Relevant Authority is generally with respect to granting planning consent for performance assessed development that is the subject of public notification.
The Panel may delegate its powers to under Section 100 of the PDI Act. It is proposed that the Panel delegate these powers to the Assessment Manager, and, unless otherwise indicated, the Assessment Manager further sub-delegate these powers under Section 100(2)(c) of the PDI Act. The proposed delegations and sub-delegations are included in Instrument C at Attachment 3, which are subject to delegation by the Panel and sub-delegation by the Assessment Manager.

The proposed delegations also include reference to a standing referral under Section 99(1), whereby the Panel may resolve, where it has determined to act under Section 99(1)(b) of the PDI Act, to refer the assessment of a development in respect of the Building Rules, to Council. The standing referral would remove the need for the Panel to refer each matter that Section 99(1) applies to, to Council.

Elected Members should be aware that because the PDI Act confers the powers contained in Instrument C directly to the Panel, Council is not required to delegate these powers to the Panel. Rather, the Panel may delegate these powers directly to the Assessment Manager. Accordingly, Instrument C at Attachment 3 is being provided to Elected Members for information only as the delegations must be made by the Panel.

Instrument D – Powers of an Assessment Manager (Relevant Authority)
Instrument D contains powers conferred to the Assessment Manager by the PDI Act, in the Assessment Manager’s capacity as a Relevant Authority. The Assessment Manager’s role as a Relevant Authority is with respect to the granting of planning consent for performance assessed development that is not the subject of public notice and deemed to satisfy development (including where there may be 1 or more minor variations); and for the purposes of granting land division consent, encroachment consent and consent as to the satisfaction of any relevant offset scheme such as the open space contribution scheme or an urban trees fund.

The Assessment Manager may delegate its powers under Section 100 of the PDI Act. It is proposed that the Assessment manager delegate these powers directly to officers, with no further sub-delegation.

Instrument D, at Attachment 4 is provided for Elected Members’ information and contains the powers and proposed delegations from the Assessment Manager to officers. The proposed delegations are subject to approval by the Assessment Manager.

Summary and Conclusion
Council is asked to receive, consider and approve Instrument A and B at Attachments 1 and 2; and receive and note Instruments C and D, at Attachments 3 and 4.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1 - Instrument A - Powers of a Council as a Council; a Designated Authority and a Designated Entity (ref: 20/27529*)
Attachment 2 - Instrument B - Powers of a Council as a Relevant Authority (ref: 20/29000*)
Attachment 3 - Instrument C - Powers of an Assessment Panel (Relevant Authority) (ref: 20/31313*)
Attachment 4 - Instrument D - Powers of an Assessment Manager (Relevant Authority) (ref: 20/31726*)
Attachment 5 - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 reviewed by Council at its Annual Review on 21 May 2019 and amended on 15 October 2019 (ref: 21/2488)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

How We Work – Good Governance

Corporate Plan
6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

Legislative Requirements
Local Government Act 1999
Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
There are no financial considerations.

Resource
Facilitation of these delegations to the Chief Executive Officer (or Assessment Manager where relevant) will be undertaken according to officers’ existing duties.

Risk
The risk of having ineffective or invalid delegations is minimised as the delegations being considered have been recommended by Norman Waterhouse Lawyers (which prepared the Instruments for the LGA). The proposed delegations contained in the attachments have also been reviewed by Kelledy Jones Lawyers.

It is imperative that delegations are validly made as consequences of ineffective or invalid delegations include:
- the exercise of power may fail – i.e. the decision made may be liable to being overturned by a court
- the cost of a successful challenge to a decision made without lawful delegation will likely be borne by the Council
- where the unlawful exercise of the power has caused loss or damage, the Council may be liable for such loss or damage.

COMMUNITY CONSULTATION

There is no legislative requirement to consult the community in this situation, nor, in officers’ opinions, do the particular circumstances require it as the delegations themselves are based on prescribed LGA templates where there is no option for amendment through community feedback.

For transparency, the community has access to the delegations register on Council’s website so is made aware of the powers of the Chief Executive Officer as delegated by the Council, and also the powers of officers as sub-delegated by the Chief Executive Officer. Further, Instrument C and D, as they relate to the Barossa Assessment Panel and Assessment Manager (including those delegations and sub-
delegations made by these Relevant Authorities) will be published on Council’s website upon approval.
THE BAROSSA COUNCIL DELEGATIONS REGISTER

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016

Instrument A - Powers of a Council as a Council; a Designated Authority; a Designated Entity

PREAMBLE

1. To identify when these delegations were made, reviewed or amended, refer to the relevant Council resolution in the Schedule of Amended Delegations on Council’s website at www.barossa.sa.gov.au.

2. To identify when the sub-delegations were made, reviewed or amended, refer to the Instrument of Sub-delegation for the individual officer’s position in Council’s Electronic Document Records Management System.

3. Sub-delegates by Title:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Position title</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-MDS</td>
<td>Assistant to Manager, Development Services</td>
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<tr>
<td>AM</td>
<td>Assessment Manager</td>
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<tr>
<td>AO-B</td>
<td>Assessment Officer, Building</td>
</tr>
<tr>
<td>AO-P</td>
<td>Assessment Officer, Planning</td>
</tr>
<tr>
<td>ATSO-DS</td>
<td>Administration and Technical Support Officer, Development Services</td>
</tr>
<tr>
<td>BS</td>
<td>Building Surveyor</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Position title</td>
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</tr>
<tr>
<td>CO-BP</td>
<td>Compliance Officer, Building and Planning</td>
</tr>
<tr>
<td>DDES</td>
<td>Director, Development and Environmental Services</td>
</tr>
<tr>
<td>DWES</td>
<td>Director, Works and Engineering Services</td>
</tr>
<tr>
<td>EPSO-DES</td>
<td>Executive and Project Support Officer, Development and Environmental Services</td>
</tr>
<tr>
<td>GA</td>
<td>Governance Advisor</td>
</tr>
<tr>
<td>MDS</td>
<td>Manager, Development Services</td>
</tr>
<tr>
<td>MES</td>
<td>Manager, Engineering Services</td>
</tr>
<tr>
<td>MFS</td>
<td>Manager, Financial Services</td>
</tr>
<tr>
<td>SAO-B</td>
<td>Senior Assessment Officer, Building</td>
</tr>
<tr>
<td>SAO-P</td>
<td>Senior Assessment Officer, Planning</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>s7(5)(b)</td>
<td>1. Environment and Food Production Areas – Greater Adelaide</td>
<td></td>
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<tr>
<td></td>
<td>1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to proposed development in an environment and food production area</td>
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<tr>
<td></td>
<td>This power remains with CEO - no further sub-delegation</td>
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</tbody>
</table>

The Barossa Council Delegations Register - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 – Powers of a Council as a Council; Designated Authority; a Designated Entity – Instrument A

Head delegations approved by Council on [date]. Sub-delegations approved by the Chief Executive Officer on [date].

Ref: 20/27529*

Page 2 of 68
<table>
<thead>
<tr>
<th>Provision</th>
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</thead>
</table>
| s22(4)(a)(i) | 2. Functions  
2.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations. | DDES, MDS | |
| s35(1)(a) | 3. Planning Agreements  
3.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act. | DDES | |
| s35(3) | 3. Planning Agreements  
3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:  
3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and | DDES | |
| s35(3) | 3. Planning Agreements  
3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: | DDES | |
### Provision

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<tbody>
<tr>
<td>3.2.2</td>
<td>the constitution of a joint planning board including, in relation to such a board:</td>
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<tr>
<td>3.2.2.1</td>
<td>the membership of the board, being between 3 and 7 members (inclusive); and</td>
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<tr>
<td>3.2.2.2</td>
<td>subject to Section 35(4) of the PDI Act, the criteria for membership; and</td>
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<tr>
<td>3.2.2.3</td>
<td>the procedures to be followed with respect to the appointment of members; and</td>
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<tr>
<td>3.2.2.4</td>
<td>the terms of office of members; and</td>
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</tr>
<tr>
<td>3.2.2.5</td>
<td>conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 35.2.2.6 the appointment of deputy members; and</td>
<td></td>
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<tr>
<td>3.2.2.7</td>
<td>the procedures of the board; and</td>
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</tr>
</tbody>
</table>

3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:

3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and

s35(3) 3. Planning Agreements

3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:

s35(3) 3. Planning Agreements

3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:

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

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</thead>
</table>
| s35(3)    | 3. Planning Agreements
3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:
3.2.4 the staffing and other support issues associated with the operations of the joint planning board; and
3.2.5 financial and resource issues associated with the operations of the joint planning board, including:
3.2.5.1 the formulation and implementation of budgets; and
3.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and
3.2.6 such other matters as the delegate thinks fit. | DDES | |
| s35(3)    | 3. Planning Agreements
3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: | DDES | |
| s35(5)(a) | 3. Planning Agreements
3.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms). | DDES | |
<table>
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</table>
| s35(5)(b) | 3. Planning Agreements  
3.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement. | DDES | |
| s44(6)(a) | 4. Community Engagement Charter  
4.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council). | DDES, MDS | |
| s44(9)(b) | 4. Community Engagement Charter  
4.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case. | DDES, MDS | |
| s44(10) | 4. Community Engagement Charter  
4.3 The power pursuant to Section 44(10) of the PDI Act to:  
4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and  
4.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter. | DDES, MDS | |
<p>| s45(2)(c) | 5. Preparation and Amendment of Charter | DDES, MDS | |</p>
<table>
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<tbody>
<tr>
<td>5.1</td>
<td>The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.</td>
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<tr>
<td>s73(6)</td>
<td>6. Preparation and Amendment</td>
<td>DDES, MDS</td>
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<tr>
<td>6.1</td>
<td>The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:</td>
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<tr>
<td>6.1.1.1</td>
<td>to prepare a draft of the relevant proposal; and</td>
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<tr>
<td>6.1.2</td>
<td>to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</td>
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<tr>
<td>6.1.3.1</td>
<td>to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and</td>
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<tr>
<td>6.1.4.1</td>
<td>an owner or occupier of the land; and</td>
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<tr>
<td>6.1.4.2</td>
<td>an owner or occupier of each piece of adjacent land,</td>
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<td>a notice in accordance with the regulations; and</td>
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<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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<td>Conditions and Limitations</td>
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<td>6.1.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and 6.1.6 to carry out such investigations and obtain such information specified by the Commission; and 6.1.7 to comply with any requirement prescribed by the regulations.</td>
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<tr>
<td>s73(8)</td>
<td>6. Preparation and Amendment 6.2 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>s73(9)</td>
<td>6. Preparation and Amendment 6.3 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>s74(8)(c)</td>
<td>7. Parliamentary Scrutiny 7.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.</td>
<td>DDES, MDS</td>
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<tr>
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<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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<tr>
<td>s82(d)</td>
<td>9. Entities Constituting Relevant Authorities</td>
<td></td>
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<tr>
<td></td>
<td>9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.</td>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
</tr>
<tr>
<td>s83(1)</td>
<td>10. Panels Established by Joint Planning Boards or Councils</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>10.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:</td>
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<tr>
<td></td>
<td>10.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;</td>
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<tr>
<td></td>
<td>10.1.2 determine:</td>
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<tr>
<td></td>
<td>10.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and</td>
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<td>10.1.2.2 the procedures to be followed with respect to the appointment of members; and</td>
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<td>10.1.2.3 the terms of office of members; and</td>
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<td>10.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and</td>
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<td>10.1.2.5 the appointment of deputy members; and</td>
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| s83(1)(h) | 10. Panels Established by Joint Planning Boards or Councils  
10.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel. | DDES, MDS |  |
| s83(1)(i) | 10. Panels Established by Joint Planning Boards or Councils  
10.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act. | This power remains with CEO - no further sub-delegation |  |
| s83(2)   | 10. Panels Established by Joint Planning Boards or Councils  
10.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person’s experience in local government. | This power remains with Council - delegation does not apply. |  |
| s86(2)(a)| 11. Substitution of Local Panels  
11.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry. | DDES |  |
## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY (INSTRUMENT A)

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</thead>
</table>
| s89(b)    | 12. Notification of Acting  
12.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require. | AO-B, AO-P, CO-BP, DDES, MDS, SAO-B, SAO-P |                                                     |
| s102(1)(c)(iv) | 13. Matters Against which Development Must be Assessed  
13.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting. | DDES, DWES |                                                     |
| s102(1)(d)(iv) | 13. Matters Against which Development Must be Assessed  
13.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting. | DDES, DWES |                                                     |
| s102(11)(b) | 13. Matters Against which Development Must be Assessed  
13.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken. | This power remains with CEO - no further sub-delegation |                                                     |
| s110(2)(b) | 14. Restricted Development  
14.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent. | DDES, MDS |                                                     |
### Provision | Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval) | Proposed Sub-Delegate (subject to approval by the CEO) | Conditions and Limitations
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s110(c)(ii) 14. Restricted Development 14.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council’s representation. | DDES, MDS |  |

s110(7) 14. Restricted Development 14.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development. | DDES, MDS |  |

s112(b) 15. Level of Detail 15.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS. | DDES, MDS |  |

s130(6) 16. Essential Infrastructure – Alternative Assessment Process 16.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act. | DDES, MDS |  |

s130(14) 16. Essential Infrastructure – Alternative Assessment Process 16.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council’s opposition. | DDES, MDS |  |
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<td>s131(7)</td>
<td>17. Development Assessment – Crown Development</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>17.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.</td>
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<tr>
<td>s131(15)</td>
<td>17. Development Assessment – Crown Development</td>
<td>DDES, MDS</td>
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<tr>
<td></td>
<td>17.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council’s opposition.</td>
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<tr>
<td>s138(1)</td>
<td>18. Land Division Certificate</td>
<td>AO-P, DDES, MDS, SAO-P</td>
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<tr>
<td></td>
<td>18.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.</td>
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<tr>
<td>s138(2)</td>
<td>18. Land Division Certificate</td>
<td>AO-P, DDES, MDS, SAO-P</td>
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<td></td>
<td>18.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.</td>
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<tr>
<td>s141(1)</td>
<td>19. Action if Development Not Completed</td>
<td>DDES, MDS</td>
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<tr>
<td></td>
<td>19.1 The power pursuant to Section 141(1) of the PDI Act, if:</td>
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<tr>
<td>19.1.1</td>
<td>an approval is granted under the PDI Act; but</td>
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<td>19.1.2</td>
<td>-</td>
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<tr>
<td>19.1.2.1</td>
<td>the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or</td>
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<td>19.1.2.2</td>
<td>in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval,</td>
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<td>to apply to the Court for an order under Section 141 of the PDI Act.</td>
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<tr>
<td>s141(5)</td>
<td>19. Action if Development Not Completed</td>
<td>DDES, MDS</td>
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<td></td>
<td>19.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.</td>
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<tr>
<td>s141(6)</td>
<td>19. Action if Development Not Completed</td>
<td>DDES, MDS</td>
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<td></td>
<td>19.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act;</td>
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<td></td>
<td>19.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</td>
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<td>s142(1)</td>
<td>20. Completion of Work</td>
<td>DDES, MDS</td>
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<td>20.1</td>
<td>The power pursuant to Section 142(1) of the PDI Act, if:</td>
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<td>20.1.1</td>
<td>an approval is granted under the PDI Act; but</td>
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<td>20.1.2</td>
<td>the development to which the approval relates has been substantially but not fully completed</td>
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<td>within the period prescribed by the regulations for the lapse of the approval,</td>
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<td>to, by notice in writing, require the owner of the relevant land to complete the development</td>
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<td>within a period specified in the notice.</td>
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<td>s142(2)</td>
<td>20. Completion of Work</td>
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<td>20.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as</td>
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<td>required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be</td>
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<td>carried out.</td>
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<tr>
<td>s142(3)</td>
<td>20. Completion of Work</td>
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<td>20.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner,</td>
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<td>the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the</td>
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<td>Council) under Section 142 of the PDI Act.</td>
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<td>s142(4)</td>
<td>20. Completion of Work</td>
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<td>20.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a</td>
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<td>person by the Council under Section 142 of the PDI Act:</td>
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<td>20.4.1 To, by notice in writing to the person, fix a period, being not less than 28 days from</td>
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<tr>
<td></td>
<td>the date of the notice, within which the amount must be paid by the person.</td>
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</table>
| s146(3)   | 21. Notification During Building  
21.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications. | AO-B, BS, CO-BP, DDES, MDS, SAO-B | |
| s151(2)   | 22. Classification of Buildings  
22.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council’s area a classification that conforms with the regulations. | AO-B, BS, CO-BP, DDES, MDS, SAO-B | |
| s151(3)   | 22. Classification of Buildings  
22.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building. | AO-B, BS, CO-BP, DDES, MDS, SAO-B | |
| s152(2)   | 23. Certificates of Occupancy  
23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy. | AO-B, BS, SAO-B | |
| s152(3)(a)| 23. Certificates of Occupancy  
23.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate. | AO-B, BS, SAO-B | |
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| s152(5)  | 23. Certificates of Occupancy  
23.4 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application. | AO-B, BS, SAO-B                                        |                           |
| s152(6)  | 23. Certificates of Occupancy  
23.5 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act. | AO-B, BS, SAO-B                                        |                           |
| s152(10)| 23. Certificates of Occupancy  
23.6 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:  
23.6.1 the refusal; and  
23.6.2 the reasons for the refusal; and  
23.6.3 the applicant’s right of appeal under the PDI Act. | AO-B, BS, SAO-B                                        |                           |
| s152(12)| 23. Certificates of Occupancy  
23.7 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building. | AO-B, BS, SAO-B                                        |                           |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY (INSTRUMENT A)

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</table>
| s152(13)  | 23. Certificates of Occupancy  
23.8 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances. | AO-B, BS, SAO-B | |
| s153(1)   | 24. Temporary Occupation  
24.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy. | AO-B, BS, SAO-B | |
| s153(2)   | 24. Temporary Occupation  
24.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose. | AO-B, BS, SAO-B | |
| s153(3)   | 24. Temporary Occupation  
24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:  
24.3.1 the refusal; and  
24.3.2 the reasons for the refusal; and  
24.3.3 the applicant’s right of appeal under the PDI Act. | AO-B, BS, SAO-B | |
<p>| s155(5)   | 25. Emergency Orders | AO-B, BS, CO-BP, DDES, MDS, SAO-B | |</p>
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<td>25.1</td>
<td>The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.</td>
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<tr>
<td>s155(6)</td>
<td>25. Emergency Orders&lt;br&gt;25.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.</td>
<td>AO-B, BS, CO-BP, DDES, MDS, SAO-B</td>
<td></td>
</tr>
<tr>
<td>s155(7)</td>
<td>25. Emergency Orders&lt;br&gt;25.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</td>
<td>AO-B, BS, CO-BP, DDES, MDS, SAO-B</td>
<td></td>
</tr>
<tr>
<td>s157(16)</td>
<td>26. Fire Safety&lt;br&gt;26.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.</td>
<td></td>
<td>This power remains with Council - delegation does not apply.</td>
</tr>
<tr>
<td>s157(17)</td>
<td>26. Fire Safety&lt;br&gt;26.2 The power pursuant to Section 157(17) of the PDI Act to:&lt;br&gt;26.2.1 appoint to the appropriate authority;&lt;br&gt;26.2.1.1 a person who holds prescribed qualifications in building surveying; and</td>
<td></td>
<td>This power remains with Council - delegation does not apply.</td>
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<td>26.2.1.2</td>
<td>an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and</td>
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<td>26.2.1.3</td>
<td>a person with expertise in the area of fire safety; and</td>
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<tr>
<td>26.2.1.4</td>
<td>if so determined by the delegate, a person selected by the delegate;</td>
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<tr>
<td>s157(17)</td>
<td>26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;</td>
<td>This power remains with Council - delegation does not apply.</td>
<td></td>
</tr>
<tr>
<td>s157(17)</td>
<td>26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.3 remove a member of the appropriate authority from office for any reasonable cause;</td>
<td>This power remains with Council - delegation does not apply.</td>
<td></td>
</tr>
<tr>
<td>s157(17)</td>
<td>26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.4 appoint deputy members;</td>
<td>This power remains with Council - delegation does not apply.</td>
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<tr>
<td>s157(17)</td>
<td>26. Fire Safety&lt;br&gt;26.2 The power pursuant to Section 157(17) of the PDI Act to:&lt;br&gt;26.2.5 determine the appropriate authority’s procedures (including as to quorum).</td>
<td>This power remains with Council - delegation does not apply.</td>
<td></td>
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<tr>
<td>s166(1)(c)</td>
<td>27. Consideration of Proposed Scheme&lt;br&gt;27.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.</td>
<td>AM, DDES, DWES, MDS, MES</td>
<td></td>
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<tr>
<td>s169(2)(b)</td>
<td>28. Funding Arrangements&lt;br&gt;28.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.</td>
<td>AM, DDES, DWES, MDS, MES</td>
<td></td>
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<tr>
<td>s169(9)</td>
<td>28. Funding Arrangements&lt;br&gt;28.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.</td>
<td>AM, DDES, DWES, MDS, MES</td>
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<tr>
<td>s180(7)</td>
<td>29. Imposition of Charge by Councils&lt;br&gt;29.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.</td>
<td>AM, DDES, DWES, MDS, MES</td>
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| s187(1)   | 30. Authorised Works  
30.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act. | AM, DDES, DWES, MDS, MES | |
| s187(5)   | 30. Authorised Works  
30.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:  
30.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and  
30.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and  
30.2.3 ensure that proper consideration is given to the views of the road maintenance authority. | AM, DDES, DWES, MDS, MES | |
| s187(5)(b)| 30. Authorised Works  
30.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter. | AM, DDES, DWES, MDS, MES | |
| s187(6)   | 30. Authorised Works  
30.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances. | AM, DDES, DWES, MDS, MES | |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY (INSTRUMENT A)

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<th>Provision</th>
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</table>
| s188(1)   | 31. Entry onto Land  
31.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:  
31.1.1 enter and pass over any land; and  
31.1.2 bring onto any land any vehicles, plant or equipment; and  
31.1.3 temporarily occupy land; and  
31.1.4 do anything else reasonably required in connection with the exercise of the power. | AM, DDES, DWES, MDS, MES | |
| s188(4)   | 31. Entry onto Land  
31.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act. | AM, DDES, DWES, MDS, MES | |
| s192(1)   | 32. Land Management Agreements  
32.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity. | DDES, MDS | |
<p>| s192(2)   | 32. Land Management Agreements | DDES, MDS | |</p>
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<tr>
<td>s192(4)</td>
<td>32. Land Management Agreements&lt;br&gt;32.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:&lt;br&gt;32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and&lt;br&gt;32.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.</td>
<td>DDES, MDS</td>
<td>DDES, MDS</td>
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<tr>
<td>s192(5)</td>
<td>32. Land Management Agreements&lt;br&gt;32.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.</td>
<td>DDES, MDS</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>s192(8)</td>
<td>32. Land Management Agreements&lt;br&gt;32.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.</td>
<td>DDES, MDS</td>
<td>DDES, MDS</td>
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<tr>
<td>s192(9)</td>
<td>32. Land Management Agreements</td>
<td>DDES, MDS</td>
<td>DDES, MDS</td>
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## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY (INSTRUMENT A)

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<tr>
<td>32.6</td>
<td>The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.</td>
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<td>DDES, MDS</td>
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<td>s192(10)</td>
<td>32. Land Management Agreements</td>
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<td>DDES, MDS</td>
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<td>s192(11)</td>
<td>32. Land Management Agreements</td>
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<td>DDES, MDS</td>
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<td>s192(12)</td>
<td>32. Land Management Agreements</td>
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<td>DDES, MDS</td>
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<td>s192(15)</td>
<td>32. Land Management Agreements</td>
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| s192(16) | 32. Land Management Agreements  
32.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land. | This power remains with CEO - no further sub-delegation | |
| s192(17) | 32. Land Management Agreements  
32.12 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council. | This power remains with CEO - no further sub-delegation | |
| s192(18) | 32. Land Management Agreements  
32.13 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s193(1) | 33. Land Management Agreements – Development Applications  
33.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:  
33.1.1 the person; and | DDES, MDS | |

The Barossa Council Delegations Register - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 – Powers of a Council as a Council; Designated Authority; a Designated Entity – Instrument A

Head delegations approved by Council on [date]. Sub-delegations approved by the Chief Executive Officer on [date].

Ref: 20/27529*

Page 26 of 68

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<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
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<td>33.1.2</td>
<td>any other person who has the benefit of the development authorisation; and</td>
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<td>33.1.3</td>
<td>the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of</td>
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<td></td>
<td>the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).</td>
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<td>s193(2)</td>
<td>33. Land Management Agreements – Development Applications</td>
<td>DDES, MDS</td>
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<td>33.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section</td>
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<td>193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed</td>
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<td>development (including a matter that is not necessarily relevant to the assessment of the</td>
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<td>development under the PDI Act).</td>
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<td>s193(3)</td>
<td>33. Land Management Agreements – Development Applications</td>
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<td>33.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:</td>
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<td>33.3.1 the provisions of the Planning and Design Code; and</td>
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<td>33.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by</td>
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<td>the Council should not be used as a substitute to proceeding with an amendment to the Planning</td>
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<td>and Design Code under the PDI Act.</td>
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<td>s193(5)</td>
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<td>33.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into</td>
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<td>under Section 193 of the PDI Act in accordance with the regulations.</td>
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<td>s193(10)</td>
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| s197(2)  | 34. Off-setting Contributions  
34.1 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:  
34.1.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or  
34.1.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or  
34.1.3 any other initiative or policy:  
34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;  
34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act. | This power remains with CEO - no further sub-delegation | |
| s197(3)  | 34. Off-setting Contributions  
34.2 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:  
34.2.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act):  
34.2.1.1 to make a contribution to a fund established as part of the scheme; or  
34.2.1.2 to undertake work or to achieve some other goal or outcome (on an ‘in kind’ basis); or | This power remains with CEO - no further sub-delegation | |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY (INSTRUMENT A)

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<td>34.2.1.3</td>
<td>34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 34.2.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.</td>
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<tr>
<td>s197(4)</td>
<td>34. Off-setting Contributions 34.3 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<td>s197(4)(c)</td>
<td>34. Off-setting Contributions 34.4 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td>s198(1)</td>
<td>35. Open Space Contribution Scheme 35.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council’s area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require: 35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<td>35. Open Space Contribution Scheme</td>
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<td></td>
<td>35.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.</td>
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<tr>
<td>s198(4)(a)</td>
<td>35. Open Space Contribution Scheme</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<td>35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.</td>
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<td>s198(11)</td>
<td>35. Open Space Contribution Scheme</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<td>35.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.</td>
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<td>s198(12)</td>
<td>35. Open Space Contribution Scheme 35.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<tr>
<td>s200(2)</td>
<td>36. Urban Trees Fund 36.1 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td>s200(3)</td>
<td>36.2 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td>s200(5)</td>
<td>36.3 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td>s200(6)</td>
<td>36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<td>s200(7)</td>
<td>36. Urban Trees Fund&lt;br&gt;36.5 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<td>s210(1)</td>
<td>37. Appointment of Authorised Officers&lt;br&gt;37.1 The power pursuant to Section 210(1) of the PDI Act to:&lt;br&gt;37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and&lt;br&gt;37.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td>s210(2)</td>
<td>37. Appointment of Authorised Officers&lt;br&gt;37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.</td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td>s210(3)</td>
<td>37. Appointment of Authorised Officers&lt;br&gt;37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:</td>
<td>GA</td>
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<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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| s210(5)   | 37. Appointment of Authorised Officers  
37.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition. | This power remains with CEO - no further sub-delegation | |
| s213(1)   | 38. Enforcement Notices  
38.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:  
38.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;  
38.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;  
38.1.3 take such urgent action as is required because of any situation resulting from the breach. | AO-B, AO-P, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s213(2)   | 38. Enforcement Notices  
38.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required. | AO-B, AO-P, CO-BP, DDES, MDS, SAO-B, SAO-P | |

37.3.1 containing a photograph of the authorised officer; and  
37.3.2 stating any conditions of appointment limiting the authorised officer's appointment.
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</thead>
</table>
| s213(5)  | 38. Enforcement Notices  
38.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken. | DDES, MDS | |
| s213(6)  | 38. Enforcement Notices  
38.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action | DDES, MDS | |
| s213(7)  | 38. Enforcement Notices  
38.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | DDES, MDS | |
| s214(1)  | 39. Applications to Court  
39.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act. | DDES, MDS | |
| s214(2)  | 39. Applications to Court  
39.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council. | DDES, MDS | |
<table>
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<th>Provision</th>
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<tbody>
<tr>
<td>s214(4)</td>
<td>39. Applications to Court 39.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>s214(6)</td>
<td>39. Applications to Court 39.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>s214(9)</td>
<td>39. Applications to Court 39.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>s214(10)</td>
<td>39. Applications to Court 39.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>s214(11)</td>
<td>39. Applications to Court 39.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
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</table>
| s214(12) | 39. Applications to Court  
39.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent | This power remains with CEO - no further sub-delegation | |
| s214(13) | 39. Applications to Court  
39.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | This power remains with CEO - no further sub-delegation | |
| s214(17) | 39. Applications to Court  
39.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act. | This power remains with CEO - no further sub-delegation | |
| s219(1) | 40. Proceedings for Offences  
40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act. | This power remains with CEO - no further sub-delegation | |
| s223(2) | 41. Adverse Publicity Orders  
41.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order. | This power remains with CEO - no further sub-delegation | |
### Provision | Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval) | Proposed Sub-Delegate (subject to approval by the CEO) | Conditions and Limitations
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**s223(4)** | 41. Adverse Publicity Orders 41.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to: 41.2.1 take the PDI Action or actions specified in the order; and 41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order. | This power remains with CEO - no further sub-delegation |  
**s223(5)** | 41. Adverse Publicity Orders 41.3 The power pursuant to Section 223(5) of the PDI Act, if: 41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 41.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions. | This power remains with CEO - no further sub-delegation |  
**s223(6)** | 41. Adverse Publicity Orders 41.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council. | This power remains with CEO - no further sub-delegation |
# INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY (INSTRUMENT A)

<table>
<thead>
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<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</table>
| s225(1)  | 42. Civil Penalties  
42.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention. | This power remains with CEO - no further sub-delegation | |
| s225(2)  | 42. Civil Penalties  
42.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors. | This power remains with CEO - no further sub-delegation | |
| s225(3)  | 42. Civil Penalties  
42.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention. | This power remains with CEO - no further sub-delegation | |
| s225(13) | 42. Civil Penalties  
42.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act. | This power remains with CEO - no further sub-delegation | |
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<tr>
<td>s225(17)</td>
<td>42. Civil Penalties&lt;br&gt;42.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.</td>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
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<tr>
<td>s228(7)</td>
<td>43. Make Good Order&lt;br&gt;43.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.</td>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
</tr>
<tr>
<td>s229(5)</td>
<td>44. Recovery of Economic Benefit&lt;br&gt;44.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.</td>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
</tr>
<tr>
<td>s230(1)</td>
<td>45. Enforceable Voluntary Undertakings&lt;br&gt;45.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.</td>
<td>DDES, MDS</td>
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<tr>
<td>s230(4)</td>
<td>45.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.</td>
<td>DDES, MDS</td>
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| s230(7)     | 45. Enforceable Voluntary Undertakings  
45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:  
45.3.1 vary the undertaking; or  
45.3.2 withdraw the undertaking. | DDES, MDS                                             |                                                                            |
| s230(11)    | 45. Enforceable Voluntary Undertakings  
45.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised. | DDES, MDS                                             |                                                                            |
| s230(12)    | 45. Enforceable Voluntary Undertakings  
45.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible. | DDES, MDS                                             |                                                                            |
| s230(14)    | 45. Enforceable Voluntary Undertakings  
45.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act. | DDES, MDS                                             |                                                                            |
<p>| s231(1)     | 46. Advertisements                                                                                                                         | DDES, MDS                                             |                                                                            |</p>
<table>
<thead>
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| 46.1      | The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:  
46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or  
46.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice). | DDES, MDS | |
| s231(3)   | 46. Advertisements  
46.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served. | DDES, MDS | |
| s235(1)   | 47. Professional Advice to be Obtained in Relation to Certain Matters  
47.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
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| s235(2)  | 47. Professional Advice to be Obtained in Relation to Certain Matters  
47.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |  |
| s239(1)  | 48. Charges on Land  
48.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed. | DDES, MDS |  |
| s239(6)  | 48. Charges on Land  
48.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council’s favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge. | DDES, MDS |  |
| s240(1)  | 49. Registering Authorities to Note Transfer  
49.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act. | DDES, MDS |  |
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<tr>
<td>cl13(3)(b)</td>
<td>50. Reporting</td>
<td></td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>sch2</td>
<td>50.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.</td>
<td></td>
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<tr>
<td>cl3(16) sch4</td>
<td>51. Review of Performance</td>
<td></td>
<td>DDES</td>
</tr>
<tr>
<td></td>
<td>51.1 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.</td>
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<tr>
<td>r11B(1)</td>
<td>52. Mutual Liability Scheme – Rights of Indemnity</td>
<td></td>
<td>DDES, MDS, MFS</td>
</tr>
<tr>
<td></td>
<td>52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:</td>
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<td></td>
<td>52.1.1 in being responsible under Section 83(1)(h)(iii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and</td>
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<tr>
<td>52.1.2</td>
<td>52.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.</td>
<td>DDES, MDS, MFS</td>
<td></td>
</tr>
<tr>
<td>r11B(5)</td>
<td>52. Mutual Liability Scheme – Rights of Indemnity&lt;br&gt;&lt;br&gt;52.2 The power pursuant to Regulation 11B(5) of the General Regulations to:&lt;br&gt;&lt;br&gt;52.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and&lt;br&gt;&lt;br&gt;52.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.</td>
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<tr>
<td>r47(4)(d)</td>
<td>53. Performance Assessed Development and Restricted Development&lt;br&gt;&lt;br&gt;53.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.</td>
<td>This power remains with Council -</td>
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</table>
| r78(1)   | 54. Underground Main Areas  
54.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter. | AO-P, DDES, MDS, SAO-P | delegation does not apply. |
| r78(2)   | 54. Underground Main Areas  
54.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area. | DDES, MDS | |
| r81(4)   | 55. Width of Roads and Thoroughfares  
55.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| r81(5)   | 55. Width of Roads and Thoroughfares  
55.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
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<td>r81(6)</td>
<td>55. Width of Roads and Thoroughfares</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<td></td>
<td>55.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.</td>
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<tr>
<td>r82(1)</td>
<td>56. Road Widening</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<tr>
<td></td>
<td>56.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.</td>
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<tr>
<td>r83(1)</td>
<td>57. Requirement as to Forming of Roads</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<tr>
<td></td>
<td>57.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.</td>
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<tr>
<td>r83(2)</td>
<td>57. Requirement as to Forming of Roads</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
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<td></td>
<td>57.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.</td>
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| r83(4) | 57. Requirement as to Forming of Roads  
57.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| r83(5) | 57. Requirement as to Forming of Roads  
57.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| r83(6) | 57. Requirement as to Forming of Roads  
57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| r84(1) | 58. Construction of Roads, Bridges, Drains and Services  
58.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
<p>| r85(1) | 59. Supplementary Provisions | AO-P, DDES, DWES, MDS, MES, SAO-P | |</p>
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| r85(2)    | 59. Supplementary Provisions  
59.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| r85(4)    | 59.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| r89(1)    | 60. General Provisions  
60.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act. | DDES, DWES, MDS, MES | |
<p>| r89(3)    | 60. General Provisions | DDES, MDS, SAO-B, SAO-P | |</p>
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>60.2</td>
<td>The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:</td>
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<tr>
<td>60.2.1</td>
<td>evidences the consent of the Council to an encroachment by a building over other land; and</td>
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<tr>
<td>60.2.2</td>
<td>sets out:</td>
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<td>60.2.2.1</td>
<td>the date on which any relevant building was erected (if known); and</td>
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<tr>
<td>60.2.2.2</td>
<td>the postal address of the site.</td>
<td></td>
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<tr>
<td>r89(6)(b)</td>
<td>60. General Provisions</td>
<td>DDES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>60.3</td>
<td>The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>r93(1)(b)</td>
<td>61. Notifications During Building Work</td>
<td>AO-B, BS, CO-BP, DDES, MDS, SAO-B</td>
<td></td>
</tr>
<tr>
<td>61.1</td>
<td>The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</td>
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<tr>
<td>r93(1)(c)</td>
<td>61. Notifications During Building Work</td>
<td>AO-B, BS, CO-BP, DDES, MDS, SAO-B</td>
<td></td>
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<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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<tr>
<td>61.2</td>
<td>The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</td>
<td></td>
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<tr>
<td>62.1</td>
<td>The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:</td>
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<tr>
<td>62.1.1</td>
<td>the essential safety provisions were installed</td>
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<tr>
<td>62.1.1.1</td>
<td>under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or</td>
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<tr>
<td>62.1.1.2</td>
<td>as part of a performance solution under the Building Code; or</td>
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<tr>
<td>62.1.2</td>
<td>the building has been the subject of a notice under Section 157 of the PDI Act.</td>
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<tr>
<td>r102(3)</td>
<td>63. Classification of Buildings</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
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</tr>
<tr>
<td>63.1</td>
<td>The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:</td>
<td></td>
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<tr>
<td>63.1.1</td>
<td>such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.</td>
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</tr>
<tr>
<td>r102(4)</td>
<td>63. Classification of Buildings</td>
<td>AO-B, BS, CO-BP, SAO-B</td>
<td></td>
</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
<td>Proposed Sub-Delegation (subject to approval by the CEO)</td>
<td>Conditions and Limitations</td>
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<tr>
<td>63.2</td>
<td>The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</td>
<td>AO-B, BS, CO-BP, SAO-B</td>
<td></td>
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<tr>
<td>r102(5)</td>
<td>63. Classification of Buildings&lt;br&gt;63.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).</td>
<td>AO-B, BS, CO-BP, SAO-B</td>
<td></td>
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<tr>
<td>r102(6)</td>
<td>63. Classification of Buildings&lt;br&gt;63.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act: 63.4.1 the maximum number of persons who may occupy the building (or part of the building); and 63.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.</td>
<td>AO-B, BS, CO-BP, SAO-B</td>
<td></td>
</tr>
<tr>
<td>r103(2)</td>
<td>64. Certificates of Occupancy&lt;br&gt;64.1 The power pursuant to Regulation 103(2) of the General Regulations to, require the following documentation:</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
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<tr>
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<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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<tr>
<td>64.1.1</td>
<td>if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;</td>
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<tr>
<td>64.1.2</td>
<td>if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such evidence as the delegate may reasonably require to show;</td>
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<tr>
<td>64.1.2.1</td>
<td>in the case of a building more than 1 storey - that the requirements of any relevant Ministerial building standard have been complied with; or</td>
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<tr>
<td>64.1.2.2</td>
<td>in any other case - that the building is suitable for occupation.</td>
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<tr>
<td>r103(3)</td>
<td>64. Certificates of Occupancy</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
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<tr>
<td>64.2</td>
<td>The power pursuant to Regulation 103(3) of the General Regulations, to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 103(2)(a) of the General Regulations if:</td>
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<td></td>
<td>64.2.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</td>
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<td>64.2.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</td>
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<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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<tr>
<td>r103(4)</td>
<td>64. Certificates of Occupancy&lt;br&gt;64.3 The power pursuant to Regulation 103(4) of the General Regulations if:&lt;br&gt;64.3.1 a building is:&lt;br&gt;64.3.1.1 to be equipped with a booster assembly for use by a fire authority; or&lt;br&gt;64.3.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and&lt;br&gt;64.3.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the PDI Act,&lt;br&gt;to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily and to seek such a report from the fire authority.</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
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<tr>
<td>r103(5)</td>
<td>64. Certificates of Occupancy&lt;br&gt;64.4 The power pursuant to Regulation 103(5) of the General Regulations if a report is not received from the fire authority within 15 business days, to presume that the fire authority does not desire to make a report.</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
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<tr>
<td>r103(6)</td>
<td>64. Certificates of Occupancy&lt;br&gt;64.5 The power pursuant to Regulation 103(6) of the General Regulations to have regard to any report received from a fire authority under Regulation 103(4) of the General Regulations before the delegate issues a certificate of occupancy.</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
<td>AO-B, BS, CO-BP, MDS, SAO-B</td>
</tr>
</tbody>
</table>
### Provision

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
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</tr>
</thead>
</table>
| r103(6a) | 64. Certificates of Occupancy  
64.6 The power pursuant to Regulation 103(6a) of the General Regulations, on receipt of a notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, to determine that building work will be inspected by an authorised officer. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, DWES, EPSO-DES, MDS, MES, SAO-B, SAO-P |                                                          |
| r103(9)  | 64. Certificates of Occupancy  
64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:  
64.7.1 if:  
64.7.1.1 there is a change in the use of the building; or  
64.7.1.2 the classification of the building changes; or  
64.7.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m2 is about to commence, or is being or has been carried out; or  
64.7.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment, and the delegate considers that in the circumstances the certificate should be revoked and a new certificate sought; or | AO-B, BS, CO-BP, SAO-B |                                                          |
| r103(9)  | 64. Certificates of Occupancy  
64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: | AO-B, BS, CO-BP, SAO-B |                                                          |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
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<td>64.7.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</td>
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<tr>
<td>r103(9) 64. Certificates of Occupancy</td>
<td>AO-B, BS, CO-BP, SAO-B</td>
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<tr>
<td>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</td>
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<tr>
<td>64.7.3 if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10) of the General Regulations; or</td>
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<tr>
<td>r103(9) 64. Certificates of Occupancy</td>
<td>AO-B, BS, CO-BP, SAO-B</td>
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<td>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</td>
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<td>64.7.4 if the delegate considers:</td>
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<tr>
<td>64.7.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</td>
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<tr>
<td>64.7.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</td>
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<td>r109(1)(b) 65. Mining Production Tenements</td>
<td>DDES, MDS</td>
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<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
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<tr>
<td>r111(2)</td>
<td>66. Register of Land Management Agreements (Section 193)</td>
<td>DDES, MDS</td>
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<td></td>
<td>66.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.</td>
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<tr>
<td>r111(3)</td>
<td>66. Register of Land Management Agreements (Section 193)</td>
<td>DDES, MDS</td>
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<td></td>
<td>66.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.</td>
<td></td>
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<tr>
<td>r112(1)</td>
<td>67. Authorised Officers and Inspections</td>
<td></td>
<td>This power remains with CEO - no further sub-delegation</td>
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<tr>
<td></td>
<td>67.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act:</td>
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<tr>
<td></td>
<td>67.1.1 who is an accredited professional who is:</td>
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<td></td>
<td>67.1.1.1 an Accredited professional - building level 1; or</td>
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<td>67.1.1.2 an Accredited professional - building level 2; or</td>
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<td>67.1.1.3 an Accredited professional - building level 3; or</td>
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<td>67.1.1.4 an Accredited professional - building level 4; or</td>
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<td>67.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or</td>
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<td></td>
<td>67.1.3 who holds an approval from the Chief Executive.</td>
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</tbody>
</table>
### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>

### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FEES, CHARGES AND CONTRIBUTIONS) REGULATIONS 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>

r5(1) 68. Calculation of Assessment of Fees

68.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):

68.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and

68.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).

<table>
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<th>Conditions and Limitations</th>
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r5(2) 68. Calculation of Assessment of Fees

<table>
<thead>
<tr>
<th>Conditions and Limitations</th>
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</thead>
<tbody>
<tr>
<td>A-MDS, AO-B, AO-P, ATSO-DS, CO-</td>
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<tr>
<td>68.2</td>
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</table>
| r5(3)     | 68. Calculation or Assessment of Fees  
68.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                      |
| r7        | 69. Waiver or Refund of Fee  
69.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:  
69.1.1 waive the payment of the fee, or the payment of part of the fee; or  
69.1.2 refund the whole or a part of the fee. | DDES, MDS |                                                      |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</tr>
</thead>
</table>
| cl5(1)    | 70. Requirements in Relation to Preparing an Engagement Plan  

70.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare a community engagement plan that:  

70.1.1 meets the principles and performance outcomes of the Charter;  
70.1.2 describes the persons or bodies to be consulted;  
70.1.3 outlines any relevant previous engagement undertaken to inform the proposal;  
70.1.4 describes the evaluation framework for the engagement. | DDES, MDS | |
| cl5(2)    | 70. Requirements in Relation to Preparing an Engagement Plan  

70.2 The power pursuant to clause 5(2) of PD2 to submit the community engagement plan to the Commission for approval with the exception of an amendment to the Code and a Design Standard. | DDES, MDS | |
| cl6(2)    | 71. Requirements in Relation to Preparing an Engagement Report Following Consultation  

71.1 The power pursuant to clause 6(2) of PD2 to set out in the report:  

71.1.1 details of the engagement undertaken and how that engagement met the agreed community engagement plan, and reasons for variations, if any to that plan;  
71.1.2 the outcome of the engagement including a summary of the feedback made;  
71.1.3 the response to the details of, and reasons for, changes to the proposal to prepare or amend a designated instrument when compared to the proposal that was engaged on, and to specifically indicate: | DDES, MDS | |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>71.1.3.1</td>
<td>where changes are proposed to the designated instrument based on the engagement; and</td>
<td></td>
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</tr>
<tr>
<td>71.1.3.2</td>
<td>any other changes proposed based on additional investigations or information not available when the proposal was released for engagement.</td>
<td></td>
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</tr>
<tr>
<td>cl6(3)</td>
<td>71. Requirements in Relation to Preparing an Engagement Report Following Consultation</td>
<td></td>
<td>DDES, MDS</td>
</tr>
<tr>
<td></td>
<td>71.2 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether:</td>
<td></td>
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<tr>
<td></td>
<td>71.2.1 the principles of the Charter have been achieved; and</td>
<td></td>
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<tr>
<td></td>
<td>71.2.2 all mandatory requirements identified in the Charter have been met where the consultation category is applicable.</td>
<td></td>
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</tr>
<tr>
<td>cl7(1)</td>
<td>72. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act</td>
<td></td>
<td>DDES, MDS</td>
</tr>
<tr>
<td></td>
<td>72.1 The power pursuant to clause 7(1) of PD 2 to provide a proposal to the Commission to initiate a code amendment that sets out:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>72.1.1 Scope - an explanation of the reasons for the preparation of the amendment and a description of the changes in circumstance leading the need for the amendment and the range of issues to be addressed in the amendment;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>72.1.2 Code Modules - an outline of any overlay, general policy, zone or subzones being considered for amendment and/or the intended spatial application of an overlay, general policy, zone or subzone over an identified area, or draft instructions for the proposed amendments;</td>
<td></td>
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<tr>
<td></td>
<td>72.1.3 Area Affected - A map or description of the area affected by the proposed amendment;</td>
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</tbody>
</table>
### STATE PLANNING COMMISSION PRACTICE DIRECTION - 2 PREPARATION AND AMENDMENT OF DESIGNATED INSTRUMENTS

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>72.1.4 State Planning Policies - an identification of the relevant key state planning policies and a statement of assessment of the amendment’s consistency with those policies;</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>72.1.5 Regional Plans - An indication of how the matters or issues proposed to be addressed by the amendment will relate to the relevant regional plan and any relevant infrastructure planning;</td>
<td></td>
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<tr>
<td>72.1.6 Infrastructure Provision -</td>
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<tr>
<td>72.1.6.1 an explanation of any infrastructure provision that is required and how the infrastructure provision will be provided; and</td>
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<tr>
<td>72.1.6.2 an indication whether it is likely that an infrastructure agreement or agreements will need to be entered into in connection with the code amendment process, identifying the tools that will be used for this process;</td>
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<tr>
<td>72.1.7 Joint Planning Board Comments - that the Council has discussed the proposal with the relevant Regional Planning Board;</td>
<td></td>
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<tr>
<td>72.1.8 Consultation – information regarding any other consultation that has occurred;</td>
<td></td>
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</tr>
<tr>
<td>72.1.9 in relation to designating a place as a place of local heritage value or a heritage area - a heritage review prepared by a heritage architect or historian or similar occupation in accordance with the Commission’s guidelines prepared under Section 67(2)(c) of the PDI Act;</td>
<td></td>
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<tr>
<td>72.1.10 in relation to designating a tree a significant tree - an assessment of the tree against the criteria under Section 68(1)(a) of the PDI Act;</td>
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</tr>
<tr>
<td>72.1.11 in relation to designating a stand of trees to be significant trees – an assessment of the trees against the criteria under Section 68(1)(b) of the PDI Act.</td>
<td></td>
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</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</td>
<td>Proposed Sub-Delegate (subject to approval by the CEO)</td>
<td>Conditions and Limitations</td>
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<tr>
<td>cl7(2)</td>
<td><strong>72. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act</strong>&lt;br&gt;72.2 The power pursuant to clause 7(2) of PD 2 to, in addition, provide:&lt;br&gt;72.2.1 Timetable - an outline of the proposed timetable for each step of the process (ensuring that the process is completed within reasonable time limits), and a commitment on the part of the Council that it will take steps to update this timetable if it appears at any stage that the Council will require an extension;&lt;br&gt;72.2.2 Investigations - an outline of the investigations and justifications that will be undertaken (and those that may have already been undertaken) and the form that those investigations will take in order to address the strategic and social, economic and environmental issues of the proposed amendment, or an explanation and summary of the investigations undertaken and how these support the amendment.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>cl8(1)</td>
<td><strong>73. Requirements in Relation to Preparation of the Draft Proposal Prior to Consultation and Decision</strong>&lt;br&gt;73.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation, provide to the Department:&lt;br&gt;73.1.1 instructions that set out the intent of the proposed policy amendment for the purposes of the Department writing the draft Code Policy for the Council;&lt;br&gt;73.1.2 any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council;&lt;br&gt;73.1.3 in relation to heritage lists a local heritage data sheet and a significant trees data sheet.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>cl8(2)</td>
<td><strong>73. Requirements in Relation to Preparation of the Draft Proposal Prior to Consultation and Decision</strong>&lt;br&gt;73.2 The power pursuant to clause 8(2) of PD 2, if amendments are proposed to the consultation versions, to provide to the Department:</td>
<td>DDES, MDS</td>
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</tr>
</tbody>
</table>
## STATE PLANNING COMMISSION PRACTICE DIRECTION - 2 PREPARATION AND AMENDMENT OF DESIGNATED INSTRUMENTS

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegating Authority (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>73.2.1 instruction to write the amendments to the Code Policy;</td>
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<tr>
<td>73.2.2 amendments to the maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.</td>
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<tr>
<td>cl9(1)</td>
<td>74. Requirements in Relation to Preparation of the Draft Proposal for Consultation</td>
<td>DDES, MDS</td>
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<tr>
<td>74.1 The power pursuant to clause 9(1) of PD2 to, for engagement purposes, support a code amendment by the following information:</td>
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<tr>
<td>74.1.1 an explanation about why and how the Code is proposed to be amended;</td>
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<tr>
<td>74.1.2 an assessment of the amendment against the relevant provisions of State Planning Policies and the relevant regional plan;</td>
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<tr>
<td>74.1.3 if any amendment is not fully consistent with the State Planning Policies or the region plan, to so specifically identify that and include an explanation setting out the reason or reasons for the inconsistency;</td>
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<tr>
<td>74.1.4 an explanation and summary of the investigations undertaken and how these support the amendment;</td>
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<tr>
<td>74.1.5 an explanation of any infrastructure provision that is required and how the infrastructure will be provided.</td>
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<tr>
<td>cl11(1)</td>
<td>75. Requirements in Relation to Complying Changes Under Section 75</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>75.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change, to provide the following information to the department:</td>
<td></td>
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<tr>
<td>75.1.1 a reference to the documentation and recommendation in relation to the proposed amendment in the relevant regional plan;</td>
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</tr>
</tbody>
</table>
### State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

<table>
<thead>
<tr>
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<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</thead>
<tbody>
<tr>
<td>75.1.2</td>
<td>a summary of the consultation in accordance with the Charter that has occurred in relation to the proposal including reference to the Engagement Report prepared for the regional plan and any additional consultation that has occurred;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>75.1.3</td>
<td>instructions that set out the intent of the proposed policy amendment for the purposes of the department writing the draft Code Policy for the Council;</td>
<td></td>
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</tr>
<tr>
<td>75.1.4</td>
<td>any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.</td>
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</tr>
<tr>
<td>cl12(1)</td>
<td>Requirements in Relation to Early Commencement Under Section 78</td>
<td></td>
<td></td>
</tr>
<tr>
<td>76.1</td>
<td>The power pursuant to clause 12(1) of PD2, in relation to a request for a code amendment to come into operation without delay, to provide to the department:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>76.1.1</td>
<td>an explanation about how early commencement is required to counter applications for undesirable development (development that would detract from, negate the object of the amendment) during consultation and consideration of the code amendment;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>76.1.2</td>
<td>instructions that set out the intent of the proposed policy amendment for the purposes of the Department writing the draft Code Policy for the Council;</td>
<td></td>
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</tr>
<tr>
<td>76.1.3</td>
<td>any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.</td>
<td></td>
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<td></td>
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<td>DDES, MDS</td>
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</tbody>
</table>
### STATE PLANNING COMMISSION PRACTICE DIRECTION - 3 (NOTIFICATION OF PERFORMANCE ASSESSED DEVELOPMENT APPLICATIONS) 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| cl6(3)(b) | 77. Responsibility to Undertake Notification  
77.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority’s reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act. | This power remains with Council - delegation does not apply. | |

### STATE PLANNING COMMISSION PRACTICE DIRECTION (COUNCIL INSPECTIONS) 2020

<table>
<thead>
<tr>
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<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| cl2(2)   | 78. Mandatory Inspections  
78.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:  
78.1.1 primary structural elements;  
78.1.2 structural framing and roof trusses;  
78.1.3 wet areas and waterproofing;  
78.1.4 barriers to prevent falls; | AO-B, SAO-B | |

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## STATE PLANNING COMMISSION PRACTICE DIRECTION (COUNCIL INSPECTIONS) 2020

<table>
<thead>
<tr>
<th>Provision</th>
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<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>cl1(2)</td>
<td>81. General Requirements&lt;br&gt;81.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.</td>
<td>AO-B, SAO-B</td>
<td></td>
</tr>
<tr>
<td>cl4(3)</td>
<td>80. Inspections Generally&lt;br&gt;80.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.</td>
<td>AO-B, SAO-B</td>
<td></td>
</tr>
<tr>
<td>cl3(2)</td>
<td>79. Additional Inspections&lt;br&gt;79.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.</td>
<td>AO-B, SAO-B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>78.1.5 cladding;&lt;br&gt;78.1.6 egress provisions;&lt;br&gt;78.1.7 bushfire protection systems;&lt;br&gt;78.1.8 passive and active fire safety elements;&lt;br&gt;78.1.9 private bushfire shelters; and&lt;br&gt;78.1.10 performance solutions.</td>
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</tbody>
</table>
## STATE PLANNING COMMISSION PRACTICE DIRECTION 10 (STAGED OCCUPATION OF MULTI-STOREY BUILDINGS) 2020

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</tr>
</thead>
</table>
| cl5(2)    | 82. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building  
82.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10  
(Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a  
partially completed multistorey building. | AO-B, SAO-B                                           |                                                          |
THE BAROSSA COUNCIL DELEGATIONS REGISTER
Instrument of Delegation under the Planning, Development and Infrastructure Act

Instrument B – Powers of a Council as a Relevant Authority

PREAMBLE

1. To identify when these delegations were made, reviewed or amended, refer to the relevant Council resolution in the Schedule of Amended Delegations on Council’s website at www.barossa.sa.gov.au.

2. To identify when the sub-delegations were made, reviewed or amended, refer to the Instrument of Sub-delegation for the individual officer’s position in Council’s Electronic Document Records Management System.

3. Sub-delegates by Title:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Position title</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-MDS</td>
<td>Assistant to Manager, Development Services</td>
</tr>
<tr>
<td>AO-B</td>
<td>Assessment Officer, Building</td>
</tr>
<tr>
<td>AO-P</td>
<td>Assessment Officer, Planning</td>
</tr>
<tr>
<td>ATSO-DS</td>
<td>Administration and Technical Support Officer, Development Services</td>
</tr>
<tr>
<td>BS</td>
<td>Building Surveyor</td>
</tr>
<tr>
<td>CO-BP</td>
<td>Compliance Officer, Building and Planning</td>
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</tbody>
</table>
### Abbreviation and Position title

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Position title</th>
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<tbody>
<tr>
<td>DDES</td>
<td>Director, Development and Environmental Services</td>
</tr>
<tr>
<td>DWES</td>
<td>Director, Works and Engineering Services</td>
</tr>
<tr>
<td>EPSO-DES</td>
<td>Executive and Project Support Officer, Development and Environmental Services</td>
</tr>
<tr>
<td>MDS</td>
<td>Manager, Development Services</td>
</tr>
<tr>
<td>MES</td>
<td>Manager, Engineering Services</td>
</tr>
<tr>
<td>MFS</td>
<td>Manager, Financial Services</td>
</tr>
<tr>
<td>SAO-B</td>
<td>Senior Assessment Officer, Building</td>
</tr>
<tr>
<td>SAO-P</td>
<td>Senior Assessment Officer, Planning</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| s7(5)(a)  | 1. Environment and Food Production Areas – Greater Adelaide  
1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development. | DDES, MDS | |
<p>| s7(5)(d)  | 1. Environment and Food Production Areas – Greater Adelaide | DDES, MDS | |</p>
<table>
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</thead>
</table>
2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act. | AO-B, BS, MDS, SAO-B | |
| s99(3) | 2. Related Provisions  
2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| s102(1) | 3. Matters Against Which Development Must be Assessed  
3.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the relevant provisions of the Building Rules (building consent). | AO-B, BS, SAO-B | |
| s102(8) | 3. Matters Against Which Development Must be Assessed | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, | |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY (INSTRUMENT B)

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<td>s118(1)</td>
<td>4. Building Consent</td>
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<tr>
<td></td>
<td>4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).</td>
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<tr>
<td>s118(2)(a)</td>
<td>4. Building Consent</td>
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<tr>
<td></td>
<td>4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.</td>
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<tr>
<td>s118(2)</td>
<td>4. Building Consent</td>
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<tr>
<td></td>
<td>4.3 The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if:</td>
<td></td>
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<tr>
<td></td>
<td>4.3.1 The variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied:</td>
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<td></td>
<td>4.3.1.1 That:</td>
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EPSO-DES, MDS, SAO-B, SAO-P

AO-B, BS, SAO-B
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<th>Conditions and Limitations</th>
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<tr>
<td>s118(4)</td>
<td><strong>4. Building Consent</strong>&lt;br&gt;4.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.</td>
<td>AO-B, BS, SAO-B</td>
<td></td>
</tr>
<tr>
<td>s118(6)</td>
<td><strong>4. Building Consent</strong>&lt;br&gt;4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.</td>
<td>AO-B, BS, SAO-B</td>
<td></td>
</tr>
</tbody>
</table>
## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY (INSTRUMENT B)

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</tr>
</thead>
<tbody>
<tr>
<td>s118(7)</td>
<td>4. Building Consent</td>
<td>BS, MDS, SAO-B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.</td>
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<tr>
<td>s118(8)</td>
<td>4. Building Consent</td>
<td>AO-B, BS, SAO-B</td>
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<td></td>
<td>4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that:</td>
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<td>4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or</td>
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<td></td>
<td>4.7.2 such compliance is certified by a building certifier.</td>
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<tr>
<td>s118(10)</td>
<td>4. Building Consent</td>
<td>AO-B, BS, SAO-B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>s118(11)</td>
<td>4. Building Consent</td>
<td>AO-B, BS, SAO-B</td>
<td></td>
</tr>
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<td></td>
<td>4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject</td>
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</table>
| s119(1)(b) | 5. Application and Provision of Information  
5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |  |
| s119(3) | 5. Application and Provision of Information  
5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:  
5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;  
5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;  
5.2.3 to consult with an authority or body prescribed by the regulations;  
5.2.4 to comply with any other requirement prescribed by the regulations. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |  |
<p>| s119(7) | 5. Application and Provision of Information | This power remains with CEO - no |  |</p>
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<tr>
<td>5.3</td>
<td>The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</td>
<td>further sub-delegation</td>
<td></td>
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<tr>
<td>s119(9)</td>
<td>5. Application and Provision of Information</td>
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<td></td>
<td>5.4 The power pursuant to Section 119(9) of the PDI Act to:</td>
<td></td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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<td></td>
<td>5.4.1 permit an applicant;</td>
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<td>5.4.1.1 to vary an application;</td>
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<td></td>
<td>5.4.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application,</td>
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<td>(provided that the essential nature of the proposed development is not changed);</td>
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<tr>
<td>s119(9)</td>
<td>5. Application and Provision of Information</td>
<td></td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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<td></td>
<td>5.4 The power pursuant to Section 119(9) of the PDI Act to:</td>
<td></td>
<td>DDES, MDS, MFS</td>
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<td></td>
<td>5.4.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;</td>
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<tr>
<td>s119(9)</td>
<td>5. Application and Provision of Information&lt;br&gt;5.4 The power pursuant to Section 119(9) of the PDI Act to: &lt;br&gt;5.4.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</td>
<td>A-MDS, AO-B, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B</td>
<td>Proposed condition and limitation attached to sub-delegation:&lt;br&gt;A-MDS, ATSO-DS and EPSO-DES are limited to returning or forwarding any document to the applicant or to any other person only, and do not have the sub-delegation to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</td>
</tr>
<tr>
<td>s119(10)</td>
<td>5. Application and Provision of Information&lt;br&gt;5.5 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<td>Provision</td>
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</table>
| s119(12)  | 5. Application and Provision of Information  
5.6 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | DDES, MDS, MFS |
| s119(14)  | 5. Application and Provision of Information  
5.7 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee. | DDES, MDS, MFS |  |
| s120(1)   | 6. Outline Consent  
6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |
| s120(3)   | 6. Outline Consent  
6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:  
6.2.1 grant any consent contemplated by the outline consent; and  
6.2.2 not impose a requirement that is inconsistent with the outline consent. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |  |
| s122(1)   | 7. Referrals to Other Authorities or Agencies | AO-B, AO-P, BS, CO-BP, DDES |  |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE

**DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY (INSTRUMENT B)**

<table>
<thead>
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<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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</table>
| **7.1**   | The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:  
7.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and  
7.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act. | MDS, SAO-B, SAO-P |  |
| **s122(5)(b)** | 7. Referrals to Other Authorities or Agencies  
7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:  
7.2.1 to refuse the application; or  
7.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |  |
<p>| <strong>s122(7)</strong> | 7. Referrals to Other Authorities or Agencies | DDES, MDS |  |</p>
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<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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| s122(10)  | 7. Referrals to Other Authorities or Agencies  
7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(1)   | 8. Proposed Development Involving Creation of Fortifications  
8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner). | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(5)   | 8. Proposed Development Involving Creation of Fortifications  
8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:  
8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;  
8.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
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<tr>
<td>s124(6)</td>
<td>8. Proposed Development Involving Creation of Fortifications &lt;br&gt;8.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.</td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>s124(7)</td>
<td>8. Proposed Development Involving Creation of Fortifications &lt;br&gt;8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.</td>
<td>DDES, MDS</td>
<td></td>
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<tr>
<td>s126(1)</td>
<td>9. Determination of Application &lt;br&gt;9.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>s126(3)</td>
<td>9. Determination of Application &lt;br&gt;9.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.</td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY (INSTRUMENT B)

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</table>
| s127(1)   | 10. Conditions  
10.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                                            |
| s127(2)(c) | 10. Conditions  
10.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                                            |
| s128(2)(d) | 11. Variation of Authorisation  
11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                                            |
| s133(3)   | 12. Saving Provisions  
12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act. | DDES, MDS |                                            |
| s134(1)   | 13. Requirement to Up-grade  
13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition. | AO-B, BS, SAO-B |                                            |
| s134(1)   | 13. Requirement to Up-grade | AO-B, BS, SAO-B |                                            |

165
<table>
<thead>
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<td>13.2</td>
<td>The power pursuant to Section 134(1) of the PDI Act, if:</td>
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<td>13.2.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or</td>
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<td>13.2.2 a change of classification of a building; and</td>
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<td>13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,</td>
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<td>to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.</td>
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<tr>
<td>s134(2)</td>
<td>13. Requirement to Up-grade</td>
<td>AO-B, BS, SAO-B</td>
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<td>13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.</td>
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<tr>
<td>s134(3)</td>
<td>13. Requirement to Up-grade</td>
<td>AO-B, BS, SAO-B</td>
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<tr>
<td></td>
<td>13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:</td>
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<tr>
<td></td>
<td>13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and</td>
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| s134(4)  | 13. Requirement to Up-grade  
13.5 The power pursuant to Section 134(4) of the PDI Act if:  
13.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and  
13.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,  
to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be). | AO-B, BS, SAO-B | |
| s134(5)  | 13. Requirement to Up-grade  
13.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:  
13.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and | AO-B, BS, SAO-B | |

167
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<tr>
<td>13.6.2</td>
<td>13.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.</td>
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</tbody>
</table>
| s135(2)(d)| 14. Urgent Building Work  
14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction. | AO-B, BS, DDES, MDS, SAO-B | |
| s143(1)   | 15. Cancellation of Development Authorisation  
15.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority. | DDES, MDS | |
| s143(2)   | 15. Cancellation of Development Authorisation  
15.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose. | DDES, MDS | |
| s235(1)   | 16. Professional Advice to be Obtained in Relation to Certain Matters  
16.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, DWES, EPSO-DES, MDS, MES, SAO-B, SAO-P | |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A RELEVANT AUTHORITY (INSTRUMENT B)

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| s235(2)   | 16. Professional Advice to be Obtained in Relation to Certain Matters  
16.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought. | AO-B, AO-P, BS, CO-BP, DDES, DWES, MDS, MES, SAO-B, SAO-P |  |
| c118(2)   | 17. Continuation of Processes  
17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:  
17.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and  
17.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and  
17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and  
17.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and  
17.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |  |
## PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
<th>Proposed Sub-Delegate (subject to approval by the CEO)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| r25(7)(c) | 18. Accredited Professionals  
18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, DWES, EPSO-DES, MDS, MES, SAO-B, SAO-P |  |
| r31(1)   | 19. Verification of Application  
19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:  
19.1.1 determine the nature of the development; and | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |  |
| r31(1)   | 19. Verification of Application  
19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:  
19.1.2 if the application is for planning consent - determine:  
19.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and  
19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |  |
### Table of Provisions

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Council to the Chief Executive Officer (for Council approval)</th>
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<td></td>
<td>19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</td>
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<td></td>
<td>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</td>
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<td>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</td>
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<td></td>
<td>19.1.4.1 check that the appropriate documents and information have been lodged with the application; and</td>
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<td></td>
<td>19.1.4.2 confirm the fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and</td>
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<td></td>
<td>19.1.4.3 provide an appropriate notice via the SA planning portal; and</td>
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<td>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</td>
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<td>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</td>
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</tbody>
</table>
| r35(3) | 20. Amended Applications  
20.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| r35(4) | 20. Amended Applications  
20.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| r38(1) | 21. Withdrawing/Lapsing Applications  
21.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify: | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO- | |
<table>
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<tr>
<td>21.1.1</td>
<td>any agency to which the application has been referred under Division 2 of the General Regulations; and</td>
<td>DES, MDS, SAO-B, SAO-P</td>
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<td>21.1.2</td>
<td>any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</td>
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<tr>
<td>r38(3)</td>
<td>21. Withdrawing/Lapsing Applications&lt;br&gt;21.2 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to:&lt;br&gt;21.2.1 take reasonable steps to notify the applicant of the action under consideration; and&lt;br&gt;21.2.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>r40</td>
<td>22. Court Proceedings&lt;br&gt;22.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</td>
<td>DDES, MDS</td>
<td></td>
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<tr>
<td>r42(1)</td>
<td>23. Additional Information or Amended Plans&lt;br&gt;23.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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</table>
| r45(1)    | 24. Building Matters  
24.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that:  
24.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or  
24.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or  
24.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code, refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required. | AO-B, BS, SAO-B |                                                      |
| r45(2)    | 24. Building Matters  
24.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report. | AO-B, BS, SAO-B |                                                      |
| r45(3)    | 24. Building Matters  
24.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations. | AO-B, BS, SAO-B |                                                      |
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| r45(4)    | 24. Building Matters  
24.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:  
24.4.1 recommends against the granting of building consent; or  
24.4.2 concurs in the granting of consent on conditions specified in its report,  
but the delegate:  
24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or  
24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,  
to:  
24.4.5 refer the application to the Commission; and  
24.4.6 not grant consent unless the Commission concurs in the granting of the consent. | AO-B, BS, SAO-B | |
| r45(5)    | 24. Building Matters  
24.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act. | AO-B, BS, SAO-B | |
<p>| r57(4)(a) | 25. Notice of Decision (Section 126(1)) | A-MDS, AO-B, AO-P, ATSO- | |</p>
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<td>25.1</td>
<td>The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</td>
<td>DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
</tbody>
</table>
| 26.       | Consideration of Other Development Authorisations  
26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | | |
| 27.1      | The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | | |
| 28.1      | The power pursuant to Regulation 63(1) of the General Regulations to,  
28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and  
28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations. | AO-B, BS, DDES, MDS, SAO-B | | |
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| r63(2)    | 28. Urgent Work  
28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period. | AO-B, BS, DDES, MDS, SAO-B | |
| r63(3)    | 28. Urgent Work  
28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period. | AO-B, BS, DDES, MDS, SAO-B | |
| r65(1)    | 29. Variation of Authorisation (Section 128)  
29.1 The power pursuant to Regulation 65(1) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| c14(3) sch8 | 30. Plans for Building Work  
30.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if:  
30.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or  
30.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

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<td>to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.</td>
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### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FEES, CHARGES AND CONTRIBUTIONS) REGULATIONS 2019

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<td></td>
<td>31.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):</td>
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<td></td>
<td>31.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</td>
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<td></td>
<td>31.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</td>
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| r5(2) | 31. Calculation or Assessment of Fees  
31.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| f5(3) | 31. Calculation or Assessment of Fees  
31.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| r7 | 32. Waiver or Refund of Fee  
32.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:  
32.1.1 waive the payment of the fee, or the payment of part of the fee; or  
32.1.2 refund the whole or a part of the fee. | DDES, MDS, MFS | |
THE BAROSSA COUNCIL DELEGATIONS REGISTER

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 –

Instrument C - Powers of an Assessment Panel – Barossa Assessment Panel

PREAMBLE

1. To identify when these delegations were made, reviewed or amended, refer to the relevant Barossa Assessment Panel resolution in the Schedule of Amended Delegations on Council’s website at www.barossa.sa.gov.au.

2. To identify when the sub-delegations were made, reviewed or amended, refer to the Instrument of Sub-delegation for the individual officer’s position in Council’s Electronic Document Records Management System.

3. Sub-delegates by Title:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Position title</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-MDS</td>
<td>Assistant to Manager, Development Services</td>
</tr>
<tr>
<td>AO-B</td>
<td>Assessment Officer, Building</td>
</tr>
<tr>
<td>AO-P</td>
<td>Assessment Officer, Planning</td>
</tr>
<tr>
<td>ATSO-DS</td>
<td>Administration and Technical Support Officer, Development Services</td>
</tr>
<tr>
<td>BS</td>
<td>Building Surveyor</td>
</tr>
<tr>
<td>CO-BP</td>
<td>Compliance Officer, Building and Planning</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Position title</td>
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<tr>
<td>DDES</td>
<td>Director, Development and Environmental Services</td>
</tr>
<tr>
<td>DWES</td>
<td>Director, Works and Engineering Services</td>
</tr>
<tr>
<td>EPSO-DES</td>
<td>Executive and Project Support Officer, Development and Environmental Services</td>
</tr>
<tr>
<td>MDS</td>
<td>Manager, Development Services</td>
</tr>
<tr>
<td>MES</td>
<td>Manager, Engineering Services</td>
</tr>
<tr>
<td>MFS</td>
<td>Manager, Financial Services</td>
</tr>
<tr>
<td>SAO-B</td>
<td>Senior Assessment Officer, Building</td>
</tr>
<tr>
<td>SAO-P</td>
<td>Senior Assessment Officer, Planning</td>
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**INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)**

<table>
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<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| s7(5)(a)  | 1. Environment and Food Production Areas – Greater Adelaide  
1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development. | DDES, MDS |                                                                                      |
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| s7(5)(d)  | 1. Environment and Food Production Areas – Greater Adelaide  
1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development. | DDES, MDS | |
| s85(1)    | 2. Appointment of Additional Members  
2.1 The power pursuant to Section 85(1) of the PDI Act to appoint 1 or 2 members to act as additional members of the assessment panel for the purposes of dealing with a matter that the assessment panel must assess as a relevant authority under the PDI Act. | This power remains with BAP - no further delegation | |
| s94(3)(a) | 3. Relevant Authority – Commission  
3.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority. | DDES, MDS | |
| s99(1)    | 4. Relevant Provisions | This power remains with BAP - no further delegation | Standing Referral:  
1. The Barossa Assessment Panel determines, as resolved at its |
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<th>Proposed Sub-delegate <em>(subject to sub-delegation by the Assessment Manager)</em></th>
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| 4.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:  
4.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or  
4.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier. | | meeting on [insert date] to act under Section 99(1)(b) of the Planning, Development and Infrastructure Act 2016 (the Act) in relation to all development applications received by it that involve the performance of building work.  
2. Pursuant to Section 99(1)(c) of the Act, where the Panel has determined to act under Section 99(1)(b) of the Act, the Barossa Assessment Panel refers the assessment of the development in respect of the Building Rules to The Barossa Council. | |
| 5. Matters Against Which Development Must Be Assessed |  
5. The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
5.1.1 the relevant provisions of the Planning Rules; and | AO-P, DDES, MDS, SAO-P | The delegate shall only exercise this power in relation to applications where:  
(1) No representations which meet the requirements of the PDI (General) Regulations 2017 are received; or |
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<td>5.1.1.2</td>
<td>to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development, (planning consent);</td>
<td></td>
<td>(2) All representations which meet the requirements of the PDI (General) Regulations 2017 are withdrawn; or (3) No representor wishes to be heard. However, in the event that a deemed consent notice has been served on the Barossa Assessment Panel, the limitation does not apply and the delegate is delegated the power pursuant to Section 102(1)(a)(i) of the PDI Act to grant consent in respect of the relevant provisions of the Planning Rules without limitation.</td>
</tr>
<tr>
<td>s102(1)</td>
<td>5. Matters Against Which Development Must Be Assessed&lt;br&gt;5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):&lt;br&gt;5.1.2 the relevant provisions of the Building Rules (building consent);</td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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| s102(1)   | 5. Matters Against Which Development Must Be Assessed  
5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
5.1.5 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard; |                                                                                                        | DDES, MDS, SAO-B, SAO-P |
| s102(1)   | 5. Matters Against Which Development Must Be Assessed  
5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
5.1.6 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied; |                                                                                                        | AO-P, DDES, MDS, SAO-P |
| s102(1)   | 5. Matters Against Which Development Must Be Assessed  
5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
5.1.7 such other matters as may be prescribed. |                                                                                                        | AO-P, DDES, MDS, SAO-P |
<p>| s102(3)   | 5. Matters Against Which Development Must Be Assessed |                                                                                                        | AO-P, DDES, MDS, SAO-P |</p>
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| s102(4)   | 5.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate’s own initiative or on application, reserve the delegate’s decision on a specified matter or reserve the delegate’s decision to grant a planning consent:  
5.2.1 until further assessment of the relevant development under the PDI Act; or  
5.2.2 until further assessment or consideration of the proposed development under another Act; or  
5.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act. | AO-P, DDES, MDS, SAO-P |  |
| s107(2)(c) | 6. Performance Assessed Development  
6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations). | AO-P, DDES, MDS, SAO-P |  |
| s107(3)   | 6. Performance Assessed Development | AO-P, DDES, MDS, SAO-P |  |
### Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)

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<tr>
<td>6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.</td>
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<tr>
<td>6. Performance Assessed Development</td>
<td>AO-P, DDES, MDS, SAO-P</td>
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</tr>
<tr>
<td>6.3 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</td>
<td></td>
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<tr>
<td>7. Building Consent</td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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<tr>
<td>7.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).</td>
<td></td>
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</tr>
<tr>
<td>7.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.</td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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<tr>
<td>7. Building Consent</td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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</table>
| s118(4)   | 7. Building Consent  
7.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission | AO-B, BS, DDES, MDS, SAO-B | |
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| s118(6)   | 7. Building Consent  
7.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances. | AO-B, BS, DDES, MDS, SAO-B | |
| s118(7)   | 7. Building Consent  
7.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard. | BS, DDES, MDS, SAO-B | |
| s118(8)   | 7. Building Consent  
7.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that: | AO-B, BS, DDES, MDS, SAO-B | |
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<td>7.7.1</td>
<td>such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or</td>
<td></td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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<td>7.7.2</td>
<td>such compliance is certified by a building certifier.</td>
<td></td>
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<tr>
<td>s118(10)</td>
<td>7. Building Consent</td>
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<tr>
<td>7.8</td>
<td>The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification</td>
<td></td>
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<tr>
<td>s118(11)</td>
<td>7. Building Consent</td>
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<tr>
<td>7.9</td>
<td>The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority’s decision on the application for that consent, specify (in the notice or in an accompanying document):</td>
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<td>7.9.1</td>
<td>the variance; and</td>
<td></td>
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<tr>
<td>7.9.2</td>
<td>the grounds on which the decision is being made.</td>
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| s119(1)(b) | 8. Application and Provision of Information  
8.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |  |
| s119(3)    | 8. Application and Provision of Information  
8.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:  
8.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;  
8.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;  
8.2.3 to consult with an authority or body prescribed by the regulations;  
8.2.4 to comply with any other requirement prescribed by the regulations. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |  |
| s119(6)    | 8. Application and Provision of Information  
8.3 The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to  
8.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |  |
**INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)**

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<td>8.3.2</td>
<td>refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).</td>
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</tbody>
</table>
| s119(7)   | 8. Application and Provision of Information  
8.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply. | This power remains with the Assessment Manager - no further sub-delegation               |                                 |
| s119(9)   | 8. Application and Provision of Information  
8.5 The power pursuant to Section 119(9) of the PDI Act to:  
8.5.1 permit an applicant:  
8.5.1.1 to vary an application; | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P                                             |                                 |
| s119(10)  | 8. Application and Provision of Information  
8.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P                                                   |                                 |
| s119(12)  | 8. Application and Provision of Information                                                                                     | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P                                                   |                                 |
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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<td>s119(14)</td>
<td>8.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.</td>
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</tbody>
</table>
| s120(1)   | 8. Application and Provision of Information  
8.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | DDES, MDS, MFS |
| s120(3)   | 9. Outline Consent  
9.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.  
9.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:  
9.2.1 grant any consent contemplated by the outline consent; and  
9.2.2 not impose a requirement that is inconsistent with the outline consent. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| s121(7)   | 10. Design Review | This power remains with the Assessment Manager - no further sub-delegation | |

---

193
## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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<tr>
<td>10.1</td>
<td>The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).</td>
<td></td>
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</tbody>
</table>
| s122(1)   | 11. Referrals to Other Authorities or Agencies  
11.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:  
11.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and  
11.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made  
where the regulations so provide, subject to Section 122 of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |                          |
| s122(5)(b)| 11. Referrals to Other Authorities or Agencies  
11.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:  
11.2.1 to refuse the application; or                                         |                                                                             |                          |
**INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)**

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<td>s122(7)</td>
<td>11.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.</td>
<td></td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>s122(10)</td>
<td>11.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</td>
<td></td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
</tr>
<tr>
<td>s123(2)</td>
<td>12.3 The power pursuant to Section 123(2) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.</td>
<td></td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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12. Preliminary Advice and Agreement
12.1 The power pursuant to Section 123(2) of the PDI Act, if:
12.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and
## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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| s123(4)   | 12. Preliminary Advice and Agreement  
12.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
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| s124(5)   | 13. Proposed Development Involving Creation of Fortifications  
13.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:  
13.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or  
13.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(6)   | 13. Proposed Development Involving Creation of Fortifications  
13.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(7)   | 13. Proposed Development Involving Creation of Fortifications  
13.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal. | DDES, MDS | |
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| s125(6)   | 14. Time Within Which Decision Must be Made  
14.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent. | DDES, MDS, SAO-P                                                      |                          |
| s125(7)   | 14. Time Within Which Decision Must be Made  
14.2 The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act. | DDES, MDS, SAO-P                                                      |                          |
| s126(1)   | 15. Determination of Application  
15.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act). | A-MDS, AO-B, AO-P, ATSO-DS, BS, DDES, EPSO-DES, MDS, SAO-B, SAO-P     |                          |
| s126(3)   | 15. Determination of Application  
15.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate’s own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P                        |                          |
<table>
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<tr>
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<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| s127(1)   | 16. Conditions  
16.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                                                                          |
| s127(2)(c) | 16. Conditions  
16.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                                                                          |
| s127(4)   | 16. Conditions  
16.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI 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). | This power remains with the Assessment Manager - no further sub-delegation |                                                                          |
| s127(6)   | 16. Conditions  
16.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in | This power remains with the Assessment Manager - no further sub-delegation |                                                                          |
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<tr>
<td>s127(8)(b)</td>
<td>accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| s128(2)(d) | 16. Conditions  
16.5 The power pursuant to Section 127(8)(b) of the PDI Act to:  
16.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;  
16.5.2 to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act. | This power remains with the Assessment Manager - no further sub-delegation | |
| s134(1) | 17. Variation of Authorisation  
17.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| s134(1) | 18. Requirement to Up-grade  
18.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition. | AO-B, BS, SAO-B | |
| s134(1) | 18. Requirement to Up-grade | AO-B, BS, SAO-B | |

200
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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<tr>
<td>18.2</td>
<td>The power pursuant to Section 134(1) of the PDI Act, if:</td>
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<tr>
<td></td>
<td>18.2.1 an application for a building consent relates to:</td>
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<tr>
<td></td>
<td>18.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or</td>
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<td></td>
<td>18.2.1.2 a change of classification of a building; and</td>
<td></td>
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<td></td>
<td>18.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,</td>
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<tr>
<td></td>
<td>to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.</td>
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</tr>
<tr>
<td><strong>s134(2)</strong></td>
<td>18. Requirement to Up-grade</td>
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<tr>
<td></td>
<td>18.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.</td>
<td></td>
<td>AO-B, BS, SAO-B</td>
</tr>
<tr>
<td><strong>s134(3)</strong></td>
<td>18. Requirement to Up-grade</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>18.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:</td>
<td></td>
<td>AO-B, BS, SAO-B</td>
</tr>
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<tr>
<td>18.4.1</td>
<td>subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and</td>
<td></td>
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<tr>
<td></td>
<td>18.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed</td>
<td></td>
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</tr>
<tr>
<td>s134(4)</td>
<td>18. Requirement to Up-grade</td>
<td></td>
<td>AO-B, BS, SAO-B</td>
</tr>
<tr>
<td></td>
<td>18.5 The power pursuant to Section 134(4) of the PDI Act if:</td>
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<td></td>
<td>18.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and</td>
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<td></td>
<td>18.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,</td>
<td></td>
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<tr>
<td></td>
<td>to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>s134(5)</td>
<td>18. Requirement to Up-grade</td>
<td></td>
<td>AO-B, BS, SAO-B</td>
</tr>
<tr>
<td></td>
<td>18.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:</td>
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</tbody>
</table>
## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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<td>18.6.1</td>
<td>subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and 18.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.</td>
<td></td>
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</tr>
<tr>
<td>$143(1)</td>
<td>19. Cancellation of Development Authorisation 19.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>$143(2)</td>
<td>19. Cancellation of Development Authorisation 19.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>$235(1)</td>
<td>20. Professional Advice to be Obtained in Relation to Certain Matters 20.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, DWES, EPSO-DES, MDS, MES, SAO-B, SAO-P</td>
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### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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</table>
| s235(2)   | 20. Professional Advice to be Obtained in Relation to Certain Matters  
20.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought. | AO-B, AO-P, BS, CO-BP, DDES, DWES, MDS, MES, SAO-B, SAO-P | |
| cl12(7) sch8 | 21. General Transitional Schemes for Panels  
21.1 The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to  
21.1.1 adopt any findings or determinations of a council development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and  
21.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and  
21.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and  
21.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and  
21.1.5 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act. | DDES, MDS | |
## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL (INSTRUMENT C)

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</table>
| cl13(5) sch8 | 22. Regional Assessment Panels  
22.1 The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:  
22.1.1 adopt any findings or determinations of a council development assessment panel or a regional development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and  
22.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and  
22.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and  
22.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and  
22.1.5 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act. | The head delegation does not apply to The Barossa Council | (Only applicable to assessment panels appointed by a council or a joint planning board) |

(Relevant to regional assessment panels only)
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</table>
| cl18(2)    | 23. Continuation of Processes  
23.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:  
23.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and  
23.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and  
23.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and  
23.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and  
23.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| sch8       |                                                                                                                                |                                                                                |                             |
| s119(9)    | 8. Application and Provision of Information  
8.5 The power pursuant to Section 119(9) of the PDI Act to:                                                                 | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |                             |
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| 8.5.1     | permit an applicant:  
8.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application,  
(provided that the essential nature of the proposed development is not changed); |                                                                                      |                                                                            |
| s119(9)   | 8. Application and Provision of Information  
8.5 The power pursuant to Section 119(9) of the PDI Act to:  
8.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations; | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P                                  |                                                                            |
| s119(9)   | 8. Application and Provision of Information  
8.5 The power pursuant to Section 119(9) of the PDI Act to:  
8.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part); | DDES, MDS, MFS                                                           |                                                                            |
| s119(9)   | 8. Application and Provision of Information  
8.5 The power pursuant to Section 119(9) of the PDI Act to:  
8.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | Proposed condition and limitation attached to sub-delegation:  
A-MDS, ATSO-DS and EPSO-DES are limited to returning or |
### Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)

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<td></td>
<td>development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</td>
<td>forwarding any document to the applicant or to any other person only, and do not have the sub-delegation to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</td>
<td></td>
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</tbody>
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### Planning, Development and Infrastructure (General) Regulations 2017

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| r25(7)(c) | 24. Accredited Professionals  
24.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 *(the General Regulations)* to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure *(Accredited Professionals)* Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, DWES, EPSO-DES, MDS, MES, SAO-B, SAO-P |  |
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| r31(1)    | 25. Verification of Application  
25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:  
25.1.1 determine the nature of the development; and  
25.1.2 if the application is for planning consent - determine:  
25.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and  
25.1.2.2 the category or categories of development that apply for the purposes of development assessment; and | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                                     |
| r31(1)    | 25. Verification of Application  
25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:  
25.1.1 determine the nature of the development; and  
25.1.2 if the application is for planning consent - determine:  
25.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and  
25.1.2.2 the category or categories of development that apply for the purposes of development assessment; and | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                                     |
| r31(1)    | 25. Verification of Application  
25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                                     |
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| r31(1)    | 25. Verification of Application  
25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:  
25.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and  
25.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):  
25.1.4.1 check that the appropriate documents and information have been lodged with the application; and  
25.1.4.2 confirm the fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and  
25.1.4.3 provide an appropriate notice via the SA planning portal; and | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
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<td>25.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</td>
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<tr>
<td>25.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</td>
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<tr>
<td>25.1.5.2 provide an appropriate notice via the SA planning portal.</td>
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<tr>
<td>26.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</td>
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<tr>
<td>r35(3)</td>
<td>27. Amended Applications</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>27.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</td>
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</tr>
<tr>
<td>r35(4)</td>
<td>27. Amended Applications</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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</tr>
<tr>
<td>27.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</td>
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</tbody>
</table>
| r38(1)    | 28. Withdrawing/Lapsing Applications  
28.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:  
28.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and  
28.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                       |
| r38(3)    | 28. Withdrawing/Lapsing Applications  
28.2 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:  
28.2.1 take reasonable steps to notify the applicant of the action under consideration; and  
28.2.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                       |
| r40       | 29. Court Proceedings  
29.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded. | DDES, MDS |                                                                       |
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</table>
| r42(1)    | 30. Additional Information or Amended Plans  
30.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                        |
| r45(1)    | 31. Building Matters  
31.1 The power pursuant to Regulation 45(1) of the General Regulations to, if in assessing an application for building consent, the delegate considers that:  
31.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or  
31.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or  
31.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code, refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the delegate that a referral is not required. | AO-B, BS, SAO-B |                                                        |


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<tbody>
<tr>
<td>31.2</td>
<td>The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.</td>
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<tr>
<td>r45(3)</td>
<td>31. Building Matters</td>
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<tr>
<td></td>
<td>31.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.</td>
<td></td>
<td>AO-B, BS, SAO-B</td>
</tr>
<tr>
<td>r45(4)</td>
<td>31. Building Matters</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>31.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:</td>
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<tr>
<td></td>
<td>31.4.1 recommends against the granting of building consent; or</td>
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<td></td>
<td>31.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate:</td>
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<td></td>
<td>31.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</td>
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<tr>
<td></td>
<td>31.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent, to:</td>
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<td></td>
<td>31.4.5 refer the application to the Commission; and</td>
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<td></td>
<td></td>
<td></td>
<td>AO-B, BS, SAO-B</td>
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</tbody>
</table>

214
### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
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<tr>
<td>31.4.6</td>
<td>31.4.6 not grant consent unless the Commission concurs in the granting of the consent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>r45(5)</td>
<td>31. Building Matters</td>
<td>AO-B, BS, SAO-B</td>
<td></td>
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<tr>
<td></td>
<td>31.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.</td>
<td></td>
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</tr>
<tr>
<td>r46(6)</td>
<td>32. Preliminary Advice and Agreement (Section 123)</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<td></td>
<td>32.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</td>
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<td></td>
<td>32.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</td>
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<td></td>
<td>32.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,</td>
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<td></td>
<td>to refer the application (unless withdrawn) to the prescribed body:</td>
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<td></td>
<td>32.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</td>
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<td></td>
<td>32.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</td>
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<tr>
<td>r46(7)</td>
<td>32. Preliminary Advice and Agreement (Section 123)</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<td>32.2 The power pursuant to Regulation 46(7) of the General Regulations if:</td>
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<td>32.2.1 an application is withdrawn by the applicant; and</td>
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<tr>
<td>32.2.2</td>
<td>32.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify relevant prescribed body of the withdrawal.</td>
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</tr>
</tbody>
</table>
| r46(8)    | 32. Preliminary Advice and Agreement (Section 123)  
32.3 The power pursuant to Regulation 46(8) of the General Regulations, if:  
32.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and  
32.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify the relevant prescribed body of the lapsing. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                           |
| r46(9)    | 32. Preliminary Advice and Agreement (Section 123)  
32.4 The power pursuant to Regulation 46(9) of the General Regulations, if:  
32.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and  
32.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations, to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                           |
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<tbody>
<tr>
<td>r48</td>
<td>33. Notification of Application of Tree-damaging Activity to Owner of Land</td>
<td></td>
<td>This power remains with the Assessment Manager - no further sub-delegation</td>
</tr>
<tr>
<td></td>
<td>33.1 The power pursuant to Regulation 48 of the General Regulations, if an 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, to:</td>
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<td></td>
<td>33.1.1 give the owner notice of the application within 5 business days after the application is made; and</td>
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<td></td>
<td>33.1.2 give due consideration in the delegate’s assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</td>
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<tr>
<td>r49(3)</td>
<td>34. Public Inspection of Applications</td>
<td></td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<td></td>
<td>34.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</td>
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<td>r50(5)</td>
<td>35. Representations</td>
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<td>DDES, MDS</td>
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<td>35.1 The power pursuant to Regulation 50(5) of the General Regulations to, if the delegate considers that it would assist the delegate in making a decision on the application, allow a person:</td>
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<tr>
<td></td>
<td>35.1.1 who has made a representation under Regulation 50(1) of the General Regulations in relation to development being assessed under Section 107 of the PDI Act; and</td>
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<td></td>
<td>35.1.2 who has indicated an interest in appearing before the delegate,</td>
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<td></td>
<td>an opportunity (at a time determined by the delegate) to appear personally or by representative before the delegate to be heard in support of the representation that has been made under Regulation 50(1) of the General Regulations.</td>
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</table>
| r51(1)    | 36. Response by Applicant  
36.1 The power pursuant to Regulation 51(1) of the General Regulations to allow a response to a representation by the applicant to be made within such longer period as the delegate may allow. | AO-P, DDES, MDS, SAO-P | |
| r57(4)(a) | 37. Notice of Decision (Section 126(1))  
37.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| r60       | 38. Consideration of Other Development Authorisations  
38.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
39.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| r63(1)    | 40. Urgent Work  
40.1 The power pursuant to Regulation 63(1) of the General Regulations to, | AO-B, BS, DDES, MDS, SAO-B | |
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<td>r63(2)</td>
<td>40.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 40.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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<tr>
<td>r63(3)</td>
<td>40. Urgent Work 40.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</td>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
<td></td>
</tr>
<tr>
<td>r65(1)</td>
<td>41. Variation of Authorisation (Section 128) 41.1 The power pursuant to Regulation 65(1) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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</tr>
<tr>
<td>r76(2)</td>
<td>42. Advice from Commission 42.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission</td>
<td>AO-P, DDES, MDS, SAO-P</td>
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<tr>
<td>r78(3)</td>
<td>may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</td>
<td>AO-P, DDES, DWES, MDS, MES, SAO-P</td>
<td></td>
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</table>
| cl2(d)(ii)(B) | 43. Underground Mains Area  
43.1 The power pursuant to Regulation 78(3) of the General Regulations, if an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant authority), to require, as a condition on its decision on the application, that any electricity mains be placed underground. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P                                      |                             |
| cl2(d)(ii)(D) | 44. Plans for Residential Alterations, Additions and New Dwellings  
44.1 The power pursuant to Clause 2(d)(ii)(B) of Schedule 8 of the General 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. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P                                      |                             |
| cl4(3)    | 45. Plans for Building Work  
45.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building, if: | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P                                      |                             |
### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

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<tr>
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<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
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<td>45.1.1</td>
<td>the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or</td>
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<tr>
<td>45.1.2</td>
<td>the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,</td>
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<td></td>
<td>to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.</td>
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### PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FEES, CHARGES AND CONTRIBUTIONS) REGULATIONS 2019

<table>
<thead>
<tr>
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<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
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<td>r5(1)</td>
<td>46. Calculation or Assessment of Fees</td>
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<td></td>
<td>46.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</td>
<td></td>
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<td></td>
<td>46.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</td>
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<tr>
<td>46.1.2</td>
<td>46.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the assessment panel is not a relevant authority).</td>
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</tbody>
</table>
| r5(2)     | 46. Calculation or Assessment of Fees  
46.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                           |
| r5(3)     | 46. Calculation or Assessment of Fees  
46.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations. |                                                                             |                           |
| r7        | 47. Waiver or Refund of Fee  
47.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:  
47.1.1 waive the payment of the fee, or the payment of part of the fee; or  
47.1.2 refund the whole or a part of the fee. |                                                                             | DDES, MDS, MFS            |
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| PD Code   | 48. Procedural Matter  
48.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development 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 and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act. | AO-P, DDES, MDS, SAO-P | |
| PD Code   | 49. Procedural Referrals  
49.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral. | AO-P, DDES, MDS, SAO-P | |
| PD Code   | 49. Procedural Referrals  
49.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:  
49.2.1 alteration to an existing access or public road junction;  
49.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor. | AO-P, DDES, DWES, MDS, MES, SAO-P | |
| PD Code   | 49. Procedural Referrals  
49.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor. | AO-P, DDES, MDS, SAO-P | |
## PLANNING AND DESIGN CODE

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<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| PD Code   | 49. Procedural Referrals  
49.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral. | AO-P, DDES, DWES, MDS, MES, SAO-P |                                                                       |
| Part 9.4  | 50. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001  
50.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature. | AO-P, DDES, MDS, SAO-P |                                                                       |

## STATE PLANNING COMMISSION PRACTICE DIRECTION - 3 (NOTIFICATION OF PERFORMANCE ASSESSED DEVELOPMENT APPLICATIONS) 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| cl6(4)    | 51. Responsibility to Undertake Notification  
51.1 The power pursuant to clause 6(4) of the State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019 (PD3), should the applicant request the relevant authority to place the notice on the land and pay the relevant fee, to (either personally or by engagement of a contractor) give notice of the application to members of the public by notice placed on the relevant land in accordance with Section 107(3)(a)(ii) of the PDI Act. | DDES, MDS |                                                                       |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| c18       | 52. Preparing for Notification  
52.1 The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:  
52.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and  
52.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land in PDF format; and  
52.1.3 advise the applicant of the position and number of notice(s) to be erected on the land in accordance with clause 10 of PD3. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                                   |
| c110(2)   | 53. Notice on Land  
53.1 The power pursuant to clause 10(2) of PD3, in relation to clause 10(2) of PD3, to determine the most appropriate position for the notice on the land in order to provide for maximum visibility from a public road, and in cases where the relevant land has more than 1 frontage to a public road, to determine that more than 1 notice must be erected on each of the public road frontages to ensure that notice of the development is reasonably apparent to members of the public. | A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P |                                                                                   |
## STATE PLANNING COMMISSION PRACTICE DIRECTION (APPOINTMENT OF ADDITIONAL MEMBERS TO ASSESSMENT PANEL) 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| cl4(6)    | 54. Qualifications and Experience of Additional members  
54.1 The power pursuant to clause 4(6) of the State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019 (PD5) where the delegate forms the view that additional expert advice is required for an application which requires assessment of a matter listed in Column 1 of PD5, to engage an additional assessment panel member provided that person maintains both the minimum experience detailed in Column 2 of PD5, as well as the minimum qualification listed in Column 3 of PD5. | DDES, MDS | The sub-delegate must present his/her recommendation to the Barossa Assessment Panel for approval and appointment of the additional member. |
| cl4(7)    | 54. Qualifications and Experience of Additional members  
54.2 The power pursuant to clause 4(7) of PD5 to be satisfied of the minimum experience and qualifications of an additional assessment panel member. | | This power remains with BAP - delegation does not apply. |

## STATE PLANNING COMMISSION PRACTICE DIRECTION (SCHEME TO AVOID CONFLICTING REGIMENS) 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
<th>Proposed Sub-delegate (subject to sub-delegation by the Assessment Manager)</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| cl5(1)    | 55. Scheme Provisions  
55.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019 (PD6), to in undertaking a planning assessment or | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
### STATE PLANNING COMMISSION PRACTICE DIRECTION (SCHEME TO AVOID CONFLICTING REGIMENS) 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by the Barossa Assessment Panel to the Assessment Manager (proposed – to be approved by the Barossa Assessment Panel)</th>
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<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>cl5(3)</td>
<td>imposing controls, including through the imposition of conditions of planning consent, ensure that such assessment or controls do not conflict or duplicate matters dealt with or addressed under licencing or regulatory regimens under another Act.</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>55. Scheme Provisions</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>55.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PREAMBLE

1. To identify when the delegations were made, reviewed or amended, refer to the Instrument of Sub-delegation for the individual officer’s position in Council’s Electronic Document Records Management System.

2. Delegates may not further delegate the powers and functions delegated to them.

3. Delegates by Title:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Position title</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-MDS</td>
<td>Assistant to Manager, Development Services</td>
</tr>
<tr>
<td>AO-B</td>
<td>Assessment Officer, Building</td>
</tr>
<tr>
<td>AO-P</td>
<td>Assessment Officer, Planning</td>
</tr>
<tr>
<td>ATSO-DS</td>
<td>Administration and Technical Support Officer, Development Services</td>
</tr>
<tr>
<td>BS</td>
<td>Building Surveyor</td>
</tr>
<tr>
<td>CO-BP</td>
<td>Compliance Officer, Building and Planning</td>
</tr>
<tr>
<td>DDES</td>
<td>Director, Development and Environmental Services</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Position title</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>DWES</td>
<td>Director, Works and Engineering Services</td>
</tr>
<tr>
<td>EPSO-DES</td>
<td>Executive and Project Support Officer, Development and Environmental Services</td>
</tr>
<tr>
<td>MDS</td>
<td>Manager, Development Services</td>
</tr>
<tr>
<td>MES</td>
<td>Manager, Engineering Services</td>
</tr>
<tr>
<td>MFS</td>
<td>Manager, Financial Services</td>
</tr>
<tr>
<td>SAO-B</td>
<td>Senior Assessment Officer, Building</td>
</tr>
<tr>
<td>SAO-P</td>
<td>Senior Assessment Officer, Planning</td>
</tr>
</tbody>
</table>

**INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT MANAGER (INSTRUMENT D)**

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>s7(5)(a)</td>
<td>1. Environment and Food Production Areas – Greater Adelaide</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>s7(5)(d)</td>
<td>1. Environment and Food Production Areas – Greater Adelaide</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
<td>Delegate</td>
<td>Conditions and Limitations</td>
</tr>
<tr>
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</tr>
<tr>
<td><strong>s94(3)(a)</strong></td>
<td>Allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| **s94(3)(a)** | 2. Relevant Authority – Commission  
2.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority. | DDES, MDS | |
| **s99(1)** | 3. Relevant Provisions  
3.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:  
3.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or  
3.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier. | This power remains with the Assessment Manager - delegation does not apply. | |
| **s102(1)** | 4. Matters Against Which Development Must Be Assessed  
4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
4.1.1 -  
4.1.1.1 the relevant provisions of the Planning Rules; and | AO-P, DDES, MDS, SAO-P | AO-P, PP and SAO-P are limited to granting consents only. |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development, (planning consent);</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>s102(1)</td>
<td>4. Matters Against Which Development Must Be Assessed</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
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<td>Conditions and Limitations</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------------------------------------------------------------------------------------------</td>
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</tr>
</tbody>
</table>
| s102(1)  | 4. Matters Against Which Development Must Be Assessed  
4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
4.1.3 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):  
4.1.3.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;  
4.1.3.2 any relevant requirements set out in a design standard has been satisfied;  
4.1.3.3 any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;  
4.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;  
4.1.3.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;  
4.1.3.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;  
4.1.3.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;  
4.1.3.8 any building situated on the land complies with the Building Rules; | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |
<table>
<thead>
<tr>
<th>Provision</th>
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<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| s102(1)  | 4. Matters Against Which Development Must Be Assessed  
4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):  
4.1.4 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;  
4.1.5 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;  
4.1.6 such other matters as may be prescribed. | AO-P, DDES, MDS, SAO-P | |

233

<table>
<thead>
<tr>
<th>Provision</th>
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<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>s102(3)</td>
<td>4. Matters Against Which Development Must Be Assessed</td>
<td>AO-P,</td>
<td>AO-P, DDES, MDS, SAO-P</td>
</tr>
<tr>
<td></td>
<td>4.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate’s own initiative or on application, reserve the delegate’s decision on a specified matter or reserve the delegate’s decision to grant a planning consent:</td>
<td>DDES,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4.2.1 until further assessment of the relevant development under the PDI Act; or</td>
<td>MDS,</td>
<td></td>
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<tr>
<td></td>
<td>4.2.2 until further assessment or consideration of the proposed development under another Act; or</td>
<td>SAO-P</td>
<td></td>
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<tr>
<td></td>
<td>4.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>s102(4)</td>
<td>4. Matters Against Which Development Must Be Assessed</td>
<td>AO-P,</td>
<td>AO-P, DDES, MDS, SAO-P</td>
</tr>
<tr>
<td></td>
<td>4.3 The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of Section 102(4) of the PDI Act to be reserved on the application of the applicant.</td>
<td>DDES,</td>
<td></td>
</tr>
<tr>
<td>s106(2)</td>
<td>5. Deemed-to-satisfy Assessment</td>
<td>AO-P,</td>
<td>AO-P, DDES, MDS, SAO-P</td>
</tr>
<tr>
<td></td>
<td>5.1 The power pursuant to Section 106(2) of the PDI Act to form the opinion and be satisfied that development is deemed-to-satisfy development except for 1 or more minor variations and assess it as being deemed-to-satisfy.</td>
<td>DDES,</td>
<td></td>
</tr>
<tr>
<td>s107(2)(c)</td>
<td>6. Performance Assessed Development</td>
<td>AO-P,</td>
<td>AO-P, DDES, MDS, SAO-P</td>
</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
<td>Delegate</td>
<td>Conditions and Limitations</td>
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</tr>
<tr>
<td>s107(3)</td>
<td>6. Performance Assessed Development</td>
<td>AO-P, DDES, MDS, SAO-P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.</td>
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<tr>
<td></td>
<td>6.2.1 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</td>
<td></td>
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<tr>
<td></td>
<td>7.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.</td>
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<td></td>
<td>7.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</td>
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<tr>
<td></td>
<td>7.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</td>
<td></td>
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</tr>
</tbody>
</table>
### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT MANAGER (INSTRUMENT D)

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.2.2</td>
<td>to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.2.3</td>
<td>to consult with an authority or body prescribed by the regulations;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.2.4</td>
<td>to comply with any other requirement prescribed by the regulations.</td>
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</tbody>
</table>

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<thead>
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</thead>
<tbody>
<tr>
<td></td>
<td>7.3 The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and</td>
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<tr>
<td></td>
<td>7.3.2 refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>s119(7)</th>
<th>7. Application and Provision of Information</th>
<th>This power remains with the Assessment Manager - delegation does not apply.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td></td>
<td>7.5 The power pursuant to Section 119(9) of the PDI Act to:</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>7.5.1 permit an applicant:</td>
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<td></td>
</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
<td>Delegate</td>
<td>Conditions and Limitations</td>
</tr>
<tr>
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</tr>
<tr>
<td>7.5.1.1 to vary an application; 7.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>s119(9)</td>
<td>7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>s119(9)</td>
<td>7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);</td>
<td>DDES, MDS, MFS</td>
<td></td>
</tr>
<tr>
<td>s119(9)</td>
<td>7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
<td>A-MDS, ATSO-DS and EPSO-DES are limited to returning or forwarding any document to the applicant or to any other person only, and do not have the sub-delegation to determine not to finalise the matter until any specified</td>
</tr>
<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
<td>Delegate</td>
<td>Conditions and Limitations</td>
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</tbody>
</table>
| s119(10)  | 7. Application and Provision of Information
7.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | matter is resolved, rectified or addressed. |
| s119(12)  | 7. Application and Provision of Information
7.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| s119(14)  | 7. Application and Provision of Information
7.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee. | DDES, MDS, MFS | |
| s120(1)   | 8. Outline Consent
8.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| s120(3)   | 8. Outline Consent
8.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to: | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
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</thead>
<tbody>
<tr>
<td>s121(7)</td>
<td>8.2.1 grant any consent contemplated by the outline consent; and 8.2.2 not impose a requirement that is inconsistent with the outline consent.</td>
<td></td>
<td>This power remains with the Assessment Manager - delegation does not apply.</td>
</tr>
</tbody>
</table>
| s122(1)   | 10. Referrals to Other Authorities or Agencies  
10.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:  
10.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and  
10.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |         |
| s122(5)(b)| 10. Referrals to Other Authorities or Agencies  
10.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body: | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P |         |
<table>
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<th>Provision</th>
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<tr>
<td>s122(7)</td>
<td>10.2.1 to refuse the application; or 10.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.</td>
<td>DDES, MDS</td>
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<tr>
<td>s122(10)</td>
<td>10.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>s123(2)</td>
<td>11.1 The power pursuant to Section 123(2) of the PDI Act, if: 11.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and 11.1.2 the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and</td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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<td>11.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions), to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).</td>
<td>AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P</td>
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</table>
| s123(4)   | 11. Preliminary Advice and Agreement  
11.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(1)   | 12. Proposed Development Involving Creation of Fortifications  
12.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner). | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(5)   | 12. Proposed Development Involving Creation of Fortifications  
12.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
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| s124(6)  | 12. Proposed Development Involving Creation of Fortifications  
12.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s124(7)  | 12. Proposed Development Involving Creation of Fortifications  
12.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal. | DDES, MDS | |
| s125(6)  | 13. Time Within Which Decision Must be Made  
13.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent. | DDES, MDS, SAO-P | |
<p>| s125(7)  | 13. Time Within Which Decision Must be Made | DDES, MDS, SAO-P | |</p>
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<tr>
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| s126(1)   | 14. Determination of Application  
14.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act). | A-MDS, AO-B, AO-P, ATSO-DS, BS, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| s126(3)   | 14. Determination of Application  
14.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate’s own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act. | AO-B, AO-P, BS, CO-BP, DDES, MDS, SAO-B, SAO-P | |
| s127(1)   | 15. Conditions  
15.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| s127(2)(c) | 15. Conditions  
15.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
<p>| s127(4)   | 15. Conditions | This power remains with the Assessment | |</p>
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<tr>
<td>15.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI 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).</td>
<td>Manager - delegation does not apply.</td>
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<tr>
<td>s127(6)</td>
<td>15. Conditions</td>
<td>This power remains with the Assessment Manager - delegation does not apply.</td>
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<td>15.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.</td>
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<td>s127(8)(b)</td>
<td>15. Conditions</td>
<td>This power remains with the Assessment Manager - delegation does not apply.</td>
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<tr>
<td>15.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</td>
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<tr>
<td>15.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</td>
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<tr>
<td>15.5.2 to seek the Minister’s concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</td>
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<tr>
<td>s128(2)(d)</td>
<td>16. Variation of Authorisation</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>s143(1)</td>
<td>17. Cancellation of Development Authorisation 17.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.</td>
<td>DDES, MDS</td>
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<tr>
<td>s143(2)</td>
<td>17. Cancellation of Development Authorisation 17.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.</td>
<td>DDES, MDS</td>
<td></td>
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<tr>
<td>s235(1)</td>
<td>18. Professional Advice to be Obtained in Relation to Certain Matters 18.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, DWES, EPSO-DES, MDS, MES, SAO-B, SAO-P</td>
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<tr>
<td>s235(2)</td>
<td>18. Professional Advice to be Obtained in Relation to Certain Matters 18.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in</td>
<td>AO-B, AO-P, BS, CO-BP, DDES, DWES, MDS, MES, SAO-B, SAO-P</td>
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<tr>
<td>cl12(7)</td>
<td>relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</td>
<td>DDES, MDS</td>
<td></td>
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<tr>
<td>19. General Transitional Schemes for Panels</td>
<td>19.1 The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to</td>
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<td></td>
<td>19.1.1 adopt any findings or determinations of a council development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and</td>
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<td>19.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and</td>
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<td></td>
<td>19.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</td>
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<td>19.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and</td>
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<td></td>
<td>19.1.5 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.</td>
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<td></td>
<td>(Only applicable to assessment panels appointed by a council)</td>
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<tr>
<td>cl13(5)</td>
<td>20. Regional Assessment Panels</td>
<td>The power does not apply.</td>
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<tr>
<td>20.1.1</td>
<td>adopt any findings or determinations of a council development assessment panel or a regional development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and</td>
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<tr>
<td>20.1.2</td>
<td>adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and</td>
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<tr>
<td>20.1.3</td>
<td>deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</td>
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<tr>
<td>20.1.4</td>
<td>deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and</td>
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<tr>
<td>20.1.5</td>
<td>deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.</td>
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<td></td>
<td>(Only applicable to regional assessment panels)</td>
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<tr>
<td>c18(2)</td>
<td>21. Continuation of Processes</td>
<td>DDES, MDS</td>
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<tr>
<td>21.1</td>
<td>The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</td>
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<tr>
<td>21.1.1</td>
<td>adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</td>
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<tr>
<td>21.1.2</td>
<td>adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</td>
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## INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT MANAGER (INSTRUMENT D)

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
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<th>Conditions and Limitations</th>
</tr>
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<td>21.1.3</td>
<td>deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</td>
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<tr>
<td>21.1.4</td>
<td>deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</td>
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<tr>
<td>21.1.5</td>
<td>take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.</td>
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## PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

<table>
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<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
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</tr>
</thead>
<tbody>
<tr>
<td>r22(2)</td>
<td>22. Prescribed Scheme (Section 93)</td>
<td>AO-P, DDES, MDS, SAO-P</td>
<td></td>
</tr>
<tr>
<td>22.1</td>
<td>The power pursuant to Regulation 22(2) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations), to, in connection with Regulation 22(1)(a)(ii) of the General Regulations act as a relevant authority for the purposes of:</td>
<td></td>
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<tr>
<td>22.1.1</td>
<td>making a decision in accordance with a practice direction under Section 107(3)(a) of the PDI Act; and</td>
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<tr>
<td>22.1.2</td>
<td>determining whether a proposed development the subject of an application falls within a specified class of development excluded from the operation of Section 107(3) and (4) of the PDI Act by the Planning and Design Code.</td>
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<td>r31(1)</td>
<td>23. Verification of Application&lt;br&gt;23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:&lt;br&gt;23.1.1 determine the nature of the development; and&lt;br&gt;23.1.2 if the application is for planning consent - determine:&lt;br&gt;23.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and&lt;br&gt;23.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<td>r31(1)</td>
<td>23. Verification of Application&lt;br&gt;23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:&lt;br&gt;23.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<td>23. Verification of Application&lt;br&gt;23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:&lt;br&gt;23.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):&lt;br&gt;23.1.4.1 check that the appropriate documents and information have been lodged with the application; and&lt;br&gt;23.1.4.2 confirm the fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and&lt;br&gt;23.1.4.3 provide an appropriate notice via the SA planning portal; and</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r31(1)</td>
<td>23. Verification of Application&lt;br&gt;23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:&lt;br&gt;23.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):&lt;br&gt;23.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and&lt;br&gt;23.1.5.2 provide an appropriate notice via the SA planning portal.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>r33(4)</td>
<td>24. Application and Further Information</td>
<td>A-MDS, AO-B, AO-P, ATSO-</td>
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<tr>
<td>Provision</td>
<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
<td>Delegate</td>
<td>Conditions and Limitations</td>
</tr>
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<tr>
<td>24.1</td>
<td>The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</td>
<td>DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
<td></td>
</tr>
<tr>
<td>r35(3)</td>
<td>25. Amended Applications&lt;br&gt;25.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r35(4)</td>
<td>25. Amended Applications&lt;br&gt;25.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r38(1)</td>
<td>26. Withdrawing/Lapsing Applications&lt;br&gt;26.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:&lt;br&gt;26.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and&lt;br&gt;26.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r38(3)</td>
<td>26. Withdrawing/Lapsing Applications&lt;br&gt;26.2 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:&lt;br&gt;26.2.1 take reasonable steps to notify the applicant of the action under consideration; and&lt;br&gt;26.2.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r40</td>
<td>27. Court Proceedings&lt;br&gt;27.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</td>
<td>DDES, MDS</td>
<td></td>
</tr>
<tr>
<td>r42(1)</td>
<td>28. Additional Information or Amended Plans&lt;br&gt;28.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r46(6)</td>
<td>29. Preliminary Advice and Agreement (Section 123)&lt;br&gt;29.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</td>
<td>AO-B, AO-P, BS, DDES,</td>
<td></td>
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<td>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</td>
<td>Delegate</td>
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<td>29.1.1</td>
<td>the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</td>
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<td>29.1.2</td>
<td>the delegate determines that the application no longer accords with the agreement indicated by the</td>
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<td></td>
<td>prescribed body,</td>
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<td></td>
<td>to refer the application (unless withdrawn) to the prescribed body:</td>
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<td>29.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</td>
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<td></td>
<td>29.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</td>
<td>MDS, SAO-B, SAO-P</td>
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<td>29.2</td>
<td>The power pursuant to Regulation 46(7) of the General Regulations if:</td>
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<td>29.2.1 an application is withdrawn by the applicant; and</td>
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<td></td>
<td>29.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</td>
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<td>to notify relevant prescribed body of the withdrawal.</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<td>29.3</td>
<td>The power pursuant to Regulation 46(8) of the General Regulations, if:</td>
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<td>29.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</td>
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<td></td>
<td>29.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</td>
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<td>to notify the relevant prescribed body of the lapsing.</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<tr>
<td>r46(9)</td>
<td>29. Preliminary Advice and Agreement (Section 123)</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
<td>This power remains with the Assessment Manager - delegation does not apply.</td>
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<td>29.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</td>
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<td></td>
<td>29.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</td>
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<td>29.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,</td>
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<td>to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.</td>
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<tr>
<td>r48</td>
<td>30. Notification of Application of Tree-damaging Activity to Owner of Land</td>
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<tr>
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<td>30.1 The power pursuant to Regulation 48 of the General Regulations, if an 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, to:</td>
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<td>30.1.1 give the owner notice of the application within 5 business days after the application is made; and</td>
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<td></td>
<td>30.1.2 give due consideration in the delegate’s assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</td>
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<tr>
<td>r49(3)</td>
<td>31. Public Inspection of Applications</td>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<td>31.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</td>
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<td>Provision</td>
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<td><strong>r57(4)(a)</strong></td>
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<td><strong>32. Notice of Decision (Section 126(1))</strong></td>
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<td>32.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</td>
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<td>Delegate</td>
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<tr>
<td>A-MDS, AO-B, AO-P, ATSO-DS, BS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P</td>
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<th>Provision</th>
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<tr>
<td><strong>r60</strong></td>
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<tr>
<td><strong>33. Consideration of Other Development Authorisations</strong></td>
</tr>
<tr>
<td>33.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</td>
</tr>
<tr>
<td>Delegate</td>
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<tr>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<tr>
<td><strong>r61(4)(c)</strong></td>
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<tr>
<td><strong>34. Certificate of Independent Technical Expert in Certain Cases</strong></td>
</tr>
<tr>
<td>34.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.</td>
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<tr>
<td>Delegate</td>
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<tr>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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<tr>
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<th>Provision</th>
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<tr>
<td><strong>r63(1)</strong></td>
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<tr>
<td><strong>35. Urgent Work</strong></td>
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<tr>
<td>35.1 The power pursuant to Regulation 63(1) of the General Regulations to,</td>
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<tr>
<td>35.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</td>
</tr>
<tr>
<td>35.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</td>
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<tr>
<td>Delegate</td>
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<tr>
<td>AO-B, BS, DDES, MDS, SAO-B</td>
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<td>Provision</td>
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</tbody>
</table>
| r63(2)   | 35. Urgent Work  
35.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period. | AO-B, BS, DDES, MDS, SAO-B | |
| r63(3)   | 35. Urgent Work  
35.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period. | AO-B, BS, DDES, MDS, SAO-B | |
| r65(1)   | 36. Variation of Authorisation (Section 128)  
36.1 The power pursuant to Regulation 65(1) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P | |
| r76(2)   | 37. Advice from Commission  
37.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report. | AO-P, DDES, MDS, SAO-P | |
| r78(3)   | 38. Underground Mains Area  
38.1 The power pursuant to Regulation 78(3) of the General Regulations, if an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the | AO-P, DDES, DWES, MDS, MES, SAO-P | |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (<em>subject to approval by Assessment Manager</em>)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>cl2(d)(ii)(B)</td>
<td>area is declared as such after the application is lodged with the relevant authority), to require, as a condition on its decision on the application, that any electricity mains be placed underground.</td>
<td>AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P</td>
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</tbody>
</table>
| cl2(d)(ii)(D) | 39. Plans for Residential Alterations, Additions and New Dwellings  
39.1 The power pursuant to Clause 2(d)(ii)(B) of Schedule 8 of the General 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. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |  |
| cl4(3) | 40. Plans for Building Work  
40.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building, if:  
40.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or  
40.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |  |
<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| r5(1)     | 41. Calculation or Assessment of Fees  
41.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):  
41.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and  
41.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the assessment manager is not a relevant authority). | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| r5(2)     | 41. Calculation or Assessment of Fees  
41.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
| r5(3)     | 41. Calculation or Assessment of Fees  
41.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations. | A-MDS, AO-B, AO-P, ATSO-DS, CO-BP, DDES, EPSO-DES, MDS, SAO-B, SAO-P | |
### PLANNING AND DESIGN CODE

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>PD Code</td>
<td>42. Procedural Matter</td>
<td>&quot;AO-P, DDES, MDS, SAO-P&quot;</td>
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<td>42.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development 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 and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.</td>
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<td>PD Code</td>
<td>43. Procedural Matters: Referrals</td>
<td>&quot;AO-P, DDES, MDS, SAO-P&quot;</td>
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<td>43.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.</td>
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<tr>
<td>PD Code</td>
<td>43. Procedural Matters: Referrals</td>
<td>&quot;AO-P, DDES, DWES, MDS, MES, SAO-P&quot;</td>
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<td>43.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:</td>
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<td>43.2.1 alteration to an existing access or public road junction; or</td>
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<td>43.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.</td>
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<tr>
<td>PD Code</td>
<td>43. Procedural Matters: Referrals</td>
<td>&quot;AO-P, DDES, MDS, SAO-P&quot;</td>
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<td>43.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.</td>
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### PLANNING AND DESIGN CODE

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<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| PD Code           | 43. Procedural Matters: Referrals  
43.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral. | AO-P, DDES, DWES, MDS, MES, SAO-P |                             |
| Part 9.4 PD Code  | 44. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 201  
44.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature. | AO-P, DDES, MDS, SAO-P |                             |

### STATE PLANNING COMMISSION PRACTICE DIRECTION (SCHEME TO AVOID CONFLICTING REGIMENS) 2019

<table>
<thead>
<tr>
<th>Provision</th>
<th>Powers and Functions Delegated by Assessment Manager (subject to approval by Assessment Manager)</th>
<th>Delegate</th>
<th>Conditions and Limitations</th>
</tr>
</thead>
</table>
| cl5(1)      | 45. Scheme Provisions  
45.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019 (PD6), to in undertaking a planning assessment or imposing controls, including through the imposition of conditions of planning consent, ensure that such assessment or controls do not conflict or duplicate matters dealt with or addressed under licencing or regulatory regimens under another Act. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                             |
| cl5(3)      | 45. Scheme Provisions  
45.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency. | AO-B, AO-P, BS, DDES, MDS, SAO-B, SAO-P |                             |
Preamble

1. To identify when these delegations were made, reviewed or amended, refer to the relevant Council resolution in the Schedule of Amended Delegations on Council’s website at www.barossa.sa.gov.au.

2. To identify when the sub-delegations were made, reviewed or amended, refer to the Instrument of Sub-delegation for the individual officer’s position in Council’s Electronic Document Records Management System.

3. Sub-delegates by Title:

- AO-B: Assessment Officer, Building
- AO-P: Assessment Officer, Planning
- BAP: Barossa Assessment Panel
- CO-BP: Compliance Officer, Building and Planning
- DDES: Director, Development and Environmental Services
- DWES: Director, Works and Engineering Services
- GA: Governance Advisor
- MDS: Manager, Development Services
- MES: Manager, Engineering Services
- PP: Principal Planner
- SAO-B: Senior Assessment Officer, Building
- SAO-P: Senior Assessment Officer, Planning
- SPDP Committee: Strategic Planning and Development Policy Committee

**INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 OF POWER OF A COUNCIL AS A RELEVANT AUTHORITY**

<table>
<thead>
<tr>
<th>Provision</th>
<th>Item Delegated by Council to the Chief Executive Officer</th>
<th>Sub-Delegate</th>
</tr>
</thead>
<tbody>
<tr>
<td>s7(5)(a) and (d)</td>
<td>1. Environment and Food Production Areas – Greater Adelaide</td>
<td>BAP, DDES, MDS, PP</td>
</tr>
<tr>
<td></td>
<td>1.1 The power pursuant to Section 7(5)(a) and (d) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments:</td>
<td></td>
</tr>
</tbody>
</table>
1.1.1 to seek the concurrence of the Commission in the granting of the development authorisation to the development;

1.1.2 to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.

### INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 OF POWERS OF A COUNCIL AS A DESIGNATED AUTHORITY AND A DESIGNATED ENTITY

<table>
<thead>
<tr>
<th>Provision</th>
<th>Item Delegated by Council to the Chief Executive Officer</th>
<th>Sub-Delegate</th>
</tr>
</thead>
<tbody>
<tr>
<td>s5(5)(b)</td>
<td>1. Planning Regions and Greater Adelaide</td>
<td>DDES</td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>s6(3)(b)</td>
<td>2. Subregions</td>
<td>DDES</td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>s7(5)(b)</td>
<td>3. Environment and Food Production Areas – Greater Adelaide</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.1 The power pursuant to Section 7(5)(b) of the PDI Act, in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>s22(4)(a)(i)</td>
<td>4. Functions</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td></td>
<td>4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.</td>
<td></td>
</tr>
<tr>
<td>Section 35(1)(a)</td>
<td>5. Planning Agreements</td>
<td></td>
</tr>
<tr>
<td>------------------</td>
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<td></td>
</tr>
<tr>
<td>The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 35(3)</th>
<th>5. Planning Agreements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</td>
<td></td>
</tr>
<tr>
<td>5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 35(4)</th>
<th>5. Planning Agreements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The constitution of a joint planning board including, in relation to such a board:</td>
<td></td>
</tr>
<tr>
<td>5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</td>
<td></td>
</tr>
<tr>
<td>5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</td>
<td></td>
</tr>
<tr>
<td>5.2.2.3 the procedures to be followed with respect to the appointment of members; and</td>
<td></td>
</tr>
<tr>
<td>5.2.2.4 the terms of office of members; and</td>
<td></td>
</tr>
<tr>
<td>5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and</td>
<td></td>
</tr>
<tr>
<td>5.2.2.6 the appointment of deputy members; and</td>
<td></td>
</tr>
<tr>
<td>5.2.2.7 the procedures of the board; and</td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Planning Agreements</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------</td>
</tr>
<tr>
<td>s35(4)</td>
<td>5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and</td>
</tr>
<tr>
<td>s35(4)</td>
<td>5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and</td>
</tr>
<tr>
<td>s35(4)</td>
<td>5.2.5 financial and resource issues associated with the operations of the joint planning board, including:</td>
</tr>
<tr>
<td></td>
<td>5.2.5.1 the formulation and implementation of budgets; and</td>
</tr>
<tr>
<td></td>
<td>5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and</td>
</tr>
<tr>
<td>s35(4)</td>
<td>5.2.6 such other matters as the Delegate thinks fit.</td>
</tr>
<tr>
<td>s35(5)(a)</td>
<td>5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).</td>
</tr>
<tr>
<td>s35(5)(b)</td>
<td>5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.</td>
</tr>
<tr>
<td>Section</td>
<td>Section of Act</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>s41(2)(a)</td>
<td>6. Appointment of Administrator</td>
</tr>
<tr>
<td>s44(6)(a)</td>
<td>7. Community Engagement Charter</td>
</tr>
<tr>
<td>s44(9)(b)</td>
<td>7. Community Engagement Charter</td>
</tr>
<tr>
<td>s44(10)</td>
<td>7. Community Engagement Charter</td>
</tr>
<tr>
<td>s45(2)(c)</td>
<td>8. Preparation and Amendment of Charter</td>
</tr>
<tr>
<td>s73(2)(b)(iv)</td>
<td>9. Preparation and Amendment</td>
</tr>
</tbody>
</table>
9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:

9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and

9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.

<table>
<thead>
<tr>
<th>s73(6)</th>
<th>9. Preparation and Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:</td>
<td></td>
</tr>
<tr>
<td>9.2.1 to prepare a draft of the relevant proposal; and</td>
<td></td>
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<tr>
<td>9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</td>
<td></td>
</tr>
<tr>
<td>9.2.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – to consult with the joint planning board; and</td>
<td></td>
</tr>
<tr>
<td>9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:</td>
<td></td>
</tr>
<tr>
<td>9.2.4.1 an owner or occupier of the land; and</td>
<td></td>
</tr>
<tr>
<td>9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</td>
<td></td>
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<tr>
<td>9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and</td>
<td></td>
</tr>
<tr>
<td>9.2.6 to carry out such investigations and obtain such information specified by the Commission; and</td>
<td></td>
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</tbody>
</table>

DDES, MDS, PP
<table>
<thead>
<tr>
<th>Section</th>
<th>Section</th>
<th>Power Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>s73(7)</td>
<td>9. Preparation and Amendment</td>
<td>9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.</td>
</tr>
<tr>
<td>s73(8)</td>
<td>9. Preparation and Amendment</td>
<td>9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.</td>
</tr>
<tr>
<td>s73(9)</td>
<td>9. Preparation and Amendment</td>
<td>9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).</td>
</tr>
<tr>
<td>s74(8)</td>
<td>10. Parliamentary Scrutiny</td>
<td>10.1 The power pursuant to Section 74(8) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide comment and a response within the period of 2 weeks.</td>
</tr>
<tr>
<td>s82(d)</td>
<td>11. Entities Constituting Relevant Authorities</td>
<td>11.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.</td>
</tr>
</tbody>
</table>

This power remains with CEO - no further sub-delegation.
12. Panels Established by Joint Planning Boards or Councils

12.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:

12.1.1 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;

12.1.2 determine:

12.1.2.1 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

12.1.2.2 the procedures to be followed with respect to the appointment of members; and

12.1.2.3 the terms of office of members; and

12.1.2.4 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

12.1.2.5 the appointment of deputy members; and

12.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.

12.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>s83(1)(i)</td>
<td>12. Panels Established by Joint Planning Boards or Councils</td>
</tr>
<tr>
<td>12.3</td>
<td>The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.</td>
</tr>
<tr>
<td>s83(2)</td>
<td>12. Panels Established by Joint Planning Boards or Councils</td>
</tr>
<tr>
<td>12.4</td>
<td>The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a Council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.</td>
</tr>
<tr>
<td>s84(1)(c)(ii)(A)</td>
<td>13. Panels Established by Minister</td>
</tr>
<tr>
<td>13.1</td>
<td>The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other councils.</td>
</tr>
<tr>
<td>s84(1)(c)(ii)(B)</td>
<td>13. Panels Established by Minister</td>
</tr>
<tr>
<td>13.2</td>
<td>The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other councils (or parts of such areas).</td>
</tr>
<tr>
<td>s86(2)(a)</td>
<td>14. Substitution of Local Panels</td>
</tr>
<tr>
<td>14.1</td>
<td>The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.</td>
</tr>
<tr>
<td>s89(b)</td>
<td>15. Notification of Acting</td>
</tr>
<tr>
<td>15.1</td>
<td>The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
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<tr>
<td>s130(6)</td>
<td>16. Essential Infrastructure – Alternative Assessment Process</td>
</tr>
<tr>
<td></td>
<td>16.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.</td>
</tr>
<tr>
<td>s130(14)</td>
<td>16. Essential Infrastructure – Alternative Assessment Process</td>
</tr>
<tr>
<td></td>
<td>16.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.</td>
</tr>
<tr>
<td>s163(3)(b)</td>
<td>17. Initiation of Scheme</td>
</tr>
<tr>
<td></td>
<td>17.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.</td>
</tr>
<tr>
<td>s163(10)</td>
<td>17. Initiation of Scheme</td>
</tr>
<tr>
<td></td>
<td>17.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.</td>
</tr>
<tr>
<td>s166(1)(c)</td>
<td>18. Consideration of Proposed Scheme</td>
</tr>
<tr>
<td></td>
<td>18.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.</td>
</tr>
<tr>
<td>s167(7)</td>
<td>19. Adoption of Scheme</td>
</tr>
<tr>
<td></td>
<td>19.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.</td>
</tr>
<tr>
<td>s169(2)(b)</td>
<td>20. Funding Arrangements</td>
</tr>
<tr>
<td></td>
<td>20.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
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</tr>
<tr>
<td>s169(9)</td>
<td>20. Funding Arrangements</td>
</tr>
<tr>
<td></td>
<td>20.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.</td>
</tr>
<tr>
<td>s177(4)</td>
<td>21. Contributions by Constituent Councils</td>
</tr>
<tr>
<td></td>
<td>21.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.</td>
</tr>
<tr>
<td>s177(5)</td>
<td>21. Contributions by Constituent Councils</td>
</tr>
<tr>
<td></td>
<td>21.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.</td>
</tr>
<tr>
<td>s180(7)</td>
<td>22. Imposition of Charge by Councils</td>
</tr>
<tr>
<td></td>
<td>22.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.</td>
</tr>
<tr>
<td>s187(1)</td>
<td>23. Authorised Works</td>
</tr>
<tr>
<td></td>
<td>23.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.</td>
</tr>
<tr>
<td>s187(5)</td>
<td>23. Authorised Works</td>
</tr>
</tbody>
</table>
### 23.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:

- **23.2.1** inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and
- **23.2.2** give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and
- **23.2.3** ensure that proper consideration is given to the views of the road maintenance authority.

#### s187(5)(b)

**23. Authorised Works**

23.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the relevant road maintenance authority in relation to the matter.

#### s187(6)

**23. Authorised Works**

23.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.

#### s188(1)

**24. Entry onto Land**

24.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:

- **24.1.1** enter and pass over any land; and
- **24.1.2** bring onto any land any vehicles, plant or equipment; and
- **24.1.3** temporarily occupy land; and
- **24.1.4** do anything else reasonably required in connection with the exercise of the power.

#### AM, DDES, DWES, MDS, MES
<table>
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<tr>
<th>Section</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>s188(4)</td>
<td>24. Entry onto Land</td>
</tr>
<tr>
<td></td>
<td>24.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.</td>
</tr>
<tr>
<td></td>
<td>AM, DDES, DWES, MDS, MES</td>
</tr>
<tr>
<td>s189(1)</td>
<td>25. Acquisition of Land</td>
</tr>
<tr>
<td></td>
<td>25.1 The power pursuant to Section 189(1) of the PDI Act, to:</td>
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<tr>
<td></td>
<td>25.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and</td>
</tr>
<tr>
<td></td>
<td>25.1.2 with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969.</td>
</tr>
<tr>
<td></td>
<td>AM, DDES, DWES, MDS</td>
</tr>
<tr>
<td>s210(1)</td>
<td>26. Appointment of Authorised Officers</td>
</tr>
<tr>
<td></td>
<td>26.1 The power pursuant to Section 210(1) of the PDI Act to:</td>
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<tr>
<td></td>
<td>26.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and</td>
</tr>
<tr>
<td></td>
<td>26.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.</td>
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<tr>
<td></td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>s210(2)</td>
<td>26. Appointment of Authorised Officers</td>
</tr>
<tr>
<td></td>
<td>26.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.</td>
</tr>
<tr>
<td></td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>s210(3)</td>
<td>26. Appointment of Authorised Officers</td>
</tr>
<tr>
<td></td>
<td>26.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:</td>
</tr>
<tr>
<td></td>
<td>26.3.1 containing a photograph of the authorised officer; and</td>
</tr>
<tr>
<td></td>
<td>GA</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>26.3.2</td>
<td>Stating any conditions of appointment limiting the authorised officer's appointment.</td>
</tr>
<tr>
<td>s210(5)</td>
<td>26. Appointment of Authorised Officers</td>
</tr>
<tr>
<td>26.4</td>
<td>The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.</td>
</tr>
<tr>
<td>s213(1)</td>
<td>27. Enforcement Notices</td>
</tr>
<tr>
<td>27.1</td>
<td>The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:</td>
</tr>
<tr>
<td>27.1.1</td>
<td>Direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;</td>
</tr>
<tr>
<td>27.1.2</td>
<td>Direct a person to make good any breach in a manner, and within a period, specified by the delegate;</td>
</tr>
<tr>
<td>27.1.3</td>
<td>Take such urgent action as is required because of any situation resulting from the breach.</td>
</tr>
<tr>
<td>s213(2)</td>
<td>27. Enforcement Notices</td>
</tr>
<tr>
<td>27.2</td>
<td>The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.</td>
</tr>
<tr>
<td>s213(5)</td>
<td>27. Enforcement Notices</td>
</tr>
<tr>
<td>27.3</td>
<td>The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.</td>
</tr>
<tr>
<td>Section</td>
<td>Section 213(6)</td>
</tr>
<tr>
<td>---------</td>
<td>----------------</td>
</tr>
<tr>
<td>s213(6)</td>
<td>27.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the action.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Section 213(7)</th>
<th>27. Enforcement Notices</th>
</tr>
</thead>
<tbody>
<tr>
<td>s213(7)</td>
<td>27.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Section 214(1)</th>
<th>28. Applications to Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>s214(1)</td>
<td>28.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act (whether or not any right of that person has been or may be infringed by or as a consequence of that breach).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Section 214(2)</th>
<th>28. Applications to Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>s214(2)</td>
<td>28.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Section 214(4)</th>
<th>28. Applications to Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>s214(4)</td>
<td>28.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Section 214(6)</th>
<th>28. Applications to Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>s214(6)</td>
<td>28.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.</td>
<td></td>
</tr>
</tbody>
</table>

This power remains with CEO - no further sub-delegation

DDES, MDS
<table>
<thead>
<tr>
<th>Section</th>
<th>Application to Court</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>28.5</td>
<td>The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>28.6</td>
<td>The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>28.7</td>
<td>The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>28.8</td>
<td>The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent.</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>28.9</td>
<td>The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>28.10</td>
<td>The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>s219(1)</td>
<td>29. Proceedings for Offences</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------</td>
<td></td>
</tr>
<tr>
<td>29.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>s223(2)</th>
<th>30. Adverse Publicity Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.</td>
<td></td>
</tr>
<tr>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>s223(4)</th>
<th>30. Adverse Publicity Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:</td>
<td></td>
</tr>
<tr>
<td>30.2.1 take the action or actions specified in the order; and</td>
<td></td>
</tr>
<tr>
<td>30.2.2 authorise a person in writing to take the action or actions specified in the order.</td>
<td></td>
</tr>
<tr>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>s223(5)</th>
<th>30. Adverse Publicity Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.3 The power pursuant to Section 223(5) of the PDI Act, if:</td>
<td></td>
</tr>
<tr>
<td>30.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and</td>
<td></td>
</tr>
<tr>
<td>30.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the action or actions and to authorise a person in writing to take the action or actions.</td>
<td></td>
</tr>
<tr>
<td>This power remains with CEO - no further sub-delegation</td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| s223(6) | **30. Adverse Publicity Orders**  
30.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the action or actions, as a debt, due to the Council. |
| s225(1) | **31. Civil Penalties**  
31.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention. |
| s225(2) | **31. Civil Penalties**  
31.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors. |
| s225(3) | **31. Civil Penalties**  
31.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention. |
| s225(13) | **31. Civil Penalties**  
31.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act. |
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>s225(17)</td>
<td>31. Civil Penalties</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>31.5</td>
<td>The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.</td>
<td></td>
</tr>
<tr>
<td>s228(7)</td>
<td>32. Make Good Orders</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>32.1</td>
<td>The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.</td>
<td></td>
</tr>
<tr>
<td>s229(5)</td>
<td>33. Recovery of Economic Benefit</td>
<td>This power remains with CEO - no further sub-delegation</td>
</tr>
<tr>
<td>33.1</td>
<td>The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.</td>
<td></td>
</tr>
<tr>
<td>s230(1)</td>
<td>34. Enforceable Voluntary Undertakings</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>34.1</td>
<td>The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.</td>
<td></td>
</tr>
<tr>
<td>s230(4)</td>
<td>34. Enforceable Voluntary Undertakings</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>34.2</td>
<td>The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.</td>
<td></td>
</tr>
<tr>
<td>s230(7)</td>
<td>34. Enforceable Voluntary Undertakings</td>
<td>DDES, MDS</td>
</tr>
<tr>
<td>34.3</td>
<td>The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:</td>
<td></td>
</tr>
<tr>
<td>34.3.1</td>
<td>vary the undertaking; or</td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>s230(11)</td>
<td>34. Enforceable Voluntary Undertakings&lt;br&gt;34.3.2 withdraw the undertaking.</td>
<td></td>
</tr>
<tr>
<td>s230(12)</td>
<td>34. Enforceable Voluntary Undertakings&lt;br&gt;34.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.</td>
<td></td>
</tr>
<tr>
<td>s230(14)</td>
<td>34. Enforceable Voluntary Undertakings&lt;br&gt;34.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.</td>
<td></td>
</tr>
<tr>
<td>s239(1)</td>
<td>35. Charges on Land&lt;br&gt;35.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.</td>
<td></td>
</tr>
<tr>
<td>s239(6)</td>
<td>35. Charges on Land&lt;br&gt;35.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.</td>
<td></td>
</tr>
<tr>
<td>s240(1)</td>
<td>36. Registering Authorities to Note Transfer&lt;br&gt;36.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority...</td>
<td></td>
</tr>
</tbody>
</table>
required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.

<table>
<thead>
<tr>
<th>Clause 3(3) Schedule 4</th>
<th>37. Review of Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>37.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council’s actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 3(14) Schedule 4</th>
<th>37. Review of Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>37.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 3(15) Schedule 4</th>
<th>37. Review of Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>37.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 3(16) Schedule 4</th>
<th>37. Review of Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>37.4 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 9(6)(a) Schedule 8</th>
<th>38. Planning and Design Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>38.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.</td>
</tr>
<tr>
<td>Clause 30(3) Schedule 8</td>
<td>39. General Schemes</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td>39.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.</td>
</tr>
</tbody>
</table>

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (TRANSITIONAL PROVISIONS) REGULATIONS 2017**

<table>
<thead>
<tr>
<th>Provision</th>
<th>Item Delegated by Council to the Chief Executive Officer</th>
<th>Sub-delegate</th>
</tr>
</thead>
<tbody>
<tr>
<td>r8(1)(c)</td>
<td>40. Adoption of DPAs</td>
<td>DDES, PP, SPDP Committee</td>
</tr>
<tr>
<td></td>
<td>40.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.</td>
<td></td>
</tr>
</tbody>
</table>
7.2.2 DEBATE AGENDA – FINANCE

7.2.2.1 MONTHLY FINANCE REPORT (AS AT 31 DECEMBER 2020)

8411

Author: Senior Accountant

PURPOSE
The Uniform Presentation of Finances report provides information as to the financial position of Council, including notes on material financial trends and transactions.

RECOMMENDATION
That the Monthly Finance Report as at 31 December 2020 be received and noted.

REPORT
Discussion
The Monthly Finance Report (as at 31 December 2020) is Attached. The report has been prepared comparing actuals to the Original adopted budget 2020/21 incorporating the Revised Budget for September.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Monthly Finance Report 31 December 2020

Policy
Budget & Business Plan and Review Policy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.

6.3 Align operational strategy to strategic objectives and measure organisational performance to demonstrate progress towards achieving our goals.

6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.

6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.

6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
To enable Council to make effective and strategic financial decisions, a regular up to date high level financial report is provided.

COMMUNITY CONSULTATION
Community Consultation was part of the original budget adoption process in June/July 2020, as per legislation. This report is advising Council of the monthly finance position compared to that budget.
# Uniform Presentation of Finances

## Operating Activities:

<table>
<thead>
<tr>
<th>Budget</th>
<th>% Actual Expenditure to Original Budget</th>
<th>Original Budget (Full-Year) $'000</th>
<th>Revised Budget (Q1) (Full-Year) $'000</th>
<th>Actual Result (Year-to-Date) $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Income</td>
<td></td>
<td>39,728</td>
<td>39,802</td>
<td>36,082</td>
</tr>
<tr>
<td>Less Operating Expenses</td>
<td>42.81%</td>
<td>(39,494)</td>
<td>(39,949)</td>
<td>(16,907)</td>
</tr>
<tr>
<td>Operating Surplus / (Deficit)</td>
<td></td>
<td>234</td>
<td>(147)</td>
<td>19,175</td>
</tr>
</tbody>
</table>

## Capital Activities:

### Net Outlays on Existing Assets

<table>
<thead>
<tr>
<th>Capital Expenditure on Renewal and Replacement of Existing Assets</th>
<th>25.66%</th>
<th>(7,690)</th>
<th>(8,041)</th>
<th>(1,973)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add back Depreciation, Amortisation &amp; Impairment</td>
<td>8,032</td>
<td>8,032</td>
<td>4,016</td>
<td></td>
</tr>
<tr>
<td>Add back Proceeds from Sale of Replaced Assets</td>
<td>412</td>
<td>412</td>
<td>97</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>754</td>
<td>403</td>
<td>2,140</td>
<td></td>
</tr>
</tbody>
</table>

### Net Outlays on New and Upgraded Assets

<table>
<thead>
<tr>
<th>Capital Expenditure on New and Upgraded Assets</th>
<th>14.31%</th>
<th>(18,862)</th>
<th>(23,133)</th>
<th>(2,699)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add back Amounts Received Specifically for New and Upgraded Assets</td>
<td>8,480</td>
<td>8,182</td>
<td>1,905</td>
<td></td>
</tr>
<tr>
<td>Add back Proceeds from Sale of Surplus Assets</td>
<td>0</td>
<td>0</td>
<td>685</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>(10,382)</td>
<td>(14,951)</td>
<td>(109)</td>
<td></td>
</tr>
</tbody>
</table>

### Net Lending/(Borrowing) for the Financial Year

| (9,394) | (14,695) | 21,206 |

Total % Capital Budget Spent **17.60%**

## Reconciliation for the movement in Net Lending / (Borrowing)

<table>
<thead>
<tr>
<th>Original 2020/21 Full Year Budget Net Lending / (Borrowing)</th>
<th>(9,394)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Carried Forward Budget Adjustments:</strong></td>
<td></td>
</tr>
<tr>
<td>Report on Financial Results. Funds were held for these projects in cash and investments at 30 June 2020.</td>
<td>(4,636)</td>
</tr>
<tr>
<td><strong>September 2020 Budget Review:</strong> Funds required for these items will decrease Council’s cash and investments.</td>
<td>(665)</td>
</tr>
<tr>
<td>This amount includes amendments approved at the Council meetings held in June and November 2020.</td>
<td></td>
</tr>
<tr>
<td><strong>Full Year Revised Budget - Net Lending - (Borrowing)</strong></td>
<td>(14,695)</td>
</tr>
</tbody>
</table>

## Notes

1. 2020/21 Capital Expenditure spent to end of December includes:
   - Bridges $46k
   - Bushgardens Sales Area Shed $8k
   - CWMS $79k
   - Depot Mobile Technology $24k
   - Drainage $54k
   - Footpaths $12k
   - Keil Gardens Tanunda Retaining Wall $100k
   - Land Swap $666k (refer offset in Proceeds Surplus Assets)
   - Mt Pleasant Main Street $4k
   - Nuriootpa Centennial Park Authority Change Rooms $395k
   - Nuriootpa Dog Park $9k
   - Nuriootpa Infrastructure $3k
   - Nuriootpa Office Solar Panels $88k, Council Chamber Audio Visual System $11k
   - Playground Equipment $8k
   - Road Resheeting $239k
   - Sealed Roads $1,438k
   - The Big Project - Angas Recreation Park Junior Oval, Clubrooms, Cricket Nets, Stormwater $208k
   - The Big Project - Angaston Railway Precinct $143k
   - The Big Project - Barossa Culture Hub $18k
   - The Big Project - Lyndoch Recreation Park Upgrade Lighting, Cricket Nets and Oval Works $488k
   - The Big Project - Stockwell Recreation Park Works $1k
   - The Big Project - Tanunda Recreation Park - Show Hall Upgrade, Sight Screens and Oval Works $29k
   - The Rex - Solar Panels and LED Lighting Replacement $315k, Pool Deck Air Conditioning/Renovations $108k, Disability Change Facility $1k
   - Website Development Project $60k

286
7.2.2 DEBATE AGENDA – FINANCE

7.2.2.2 CONSIDERATION AND ADOPTION OF AUDIT COMMITTEE RESOLUTIONS
   B11633

PURPOSE
The Minutes of the Audit Committee meeting held 18 December 2020 are presented for the consideration and adoption of Council.

RECOMMENDATION
That Council, having reviewed the Minutes of the Audit Committee meeting held 18 December 2020, adopt the Resolutions contained therein.

REPORT
The consideration and adoption of recommendations of Council committees requires assessment by Council to ensure compliance with Council obligations under Section 6(a) of the Local Government Act.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment: Minutes of the Audit Committee meeting held 18 December 2020

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Corporate Plan
How We Work – Good Governance

6.2 Ensure that Council’s policy and process frameworks are based on principles of sound governance and meet legislative requirements.
6.9 Provide access to Council’s plans, policies and processes and communicate with the community in plain English.

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
The consideration and adoption of recommendations of Council committees is a risk management tool.

COMMUNITY CONSULTATION
Not required under legislation or Council’s Public Consultation Policy.
1. **WELCOME**
Mr Brass declared the meeting open at 9.40am and welcomed all in attendance.

2. **MEMBERS PRESENT**
Mr Peter Brass, Mr Ian Swan, Ms Ellen Ewing (9.44am), Cr John Angas, Cr Russell Johnstone

**Invited Staff Members**
Mr Martin McCarthy, Chief Executive Officer
Mr Mark Lague, Manager Financial Services
Ms Nicole Rudd, Internal Control Compliance Officer
Ms Jo Moen, Manager Executive Services
Ms Annette Randall, Executive and Project Support Officer (Minute Secretary)

3. **APOLOGIES**
Nil

4. **CONFLICT OF INTEREST DECLARATIONS**
Nil

5. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**

<table>
<thead>
<tr>
<th>MOVED</th>
<th>Cr Johnstone that the Minutes of the Audit Committee Meeting held 21 October 2020 be confirmed as a true and correct record of the proceedings of that meeting.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seconded</td>
<td>Mr Swan</td>
</tr>
<tr>
<td>CARRIED</td>
<td>2020-21/14</td>
</tr>
</tbody>
</table>

6. **BUSINESS ARISING FROM PREVIOUS MINUTES**
Nil

7. **CONSENSUS AGENDA**

Mr Brass invited discussion on each of the Consensus Agenda reports.

7.1.1 **AUDIT COMMITTEE WORK PLAN 2020/21 B7455**

Mr Brass requested that the date be amended to “2022” in Activity line “Oversee the selection process for new auditors or reappointment of existing auditors”.

288
The Audit Committee Work Plan (Attachment 1) has been updated.

7.1.2 RECEIVE FINAL ADOPTED 2019/20 ANNUAL FINANCIAL STATEMENTS
B10476

MOVED Mr Swan that the Report be received and noted.  
Seconded Cr Johnstone  
CARRIED 2020-21/15

Further to Report 9.1.2 from the 21 October 2020 Audit Committee meeting, the final adopted 2019/20 Annual Financial Statements were adopted by Council on 17 November 2020, and are available on Council’s website – www.barossa.sa.gov.au

7.1.3 RECEIVE ADOPTED 2020/21 QUARTERLY BUDGET UPDATE AS AT 30 SEPTEMBER 2020
B9880

MOVED Cr Johnstone that the Report be received and noted.  
Seconded Mr Swan  
CARRIED 2020-21/16

The 2020/21 quarterly budget update as at 30 September 2020 was adopted by Council on 17 November 2020 and is available on Council’s website.

7.1.4 THE BAROSSA COUNCIL ANNUAL REPORT
B9858

Mr McCarthy advised that the Annual Report has been posted on Council’s website and information also provided on Council’s Facebook page.

MOVED Cr Angas that the Report be received and noted.  
Seconded Ms Ewing  
CARRIED 2020-21/17

The Barossa Council Annual Report 2019/20 was adopted by Council on 17 November 2020 and is available on Council’s website.

7.1.5 AUDIT COMMITTEE ANNUAL SELF-ASSESSMENT OF COMMITTEE PERFORMANCE
B10476

MOVED Cr Johnstone that the Report be received and noted.  
Seconded Mr Swan  
CARRIED 2020-21/18

The Local Government Association ‘Audit Committee Reporting’ Information Paper 19 recommends that “in the process of preparing its annual report to Council, the audit committee should also undertake a self-assessment of its performance over the previous twelve months”.

Audit Committee members have completed an annual self-assessment of Committee performance and a collation of responses is provided in the Attachment.

7.1.6 TIMETABLE – LONG TERM FINANCIAL PLAN 2021/22 to 2030/31 AND ANNUAL BUDGET & BUSINESS PLAN 2021/22
B7181

Mr Lague spoke to the Report.

MOVED Cr Johnstone that the Report be received and noted.  
Seconded Ms Ewing  
CARRIED 2020-21/20
A report has been prepared for Council’s 15 December 2020 meeting, seeking endorsement of the proposed timetable for the annual review, consideration and adoption of the Long Term Financial Plan 2021/22 to 2030/31 and the Annual Budget and Business Plan 2021/22. The full Agenda report is available on Council’s website.

7.1.7 ADOPTED ENTERPRISE RISK MANAGEMENT POLICY AND FRAMEWORK
B11249
It was noted that the Nuriootpa Centennial Park Authority also works under Council’s adopted Enterprise Risk Management Policy and Framework.

**MOVED** Cr Angas that the Report be received and noted.
**Seconded** Mr Swan  
**CARRIED 2020-21/21**

Further to Report 9.2.1 from the 21 October 2020 Audit Committee meeting, the revised Enterprise Risk Management Policy and proposed Enterprise Risk Management Framework were adopted by Council on 17 November 2020.

7.1.8 INFRASTRUCTURE ASSET MANAGEMENT PLAN – COMMUNITY CONSULTATION
B11500

**MOVED** Cr Johnstone that the Report be received and noted.
**Seconded** Cr Angas  
**CARRIED 2020-21/22**

A report has been prepared for Council’s 15 December 2020 meeting, seeking endorsement of the Communications Plan for the three week community consultation period for the 2020-2030 Infrastructure Asset Management Plan. The full Agenda report (and the IAMP attachment) is available on Council’s website.

7.1.9 EXTENSION OF APPOINTMENT OF INDEPENDENT MEMBERS PETER BRASS AND ELLEN EWING
B10476

**MOVED** Mr Swan that the Report be received and noted.
**Seconded** Cr Johnstone  
**CARRIED 2020-21/23**

Further to Report 7.1.8 from the 21 October 2020 Audit Committee meeting, Council, at its meeting held 17 November 2020, approved the extension of appointment of Mr Peter Brass and Ms Ellen Ewing for a further two year term.

7.1.10 MINUTES – NURIOOTPA CENTENNIAL PARK AUTHORITY AUDIT COMMITTEE
B10477

**MOVED** Cr Angas that the Report be received and noted.
**Seconded** Mr Swan  
**CARRIED 2020-21/24**

Attached are Minutes from the Nuriootpa Centennial Park Authority Audit Committee meeting held 14 October 2020.

8. DEBATE AGENDA
Nil

9. CONFIDENTIAL AGENDA
Nil

11. OTHER BUSINESS
11.1 **REVIEW OF AUDIT COMMITTEE TERMS OF REFERENCE**
Mr Lague advised Members that the Terms of Reference is due for review, but suggests waiting on the introduction of the Local Government Reform Bill so that any new requirements may be included in the document.

12. **NEXT MEETING**
Date to be advised

13. **CLOSURE OF MEETING**
There being no further business, Mr Brass wished the Members, Management and Staff a safe and happy Christmas and closed the meeting at 10.05am.

Confirmed:

Chairman: ..................................  Date: ..................................
7.3.1 DEBATE AGENDA – DIRECTOR CORPORATE AND COMMUNITY SERVICES

7.3.1.1 THE BIG PROJECT – OFFICE OF RECREATION, SPORT & RACING – GRANT APPLICATION – RUGBY (BAROSSA RAMS) – UPDATE OF FINANCIAL DETAILS AND APPLICATION FOR COMMUNITY LOAN ARRANGEMENTS

B11579

PURPOSE
For Council to consider the amount of grant application for the Rugby (Barossa Rams) project and also a supporting community loan application from the Barossa Rams to support the grant application.

RECOMMENDATION
That Council:

(1) approves in principle the request from the Barossa Rams Rugby Club to access a community loan facility via Council for the sum of $300,000 ex GST to support its contribution to the construction of a rugby pitch, change rooms and clubrooms at the Tanunda Rex site subject to a successful future grant application and noting that this will require the Council to borrow requisite funds from the Local Government Finance Authority of SA.

(2) in the event of a successful grant application, requires the Chief Executive Officer or delegate to bring a future report to Council with the details of the required Council borrowing for final approval.

(3) notes the further contribution of $10,000 ex GST cash from Barossa Rams Rugby Club towards the project and related grant application.

(4) approves the application for State Government Office of Recreation, Sport and Racing grant funding for the Rugby relocation component of the Southern Barossa Hub project based on contributions of: State grant allocation of $995,000 ex GST; Council contribution of $1,416,000 ex GST and Barossa Rams Rugby Club $310,000 ex GST making a total funding amount of $2,721,000 ex GST.

REPORT
Background
Council, has considered the prioritisation and scale of project funding and associated grant applications for The Big Project (Generational Community Infrastructure Project) on a number of occasions including most recently: August 2019 and November 2020 Council Meetings; the 2019/20 and 2020/21 draft budget and Long Term Financial Plan development and adoption processes. On other
occasions the review of specific prioritised project elements such as the reprioritisation of the 2nd Oval at Stockwell Recreation Park have been reviewed by Council and associated changes adopted.

Council has worked on a funding model of 40% grant funding and 60% Council (or other party contributions) to maximise its chances of securing grants and leveraging ratepayer investment.

**Introduction**

The relocation of the Barossa Rams Rugby Club from its current location at the Lyndoch Oval to the land at the rear of the Rex, Barossa Aquatic Fitness Centre in Magnolia Road, Tanunda is the initial key driver for the realisation of the Southern Barossa Recreational Hub. A high Big Project priority due to the population growth and in particular young family demographics in that part of the Council area.

The intent supported by the stakeholders and through community consultation is for Rugby to relocate, Barossa District Football and Netball Clubs to move from Williamstown to Lyndoch and for the Queen Victoria Jubilee Park (Williamstown Oval) to be repurposed for nature and adventure based recreation activities (with a limited component of cricket competition retained). This in turn supports Council’s investment in nature based tourism and economic development opportunities such as the Warren, cycle trail network and partnerships with SA Water etc.

In August 2019 Council prioritised the Rugby Club relocation with the construction of the new rugby pitch with the addition of change rooms and clubrooms as a later priority.

In November 2020 Council allocated $2.36M ex GST total funding to the Rugby relocation project (Refer Attachment 1).

Also in November 2020, the State Government Office Recreation, Sport and Racing (ORSR) released an additional round of Grassroots and Community Recreation and Sport Facilities Program funding.

In December 2019, the Barossa Rams Rugby Club came to present to a Council Workshop to demonstrate to Council the breadth and depth of participation in its sport and club in the region and the work that it has done to foster and promote community connectedness and positive physical and mental health wellbeing and outcomes and urged Council to support the acceleration of the club/change rooms as well as the rugby pitch infrastructure.

**Discussion**

As with many other Big Project components, Officers have been working closely with the Barossa Rams Rugby Club (the Club) to develop requirements and ensure investment/shovel readiness for available funding.

The allocation identified in the November 2020 report has the potential to fund the pitch, lighting and basic change/clubroom infrastructure but is extremely tight; however, the Club is seeking to borrow a further $300k ex GST and donate $10k ex GST in cash towards the project if a community loan can be agreed and the $310k can be added onto the total project sum (Refer Attachment 2).

If approved, this will take the total project funding to $2,716,000 ex GST with the breakdown as follows:
It is also proposed to increase the grant amount sought from the $944k identified approved in the November 2020 report to $995k. Council’s contribution remains unaltered but the % mix ends up being 37% grant to 63% Council/other.

Feedback from the ORSR is that they are supportive of projects that can deliver a full project outcome as a preference to phased projects if at all possible.

As with other community loans (ie: Tanunda Bowling Club, Barossa Valley Hockey Association, Mount Pleasant Bowling Club, Tanunda Tennis and Netball Clubs) the process is that Council draws the funding and enters into a direct agreement with the Local Government Finance Authority (LGFA) (and so carries the associated risk) and then in turn enters into a funding agreement with the community group/club in accordance with Council’s Treasury Management Policy.

In this instance, the Club is seeking a loan amount of $300,000 ex GST for an anticipated term of 25 years. The Club has provided Council with its financial information for 2018 and 2019 and Officers have assessed its position and loan capacity. Given the relatively quick turnaround for the consideration of these recent developments, Council will continue to work through the details of the loan (if approved by Council) to ensure arrangements that are appropriate and achievable for the Club. The Club’s offer of contribution is subject to achieving grant funding and the Council contribution detailed in this report.

ORSR indicate that there may be further funding opportunities later in the 2020/21 and 2021/22 periods and Officers will continue to work on the other elements of the Southern Barossa Hub project to ensure they are investment ready for future applications.

**Summary and Conclusion**

- The Rugby project facilitates great outcomes for the growing regional rugby community and the health and wellbeing achieved from participation in sport and the associated social activities. This helps to build community resilience across the Barossa that is increasingly important in these challenging times.
- If successful with the ORSR application, the project triggers the Southern Barossa Hub component of the Big Project.
- The Club is seeking loan funding to support an additional amount of total project funding to complete both the pitch and change/clubroom elements of the project.
- Officers have assessed the financial information provided by the Club and are able to recommend support of a $300k ex GST loan over an anticipated term of 25 years.
- The total proposed project funding achieves a funding split of 37% grant and 63% Council/Other. This does not necessarily set a precedent for future applications and each project needs to be assessed on a case by case basis by Council.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 2: Letter of Request for Loan Funding – Barossa Rams Rugby Club – dated 17 January 2021 – ref: 21/4115
Attachment 3: Preliminary Financial Modelling for Rugby – ref: 21/4315

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

- Community and Culture
- Infrastructure
- Health and Wellbeing

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management Consideration
In 2020 Council considered the Prudential Management Report on The Big Project undertaken independently by CHY Haines Norton Accountants. Given the relative amount of the proposed changes to the 40% v 60% policy approach in this particular instance (the additional 3% Council/Other funding amount for this project is the equivalent of $81,480 ex GST), it is not considered that this is a material deviation from this strategy in total across the $30M to $50M investment.

The impact of the $300k new loan borrowing on Council’s financial position is assessed as follows:

The Budget Update as at 30 September 2020 for the 2020/21 financial year Key Performance Indicators forecast:

- Operating Deficit of $147k Operating Deficit Ratio of (0.4%)
- Net Financial Liabilities (NFL) of $19,926k NFL ratio of 50.1%
- Asset Funding Renewal Ratio of 122%

Financial assessment
A Due Diligence Level One Report has not been completed as this project is included in the adopted Prudential report – Southern Rec Hub – Priority 1 Project 2 - Rugby Relocation – ground infrastructure.

The Long Term Financial Plan adopted in July 2020, spend for this project is $1.488m offset by grant funding at 40% and this report includes expenditure at $2.721m offset by grant funding, contributions including the proposed community loan for $0.3m. At the November 2020 meeting, Council approved $2.36m for this project.

The financial assessment revised forecast include year to date approved additions not listed in the Budget Update as at 30 September such as the Sub-Regions and Townships Project, Caravan Park Management Services, Community Consultation - Aquatic Services Provision and Stormwater Drainage and Footpath design and
construction estimates, Nuriootpa War Memorial and Williamstown Swimming Pool - additional opening hours, Veranda at the Nuriootpa Multi Use change rooms, autonomous vehicle consultancy work autonomous vehicle consultancy work and Mount Pleasant Show Society for additional funding for the Show Office Upgrade project, in this Agenda a total of $337k (if approved), along with this report item a community loan for $300k. These will be included in the Mid-year Budget Review or next Budget Update.

It is proposed that this report item for a community loan of $300k if approved, will be financed in 2021/22 using a Local Government Finance Authority loan with loan repayments on-charged by Council to the Barossa Rams Rugby Club. This additional loan will increase Council’s loan portfolio as reflected in the Net Financial Liabilities ratio.

If the additional project cost is captured as an asset, it will increase future years’ depreciation along with asset renewal requirements and annual maintenance costs, but if these works are not captured within assets, then the initial build costs will be treated as an operating expense along with the annual maintenance costs. It is noted that this proposal is bringing projects forward to support the economy but will work within the overall prudential report assumptions.

The 2020/21 budget update as at 30 September 2020 amounts and indicators including Council approved items year to date are used as the base for this financial assessment.

<table>
<thead>
<tr>
<th>Item for Budget inclusion:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Net operating costs - (incl depreciation)</td>
<td>$0</td>
</tr>
<tr>
<td>Additional project cost (ex GST) - loan funded</td>
<td>$300,000</td>
</tr>
<tr>
<td>Grant income reduced (ex GST)</td>
<td>$0</td>
</tr>
<tr>
<td>Funding required by Council - loan funded</td>
<td>$300,000</td>
</tr>
<tr>
<td>DDR provided</td>
<td>Future Council report</td>
</tr>
<tr>
<td>Projects BATscore - approved by CMT (Cut-off CMT reviewed and recommended)</td>
<td>2020/21 Mid-year Budget Review as at 31 December 2020</td>
</tr>
</tbody>
</table>

Assessment of Key Performance Indicators (KPI) for all changes council has approved and the reports in Council meeting(s) agenda since the Budget Update as at 30 September 2020/21*

<table>
<thead>
<tr>
<th>KPI</th>
<th>Revised forecast</th>
<th>Overall Change since*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Surplus/ (Deficit) (Target: break even position over a five year period)</td>
<td>$-427k</td>
<td>Increased by $280k</td>
</tr>
<tr>
<td>Operating Surplus Ratio (Target: 2% to 10%)</td>
<td>-1.07%</td>
<td>Deficit position increased 0.55%</td>
</tr>
<tr>
<td>Net Financial Liabilities (NFL) $</td>
<td>$20563.428k</td>
<td>Increase in NFL $637k</td>
</tr>
<tr>
<td>Net Financial Liabilities Ratio (Target: &gt;0 to &lt;100%)</td>
<td>51.7%</td>
<td>Increase to liabilities ratio 1.6%</td>
</tr>
<tr>
<td>Asset Funding Renewal Ratio (Target: &gt;80% to &lt;110%)</td>
<td>122%</td>
<td>No change to asset renewal spends</td>
</tr>
</tbody>
</table>

Noting that after the addition of this and previously approved projects for 2020/21 - all KPI’s are within the target range set by Council.

Funding for this project will:
Since Budget adoption 2020/21, the net cash reduction approved by Council for numerous budget amendments in the Budget Update 30 September and Council meetings reports for additional expenditure not included with this update, these have been funded from the brought forward cash.

The Mid-year Budget Review as at 31 December 2020 will include the actual closing financial and cash position for 2019/20; this report will update the opening cash position for 2020/21 used to fund the additional expenditure.

**Community Loan repayments**
Further to the above, we have undertaken preliminary modelling on Rugby’s financial information and drawn up a 25 year estimate of its operating and cash position should Council support it borrowing funds. The data provided does not have completed 2020 financial accounts; therefore the estimates are based on the 2018 and 2019 accounts (noting the club’s financial year runs from January to December). The summary indicates:

1. An ongoing operating surplus through the modelling period of 25 years.
2. Sufficient cash to fund the loan and its existing operations.
3. Undertaking some sensitivity analysis through the assumption of a 5% or 10% revenue loss demonstrates there remains sufficient cash; however, that a 10% loss of revenue will slowly diminish any cash reserves.

**Resource Consideration**
Officers and Council continue to monitor the resource impacts and requirements of the Big Project and as implementation of projects increases, ensure that resource costs are adequately incorporated into capital budgets.

**Risk Management Consideration**
Overarching risks of the Big Project are reviewed periodically and each project is subject to separate risk assessment processes. There is risk associated with community loans in that Council is responsible for the repayment of the loan funding with LGFA whether or not the community organisation can acquit its repayment obligations under the loan arrangements entered into with Council across the full term of the loan. Officers assess and review the status of debtor arrangements on a periodic and ongoing basis and reports to Council as necessary.

**COMMUNITY CONSULTATION**
Undertaken as part of the development of the Southern Barossa Hub master planning process.
Forward Grant Program – Recent Stimulus Funding Announcements

November 2020 Assessment – Updated 13/11/2020

<table>
<thead>
<tr>
<th>Project Category – The Big Project</th>
<th>Estimated Cost</th>
<th>Target Source</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nuriootpa Rec Park – soccer Pitch and associated dev</td>
<td>$3.5M ($1.03M grant $2.47M from The Big Project and third party funding)</td>
<td>LR&amp;CIP State Sport and Recreational Grant</td>
<td>1</td>
</tr>
<tr>
<td>Rugby (Football Relocation) – Rugby pitch and associated development (trigger for Southern Barossa Hub activation)</td>
<td>$2.36M ($945k grant and $1.415M The Big Project and third party funding)</td>
<td>State Sport and Recreational Grant</td>
<td>1</td>
</tr>
<tr>
<td>Talunga Park – upgrade of caravan park</td>
<td>$2M ($800K grant and $1.2M The Big Project and third party funding)</td>
<td>LR&amp;CIP Alternative to Nuriootpa Rec Park</td>
<td>2</td>
</tr>
<tr>
<td>Tanunda Oval – second oval and associated changes including new entrance, landscaping and playground and civil works</td>
<td>$2.11M ($844K grant and $1.266M The Big Project and third party funding)</td>
<td>Open Space Funding – Playspace Grassroots (if another round) State Sport and Recreational Grant</td>
<td>1</td>
</tr>
<tr>
<td>Creative Industries Centre</td>
<td>$10.7M ($4.28M grant $6.42 The Big Project)</td>
<td>State Community Program – BBRF 5 - Private Funding through smart cities combination</td>
<td>1</td>
</tr>
<tr>
<td>Project Category – Infrastructure</td>
<td>Estimated Cost</td>
<td>Target Source</td>
<td>Priority</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>----------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Minor Road Upgrades – Short Row, Bushman's and Saleyards Road</td>
<td>$200K</td>
<td>Alternative LR&amp;CIP</td>
<td>3</td>
</tr>
<tr>
<td>Southern Barossa Tourism Loop</td>
<td>Unknown</td>
<td>Alternative LR&amp;CIP – high risk no assessment done on design costing or prioritisation against other long term priorities. Not sufficiently shovel ready</td>
<td>4</td>
</tr>
<tr>
<td>Kalimna Road Upgrade</td>
<td>Unknown</td>
<td>Alternative LR&amp;CIP – high risk no assessment done on design costing or prioritisation against other long term priorities. Not sufficiently shovel ready</td>
<td>4</td>
</tr>
<tr>
<td>Mt Pleasant Main Street – complete</td>
<td>$500K</td>
<td>Alternative LR&amp;CIP</td>
<td>3</td>
</tr>
<tr>
<td>Visitor Centre Car Park</td>
<td>$400K</td>
<td>Alternative LR&amp;CIP</td>
<td>3</td>
</tr>
</tbody>
</table>

*LR&CIP – Local Road and Community Infrastructure Program*
Barossa Rams Rugby Club
PO Box 11
Tanunda SA 5352
0408 467 886

Joanne Thomas
Barossa Council
43-51 Tanunda Rd
Nuriootpa SA 5355

January 17, 2021

Dear Ms Thomas

I write to formally apply for a loan for the amount of $300,000 on behalf of the Barossa Rams in support of the upcoming submission for Office of Recreation and Sport grant. We wish to apply for a 25 year loan term for this loan to assist the funding of the project to create a purpose-built facility for rugby in the Barossa.

In support of this application, the club has already provided 2018 and 2019 financial information to Council. I can also confirm that the Barossa Rams committee has resolved to assist this application with a $10,000 cash payment should the application for grant funding be successful.

Kind Regards

[Signature]

Dr Fraser J Vivian
President
Financial Modelling - Rugby Accounts - Operating Position
Rugby

PROJECT YEARLY COST NET (GST Exclusive)
SharePoint

Year 1 Year 2 Year 3 Year 4 Year 5
2018
2019
2020
2021
2022

Year 6 Year 7 Year 8 Year 9 Year 10 Year 11 Year 12 Year 13 Year 14 Year 15
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032

Total Year 16 Year 17 Year 18
2033
2034
2035
2036

Net Operating Result Profit/(Loss)
Total Operating Revenue
Total Operating Expenses

26,658 14,241 20,643 20,925 12,150
93,269 69,177 82,035 82,855 83,684
66,610 54,936 61,392 61,930 71,534

12,624 13,077 13,556 14,036
84,521 85,366 86,219 87,082
71,897 72,289 72,664 73,045

14,531
87,952
73,422

15,034
88,832
73,798

15,549
89,720
74,171

16,075
90,617
74,543

16,612
91,524
74,912

17,160 17,721
92,439 93,363
75,278 75,642

18,294
94,297
76,003

18,879
95,240
76,360

19,478
96,192
76,714

Operational
Operating Revenue
Misc
Fundraising
Mechandise
Bar and Canteen
Sponsorship
Fees
100 Club
General Income

2,666
680 1,690 1,707 1,724
16,714 8,555 12,761 12,888 13,017
2,028
- 1,024 1,034 1,045
36,262 18,102 27,454 27,728 28,006
14,319 6,399 10,462 10,567 10,673
17,680 5,897 11,906 12,025 12,146
3,600
600 2,121 2,142 2,164
- 28,944 14,617 14,763 14,910

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13,147
1,055
28,286
10,779
12,267
2,185
15,060

1,794
13,546
1,087
29,143
11,106
12,639
2,251
15,516

1,812
13,681
1,098
29,434
11,217
12,765
2,274
15,671

1,830
13,818
1,109
29,728
11,329
12,893
2,297
15,828

1,848
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1,120
30,026
11,443
13,022
2,320
15,986

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16,146

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16,307

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16,802

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16,970

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13,961
2,487
17,139

Operating Expenses
Lighting/Utilities
Merchandise
Trophies and Awards
Line Marking
Social Events
Cleaning
Equipment
State Club Contribution
Balls
Software
Clothing
Medical Supplies
Registration Fees to SARU
Jumpers
Coaching Fee Contribution
Coaching Training
Player Fees to SARU
Player Refund Fee
Promotional Items
Bar and Canteen Expenses
Coucil Lease
Insurance
Bank Fees
Fund Raising
Misc
Loan $300,000 over 25 year - Interest

1,204
350
785
793
801
1,158
614
895
904
913
2,898 3,601 3,282 3,315 3,348
458 7,002 3,768 3,805 3,843
1,983 3,497 2,768 2,795 2,823
1,706
241
983
993 1,003
1,254
800 1,037 1,047 1,058
4,266
- 2,154 2,176 2,198
1,651
834
842
851
130
66
66
67
6,970
300 3,671 3,708 3,745
5,533 4,196 4,913 4,962 5,012
6,160
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3,559
- 1,797 1,815 1,833
4,275 6,115 5,247 5,299 5,352
780
394
398
402
158
80
81
81
- 1,282
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654
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1,634
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610
781
713
766
836
767
810
818
826
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- 3,442 1,738 1,756 1,773
- 8,939

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817
825
833
922
931
940
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868
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885
68
68
69
70
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5,062 5,112 5,163 5,215
3,205 3,237 3,269 3,302
1,851 1,870 1,889 1,908
5,406 5,460 5,515 5,570
406
410
414
418
82
83
84
85
667
674
681
687
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16,132 16,293 16,456 16,621
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758
781
788
804
834
843
851
860
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816
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7,622

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86
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3,285
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877
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1,882
7,334

858
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1,939
6,417

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6,093 5,759

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15,210

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12,514
2,229
15,362


### Rugby Operating Costs Yearly Cost Net (GST Exclusive)

<table>
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<th>Year</th>
<th>Net Operating Result Profit/(Loss)</th>
<th>Total Operating Revenue</th>
<th>Total Operating Expenses</th>
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</thead>
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<td>2046</td>
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<td>106,256</td>
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#### Operational Costs

| Year   | Lighting/Utilities | Merchandise | Trophies and Awards | Line Marking | Social Events | Cleaning | Equipment | State Club Contribution | Balls | Software | Clothing | Medical Supplies | Registration Fees to SARU | Jumpers | Coaching Fee Contribution | Coaching Training | Player Fees to SARU | Player Refund Fee | Promotional Items | Bar and Canteen Expenses | Council Lease | Insurance | Bank Fees | Fund Raising | Misc | Loan $300,000 over 25 year - Interest |
|--------|--------------------|-------------|---------------------|-------------|--------------|----------|-----------|--------------------------|-------|----------|----------|---------------------|----------------------|---------|-----------------------|-------------------|-----------------|-----------------|-------------------|------|-------------------|
| 2037   | 930                | 1,070       | 3,887               | 4,462       | 3,278        | 1,165    | 1,228     | 2,551                    | 988   | 886      | 4,348    | 5,818               | 3,684                | 2,128   | 6,214                 | 466               | 94              | 767             | 3,593            | 18,543 | 4,319             |
| 2038   | 939                | 1,081       | 3,926               | 4,507       | 3,311        | 1,176    | 1,241     | 2,577                    | 997   | 887      | 4,391    | 5,876               | 3,721                | 2,150   | 6,276                 | 471               | 95              | 775             | 3,626            | 18,729 | 3,932             |
| 2039   | 948                | 1,091       | 3,965               | 4,552       | 3,344        | 1,188    | 1,253     | 2,604                    | 1,027 | 927      | 4,435    | 5,935               | 3,758                | 2,177   | 6,339                 | 476               | 96              | 782             | 3,721            | 18,916 | 3,532             |
| 2040   | 958                | 1,091       | 4,005               | 4,597       | 3,377        | 1,200    | 1,265     | 2,629                    | 1,017 | 986      | 4,479    | 5,995               | 3,796                | 2,193   | 6,402                 | 481               | 97              | 792             | 3,758            | 19,105 | 3,121             |
| 2041   | 967                | 1,103       | 4,045               | 4,643       | 3,411        | 1,212    | 1,264     | 2,656                    | 1,028 | 997      | 4,524    | 6,054               | 3,833                | 2,215   | 6,506                 | 485               | 99              | 798             | 3,796            | 19,296 | 2,697             |
| 2042   | 977                | 1,114       | 4,085               | 4,690       | 3,445        | 1,224    | 1,291     | 2,681                    | 1,028 | 1,007    | 4,570    | 6,115               | 3,872                | 2,257   | 6,602                 | 490               | 100             | 806             | 3,814            | 19,489 | 2,615             |
| 2043   | 987                | 1,125       | 4,126               | 4,737       | 3,514        | 1,236    | 1,304     | 2,708                    | 1,028 | 1,007    | 4,615    | 6,176               | 3,950                | 2,285   | 6,662                 | 495               | 101             | 814             | 3,911            | 19,684 | 2,561             |
| 2044   | 997                | 1,136       | 4,168               | 4,784       | 3,549        | 1,249    | 1,317     | 2,735                    | 1,028 | 1,007    | 4,651    | 6,238               | 3,989                | 2,288   | 6,729                 | 500               | 102             | 824             | 3,998            | 19,881 | 2,415             |
| 2045   | 1,007               | 1,147       | 4,209               | 4,832       | 3,585        | 1,261    | 1,330     | 2,763                    | 1,028 | 1,007    | 4,685    | 6,300               | 4,029                | 2,305   | 6,798                 | 505               | 103             | 833             | 4,045            | 20,080 | 2,305             |
| 2046   | 1,017               | 1,159       | 4,251               | 4,880       | 3,585        | 1,274    | 1,334     | 2,790                    | 1,028 | 1,028    | 4,720    | 6,363               | 4,092                | 2,305   | 6,862                 | 510               | 103             | 839             | 4,145            | 20,280 | 2,305             |

#### Miscellaneous Expenses

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<td>2046</td>
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Financial Modelling - Rugby Accounts - Operating
# Financial Modelling - Rugby Accounts - Cash Flow

## Rugby - Model 1 - Unadjusted Operating Estimates

<table>
<thead>
<tr>
<th>Year</th>
<th>Net Operating Result Profit/(Loss)</th>
<th>Total Operating Revenue</th>
<th>Total Operating Expenses</th>
<th>Cash Flow</th>
<th>Opening Cash Balance</th>
<th>Contribution of Development</th>
<th>Net Operating Position</th>
<th>Loan Repayment</th>
<th>Closing Cash Balance Estimate Surplus / (Deficit)</th>
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<tbody>
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## Rugby - Model 2 - Adjusted Operating Estimates 5% Revenue Impact

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<th>Year</th>
<th>Net Operating Result Profit/(Loss)</th>
<th>Total Operating Revenue</th>
<th>Total Operating Expenses</th>
<th>Cash Flow</th>
<th>Opening Cash Balance</th>
<th>Contribution of Development</th>
<th>Net Operating Position</th>
<th>Loan Repayment</th>
<th>Closing Cash Balance Estimate Surplus / (Deficit)</th>
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<td></td>
<td></td>
<td>227,765</td>
<td>(10,000)</td>
<td>13,053</td>
<td>-</td>
<td>238,818</td>
</tr>
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<td>238,818</td>
<td>(10,000)</td>
<td>13,579</td>
<td>-</td>
<td>250,397</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>250,397</td>
<td>(10,000)</td>
<td>14,117</td>
<td>-</td>
<td>262,514</td>
</tr>
</tbody>
</table>

## Rugby - Model 2 - Adjusted Operating Estimates 10% Revenue Impact

<table>
<thead>
<tr>
<th>Year</th>
<th>Net Operating Result Profit/(Loss)</th>
<th>Total Operating Revenue</th>
<th>Total Operating Expenses</th>
<th>Cash Flow</th>
<th>Opening Cash Balance</th>
<th>Contribution of Development</th>
<th>Net Operating Position</th>
<th>Loan Repayment</th>
<th>Closing Cash Balance Estimate Surplus / (Deficit)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>127,738</td>
<td>(10,000)</td>
<td>16,782</td>
<td>-</td>
<td>134,556</td>
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<td>134,556</td>
<td>(10,000)</td>
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<td></td>
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<td>141,521</td>
<td>(10,000)</td>
<td>8,398</td>
<td>-</td>
<td>148,919</td>
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<td></td>
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<td></td>
<td></td>
<td>148,919</td>
<td>(10,000)</td>
<td>8,809</td>
<td>-</td>
<td>156,718</td>
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<td></td>
<td></td>
<td>156,718</td>
<td>(10,000)</td>
<td>9,245</td>
<td>-</td>
<td>164,963</td>
</tr>
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<td></td>
<td></td>
<td>164,963</td>
<td>(10,000)</td>
<td>9,682</td>
<td>-</td>
<td>173,245</td>
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<td></td>
<td></td>
<td>173,245</td>
<td>(10,000)</td>
<td>10,133</td>
<td>-</td>
<td>181,812</td>
</tr>
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<td></td>
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<td></td>
<td></td>
<td>181,812</td>
<td>(10,000)</td>
<td>10,592</td>
<td>-</td>
<td>190,320</td>
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<td></td>
<td></td>
<td>190,320</td>
<td>(10,000)</td>
<td>11,063</td>
<td>-</td>
<td>198,857</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>198,857</td>
<td>(10,000)</td>
<td>11,544</td>
<td>-</td>
<td>207,403</td>
</tr>
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<td></td>
<td></td>
<td>207,403</td>
<td>(10,000)</td>
<td>12,036</td>
<td>-</td>
<td>216,367</td>
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<td></td>
<td></td>
<td>216,367</td>
<td>(10,000)</td>
<td>12,538</td>
<td>-</td>
<td>225,905</td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td>225,905</td>
<td>(10,000)</td>
<td>13,053</td>
<td>-</td>
<td>235,358</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>235,358</td>
<td>(10,000)</td>
<td>13,579</td>
<td>-</td>
<td>244,937</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>244,937</td>
<td>(10,000)</td>
<td>14,117</td>
<td>-</td>
<td>254,054</td>
</tr>
</tbody>
</table>

### Notes
- **SharePoint**: Year 2018 to Year 2035
- **Net Operating Result Profit/(Loss)**: Calculated as Total Operating Revenue minus Total Operating Expenses
- **Net Operating Position**: Calculated as Net Operating Result Profit/(Loss) plus Loan Repayment
- **Loan Repayment**: Calculated as a portion of the Total Operating Expenses for each year
- **Closing Cash Balance Estimate Surplus / (Deficit)**: Calculated as Opening Cash Balance plus Net Operating Position minus Loan Repayment

---

303
## Financial Modelling - Rugby Accounts - Cash Flow

### Rugby - Model 1 - Unadjusted Operating Estimates

**PROJECT YEARLY COST NET (GST Exclusive)**

<table>
<thead>
<tr>
<th>Year 18</th>
<th>Year 19</th>
<th>Year 20</th>
<th>Year 21</th>
<th>Year 22</th>
<th>Year 23</th>
<th>Year 24</th>
<th>Year 25</th>
<th>Year 26</th>
<th>Year 27</th>
<th>Year 28</th>
</tr>
</thead>
<tbody>
<tr>
<td>2036</td>
<td>2037</td>
<td>2038</td>
<td>2039</td>
<td>2040</td>
<td>2041</td>
<td>2042</td>
<td>2043</td>
<td>2044</td>
<td>2045</td>
<td>2046</td>
</tr>
<tr>
<td>Net Operating Result Profit/(Loss)</td>
<td>19,478</td>
<td>20,090</td>
<td>20,715</td>
<td>21,354</td>
<td>22,008</td>
<td>22,676</td>
<td>23,360</td>
<td>24,059</td>
<td>24,774</td>
<td>25,505</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>96,192</td>
<td>97,154</td>
<td>98,126</td>
<td>99,107</td>
<td>100,096</td>
<td>101,099</td>
<td>102,110</td>
<td>103,131</td>
<td>104,162</td>
<td>105,204</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>76,714</td>
<td>77,065</td>
<td>77,411</td>
<td>77,753</td>
<td>78,080</td>
<td>78,423</td>
<td>78,750</td>
<td>79,072</td>
<td>79,388</td>
<td>79,699</td>
</tr>
</tbody>
</table>

**Cash Flow**

- Opening Cash Balance: 207,026
- Contribution of Development: -
- Net Operating Position: 19,478
- Loan Repayment: (12,447)
- Closing Cash Balance Estimate Surplus / (Deficit): 214,577

### Rugby - Model 2 - Adjusted Operating Estimates 5% Revenue

**PROJECT YEARLY COST NET (GST Exclusive)**

<table>
<thead>
<tr>
<th>Year 18</th>
<th>Year 19</th>
<th>Year 20</th>
<th>Year 21</th>
<th>Year 22</th>
<th>Year 23</th>
<th>Year 24</th>
<th>Year 25</th>
<th>Year 26</th>
<th>Year 27</th>
<th>Year 28</th>
</tr>
</thead>
<tbody>
<tr>
<td>2036</td>
<td>2037</td>
<td>2038</td>
<td>2039</td>
<td>2040</td>
<td>2041</td>
<td>2042</td>
<td>2043</td>
<td>2044</td>
<td>2045</td>
<td>2046</td>
</tr>
<tr>
<td>Net Operating Result Profit/(Loss)</td>
<td>14,668</td>
<td>15,232</td>
<td>15,809</td>
<td>16,399</td>
<td>17,003</td>
<td>17,621</td>
<td>18,254</td>
<td>18,902</td>
<td>19,566</td>
<td>20,245</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>91,383</td>
<td>92,296</td>
<td>93,219</td>
<td>94,152</td>
<td>95,093</td>
<td>96,044</td>
<td>97,005</td>
<td>97,975</td>
<td>98,954</td>
<td>99,944</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>76,714</td>
<td>77,065</td>
<td>77,411</td>
<td>77,753</td>
<td>78,080</td>
<td>78,423</td>
<td>78,750</td>
<td>79,072</td>
<td>79,388</td>
<td>79,699</td>
</tr>
</tbody>
</table>

**Cash Flow**

- Opening Cash Balance (December 2020): 140,341
- Contribution of Development: -
- Net Operating Position: 14,668
- Loan Repayment: (12,447)
- Closing Cash Balance Estimate Surplus / (Deficit): 142,561

### Rugby - Model 2 - Adjusted Operating Estimates 10% Revenue

**PROJECT YEARLY COST NET (GST Exclusive)**

<table>
<thead>
<tr>
<th>Year 18</th>
<th>Year 19</th>
<th>Year 20</th>
<th>Year 21</th>
<th>Year 22</th>
<th>Year 23</th>
<th>Year 24</th>
<th>Year 25</th>
<th>Year 26</th>
<th>Year 27</th>
<th>Year 28</th>
</tr>
</thead>
<tbody>
<tr>
<td>2036</td>
<td>2037</td>
<td>2038</td>
<td>2039</td>
<td>2040</td>
<td>2041</td>
<td>2042</td>
<td>2043</td>
<td>2044</td>
<td>2045</td>
<td>2046</td>
</tr>
<tr>
<td>Net Operating Result Profit/(Loss)</td>
<td>9,859</td>
<td>10,374</td>
<td>10,902</td>
<td>11,443</td>
<td>11,998</td>
<td>12,666</td>
<td>13,149</td>
<td>13,746</td>
<td>14,358</td>
<td>14,985</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>86,573</td>
<td>87,439</td>
<td>88,313</td>
<td>89,196</td>
<td>90,088</td>
<td>90,989</td>
<td>91,899</td>
<td>92,818</td>
<td>93,746</td>
<td>94,684</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>76,714</td>
<td>77,065</td>
<td>77,411</td>
<td>77,753</td>
<td>78,080</td>
<td>78,423</td>
<td>78,750</td>
<td>79,072</td>
<td>79,388</td>
<td>79,699</td>
</tr>
</tbody>
</table>

**Cash Flow**

- Opening Cash Balance (15 January 2021): 73,746
- Contribution of Development: 14
- Net Operating Position: 9,859
- Loan Repayment: (12,447)
- Closing Cash Balance Estimate Surplus / (Deficit): 71,171

---

<table>
<thead>
<tr>
<th>Year 18</th>
<th>Year 19</th>
<th>Year 20</th>
<th>Year 21</th>
<th>Year 22</th>
<th>Year 23</th>
<th>Year 24</th>
<th>Year 25</th>
<th>Year 26</th>
<th>Year 27</th>
<th>Year 28</th>
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</thead>
<tbody>
<tr>
<td>2036</td>
<td>2037</td>
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<td>14,358</td>
<td>14,985</td>
</tr>
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<td>Total Operating Revenue</td>
<td>86,573</td>
<td>87,439</td>
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<td>89,196</td>
<td>90,088</td>
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<td>91,899</td>
<td>92,818</td>
<td>93,746</td>
<td>94,684</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>76,714</td>
<td>77,065</td>
<td>77,411</td>
<td>77,753</td>
<td>78,080</td>
<td>78,423</td>
<td>78,750</td>
<td>79,072</td>
<td>79,388</td>
<td>79,699</td>
</tr>
</tbody>
</table>

**Cash Flow**

- Opening Cash Balance (15 January 2021): 73,746
- Contribution of Development: 14
- Net Operating Position: 9,859
- Loan Repayment: (12,447)
- Closing Cash Balance Estimate Surplus / (Deficit): -

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<table>
<thead>
<tr>
<th>Year 18</th>
<th>Year 19</th>
<th>Year 20</th>
<th>Year 21</th>
<th>Year 22</th>
<th>Year 23</th>
<th>Year 24</th>
<th>Year 25</th>
<th>Year 26</th>
<th>Year 27</th>
<th>Year 28</th>
</tr>
</thead>
<tbody>
<tr>
<td>2036</td>
<td>2037</td>
<td>2038</td>
<td>2039</td>
<td>2040</td>
<td>2041</td>
<td>2042</td>
<td>2043</td>
<td>2044</td>
<td>2045</td>
<td>2046</td>
</tr>
<tr>
<td>Net Operating Result Profit/(Loss)</td>
<td>9,859</td>
<td>10,374</td>
<td>10,902</td>
<td>11,443</td>
<td>11,998</td>
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<td>13,149</td>
<td>13,746</td>
<td>14,358</td>
<td>14,985</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>86,573</td>
<td>87,439</td>
<td>88,313</td>
<td>89,196</td>
<td>90,088</td>
<td>90,989</td>
<td>91,899</td>
<td>92,818</td>
<td>93,746</td>
<td>94,684</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>76,714</td>
<td>77,065</td>
<td>77,411</td>
<td>77,753</td>
<td>78,080</td>
<td>78,423</td>
<td>78,750</td>
<td>79,072</td>
<td>79,388</td>
<td>79,699</td>
</tr>
</tbody>
</table>

**Cash Flow**

- Opening Cash Balance (15 January 2021): 73,746
- Contribution of Development: 14
- Net Operating Position: 9,859
- Loan Repayment: (12,447)
- Closing Cash Balance Estimate Surplus / (Deficit): -
For Council to approve the allocation of a proportion of the prioritised landscaping, civil, road, services funding identified in the Nuriootpa Centennial Park Big Project Financial Modelling to the Barossa United Football Club project.

That Council:

1. approves the allocation of $814,176 ex GST from the $1,356,960 ex GST identified for Nuriootpa Centennial Park (NCP) prioritised project 1 (Landscaping/Civil/Roads/Electrical and Drainage) to prioritised projects 2 and 5 (Soccer Club Rooms and New Soccer Pitches) – as identified in extract Nuriootpa Centennial Park – Financial Model – Priority 1 Projects reference: 21/4113.

2. notes the revised total project funding for NCP prioritised projects 2 and 5 of $4,110,3030 ex GST.

Background
In August 2019 Council was presented with comprehensive Financial Modelling for each component project of The Big Project (Generational Community Infrastructure Plan).

The extract modelling (Refer Attachment 1) shows the breakdown of funding for the Nuriootpa Centennial Park (NCP) Priority 1 Projects.

Council completed the AFL/Cricket/Netball change room prioritised Project 3 in August 2020 within the $1,000,000 ex GST budget after securing a State Office of Recreation, Sport and Racing (ORSR) Grassroots Round 1 grant and also Project 6 cricket nets with Cricket Australia funding.

Funding has now opened up for projects from other sporting codes via both Federal and State grant opportunities. Council’s application strategy for these various grants was identified and approved in November 2020 when it resolved:
MOVED Cr Boothby

That Council adopt the Forward Grant Program and authorise the Chief Executive Officer to make necessary submissions in accordance with the target program and where necessary the engagement of contract resources to assist with application processes, subject to quarterly budget reviews.

Seconded Cr Johnstone

CARRIED 2018-22/293

Council is now applying for NCP prioritised Projects 2 and 5, soccer club infrastructure (pitch, lighting, club/change rooms) via the Local Roads and Community Infrastructure Federal Funding Grant program (LRCI) and if this is unsuccessful, will also apply for State ORSR funding.

Introduction

When the Forward Grant Program (refer Attachment 2) was adopted by Council in November 2020, the funds allocated to NCP Projects 2 and 5 are as follows:

<table>
<thead>
<tr>
<th>Grant $</th>
<th>Council $</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,034,462</td>
<td>2,465,538</td>
<td>$3,500,000 ex GST</td>
</tr>
</tbody>
</table>

NB: includes rounding of project costs

There are a range of landscaping/civil works/roads/service works associated with the soccer project (refer latest draft extract site plan – Attachment 3).

The NCP prioritised projects also includes Project 1 – landscaping/civil/roads/electrical and drainage totalling $1,356,960 ex GST. This is to facilitate general upgrades to infrastructure amenity required across the whole of the Nuriootpa Centennial Park as a result of the Big Project works and that was hard to pin down to a particular project when the master planning process was undertaken. To date it has not been necessary for this allocation of funding to be applied for the projects already completed.

It is now proposed that a proportion of that prioritised Project 1 funding should be allocated to the soccer project because of the extent of ancillary supporting infrastructure required. This is particularly the case because Council will now have to bring the land it acquired in Prider Street fully into the park with associated civil and service works.

Discussion

An allocation of the prioritised Project 1 funding is identified as follows:

<table>
<thead>
<tr>
<th>Grant $</th>
<th>Council Project 2 and 5 $</th>
<th>Council Project 1 $</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,034,462</td>
<td>2,261,125</td>
<td>814,176</td>
<td>4,110,3030 ex GST</td>
</tr>
</tbody>
</table>

This allocation does not increase overall and budgeted cost of the total NCP project; it is in line with the adopted Big Project Prudential Management Report details but does not allow for escalation of costs since August 2019.

Summary and Conclusion

- To ensure sufficient funds are allocated to include all civil and service infrastructure associated with the prioritised soccer Project 2 and 5 a component of the funding for NCP prioritised Project 1 needs to be applied.
- The identified allocation is $814,176 ex GST from Project 1
- Council’s overall contribution to the total NCP projects is unaltered.
ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 3: Extract draft Barossa United Football Club site plan ref: 21/4106

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan 2020 - 2040

- Community and Culture
- Infrastructure
- Health and Wellbeing

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Financial Management Consideration
Covered within the report and existing Financial Modelling and Big Project Prudential Management reporting and associated Council reports. No additional financial impacts on Council’s overall commitment to The Big Project.

Resource Consideration
Officers and Council continue to monitor the resource impacts and requirements of the Big Project and as implementation of projects increases, ensure that resource costs are adequately incorporated into capital budgets.

Risk Management Consideration
Overarching risks of the Big Project are reviewed periodically and each project is subject to separate risk assessment processes.

COMMUNITY CONSULTATION
Undertaken as part of the development of the Nuriootpa Centennial Park master planning process.
# Forward Grant Program – Recent Stimulus Funding Announcements

*November 2020 Assessment – Updated 13/11/2020*

<table>
<thead>
<tr>
<th>Project Category – The Big Project</th>
<th>Estimated Cost</th>
<th>Target Source</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nuriootpa Rec Park – soccer Pitch and associated dev</td>
<td>$3.5M ($1.03M grant $2.47M from The Big Project and third party funding)</td>
<td>LR&amp;CIP State Sport and Recreational Grant</td>
<td>1</td>
</tr>
<tr>
<td>Rugby (Football Relocation) – Rugby pitch and associated development (trigger for Southern Barossa Hub activation)</td>
<td>$2.36M ($945k grant and $1.415M The Big Project and third party funding)</td>
<td>State Sport and Recreational Grant</td>
<td>1</td>
</tr>
<tr>
<td>Talunga Park – upgrade of caravan park</td>
<td>$2M ($800K grant and $1.2M The Big Project and third party funding)</td>
<td>LR&amp;CIP Alternative to Nuriootpa Rec Park</td>
<td>2</td>
</tr>
<tr>
<td>Tanunda Oval – second oval and associated changes including new entrance, landscaping and playground and civil works</td>
<td>$2.11M ($844K grant and $1.266M The Big Project and third party funding)</td>
<td>Open Space Funding – Playspace Grassroots (if another round) State Sport and Recreational Grant</td>
<td>1</td>
</tr>
<tr>
<td>Creative Industries Centre</td>
<td>$10.7M ($4.28M grant $6.42 The Big Project)</td>
<td>State Community Program – BBRF 5 - Private Funding through smart cities combination</td>
<td>1</td>
</tr>
<tr>
<td>Project Category – Infrastructure</td>
<td>Estimated Cost</td>
<td>Target Source</td>
<td>Priority</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>----------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Minor Road Upgrades – Short Row, Bushman's and Saleyards Road</td>
<td>$200K</td>
<td>Alternative LR&amp;CIP</td>
<td>3</td>
</tr>
<tr>
<td>Southern Barossa Tourism Loop</td>
<td>Unknown</td>
<td>Alternative LR&amp;CIP – high risk no assessment done on design costing or prioritisation against other long term priorities. Not sufficiently shovel ready</td>
<td>4</td>
</tr>
<tr>
<td>Kalimna Road Upgrade</td>
<td>Unknown</td>
<td>Alternative LR&amp;CIP – high risk no assessment done on design costing or prioritisation against other long term priorities. Not sufficiently shovel ready</td>
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<td>Mt Pleasant Main Street – complete</td>
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<td>Visitor Centre Car Park</td>
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<td>Alternative LR&amp;CIP</td>
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</table>

*LR&CIP – Local Road and Community Infrastructure Program*
### 7.3.1 DEBATE AGENDA – DIRECTOR CORPORATE AND COMMUNITY SERVICES

#### 7.3.1.3
**FEE WAIVER FOR KIND HEARTED KITCHEN – TANUNDA SHOW HALL**

**B11664**  
Author: Coordinator Customer Support

**PURPOSE**
To seek approval of a fee waiver for Kind Hearted Kitchen to utilise the Tanunda Show Hall Kitchen for a trial period to support the preparation and cooking of meals to be distributed to vulnerable and in need members of the local community.

**RECOMMENDATION**
That Council:

1. Approves the not for profit Kind Hearted Kitchen organisation’s use of the Tanunda Show Hall Kitchen for up to 3 days per month.

2. Approves the proposed 100% fee waiver application from Kind Hearted Kitchen for the use of the Tanunda Show Hall kitchen for an initial trial period of 12 months representing a loss of revenue equivalent to circa $5,400 to $8,100 ex GST (ie based on the already 50% not for profit, community discounted rate of $225 per day).

3. Requires Kind Hearted Kitchen to be responsible for all post use cleaning at no cost to Council and in accordance with venue requirements.

4. Notes that this is not intended to set a precedent or departure from the existing application of Council Fees and Charges for community/not for profit organisations.

**REPORT**

**Background**
Kind Hearted Kitchen is a not for profit volunteer based organisation providing a free service of ready-made meals for local families and vulnerable people in need. It has been serving the Barossa community since June 2015. Kind Hearted Kitchen has sourced, cooked, packed and delivered over 20,000 free meals to the Barossa community.

Kind Hearted Kitchen is founded on an ongoing commitment to the Barossa by two Barossa based mums, Rachael Braunack and Ruby Stobart who have put their talents together to create nourishing meals from local, seasonal ingredients collected from their own gardens, friends pantries and local community donations.

The meals are distributed to The Hub, Lutheran Community Care Emergency Relief Centre, Carers and Disability Link, Child and Family Youth Health, The Community...
Kitchen and via pastoral care programs at multiple local schools. There is no qualification process to access the meals, simply feeding people when they need a hand, giving respite when needed and offering a collective avenue for people to give. Kind Hearted Kitchen do not charge for meals.

Currently several Barossa schools offer breakfast programs to ensure children have something nourishing to eat before starting a day of lessons. Over the last 18 months Kind Hearted Kitchen has made food to help meet the needs of both primary and high school children who go to school without having breakfast or without food in their lunchbox.

Kind Hearted Kitchen has proven itself as a viable producer of free meals. The local community is extremely supportive with an abundance of donated produce, community groups raising food vouchers, and many individuals and businesses offering assistance in various ways. Many volunteers including chefs, members of the local community, those new to the region and youth all assist in the preparation and cooking of the meals.

Discussion
For the last 3 years, every 6-8 weeks regular cook-ups have occurred at the Nuriootpa High School hospitality centre, with food generously donated for Kind Hearted Kitchen to prepare and cook the meals. The High School has not made any charge for the use of its facilities.

Unfortunately due to COVID19, Kind Hearted Kitchen has not been able to access the High School site and in 2021 the school will be undergoing renovations and Kind Hearted Kitchen must find a new kitchen to access.

In 2021, Kind Hearted Kitchen is aiming to cook more often, every 4 weeks to meet the demand for both ready-made-meals and lunchbox items and are looking to utilise the Tanunda Show Hall Kitchen over 2-3 days a month and are flexible with weekday or weekend days and also should any conflicting bookings of the kitchen occur.

Kind Hearted Kitchen anticipate during a cook up they would be using all kitchen facilities except for the deep fryer and walk in freezer room; therefore the usual applicable fees would be calculated at a Full Commercial kitchen usage rate as per the fees and charges previously adopted by Council for a community group

Council’s Fees and Charges register has Full Commercial use of the Kitchen at $450.00 per day and Kind Hearted Kitchen immediately qualify for the not-for-profit discount, as per the Fees and Charges Register, of 50% reducing the fee to $225.00 per day.

Assuming a maximum use of 3 days per month at 50% not-for-profit Full Commercial Kitchen fee equates to $675.00 per month and up to $8,100 for a 12 month period.

The amount of $225.00 per day, irrelevant if usage is 2 or 3 days per month, is the figure that Kind Hearted Kitchen would like to be waived to enable the organisation to continue their free service to the community.

The full and community discounted fees incorporate assessment to ensure cost recovery of Council’s associated costs such as electricity, gas and water. These have been estimated for the new Show Hall kitchen and due to COVID and the limited opportunity for the kitchen to be booked/used, data on actual costs / energy charges are not known. This can be better assessed during the proposed 12 month pilot period.
Council has requests from other community and not for profit groups to waive fees beyond the existing 50% approved discount and these are rarely approved. Due to the particular nature of this request and the potential for precedent, Officers are bringing this matter to Council for consideration rather than exercising their delegated decision making powers. This is a further reason that a trial period is proposed.

Summary and Conclusion

- The not for profit Kind Hearted Kitchen is meeting a present need for the provision of free meals to vulnerable and in need Barossa community members including school children
- An impressive local network of donated food, volunteer input in preparation and distribution has been established.
- Previous free of charge cooking facilities at Nuriootpa High School are no longer available to the group.
- Use of the Show Hall kitchen will not impact other revenue generating bookings as the group will be flexible and work around other users.
- It is proposed that a 12 month trial period be agreed with a 100% fee waiver for up to 3 days use per month so that full associated costs and continued application of the arrangement can be better assessed.
- The lost revenue for the trial period will be between $5,400 and $8,100 based on use of between 2 or 3 days per month.
- The initiative supports Council’s “Barossa Cares” ethos.
- Due to the continuing impact of COVID 19 restrictions on events, bookings and use of Council facilities, there is currently plenty of capacity for the Tanunda Show Hall kitchen to be made available to the group.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Kind Hearted Kitchen Summary 21/000798
Attachment 2: Application for Fee Reduction 21/000884

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan 2020-2040

Community and Culture: refers to the values, beliefs and lifestyle of the Barossa people who reside here. It includes the network of organisations and groups who work collaboratively to preserve and acknowledge the identity and history of the Barossa’s people and places. Volunteering, social interaction, creative activities and community history initiatives all play an important part in developing and sustaining a community and its culture.

Corporate Plan
2.4 Foster volunteering opportunities that are responsive to the needs of the Community.
4.6 Support the growth and sustainability of sporting, recreational and community clubs and organisations through provision of shared infrastructure, grants and opportunities to shape future use and development.
6.4 Ensure that decisions regarding expenditure of Council’s budget are based on an assessment of whole of life costs, risks associated with the activity and advice contained within supporting plans.

Legislative Requirements
The Local Government Act 1999
**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial Considerations**
The proposed fee waiver equates to revenue of between $5,400 and $8,100 for the 12 month trial period dependent on 2 or 3 days per month use. The group will work around other revenue generating bookings.

**Resources**
The true costs of utilities for the use of the new kitchen is not known due to the disruption of booking opportunities arising from the COVID 19 restrictions.

**Risk Management**
Reputational risk to Council if it is not supportive of a community orientated venture of this nature but also the risk of setting a precedent for other deserving community and not for profit activities and groups.

**COMMUNITY CONSULTATION**
Council’s fees and charges register is reviewed annually as part of the draft budget and business plan development, consultation and adoption process.
What is Kind Hearted Kitchen?

Kind Hearted Kitchen is a free service of ready-made, wholesome meals for local families, currently serving the Barossa community since June 2015 and looking to continue for as long as required. Since its humble beginnings in June 2015, Kind Hearted Kitchen has sourced, cooked, packed and delivered over 20,000 free meals to the Barossa community.

Kind Hearted Kitchen is an ongoing commitment to the Barossa by two Barossa-based mums Rachael Braunack and Ruby Stobart who have put their talents together to create nourishing meals from local, seasonal ingredients collected from their own gardens, friends' pantries and local community donations. A not-for-profit concept, Ruby and Rachael have combined their flair for cooking with their own life experience and are making fresh, nutritious meals for families who are doing it tough within the local Barossa community.

The idea came from their own experience as new mums, which can be a difficult time within a family, grateful for the support they each received during such a life adjustment, their want is to give back to the Barossa community in a way that is practically helpful. Whilst Ruby’s skills lie in marketing and promotions, Rachael is a trained and certified chef, together they source ingredients by rallying the community to donate ingredients, create a menu and cook and deliver the meals in their own time. They do not charge for the meals and are self-run and funded.

The duo and a team of volunteers, cook and freeze portioned family-friendly, healthy meals during cook-ups throughout the year, making meals which can simply be reheated and served. In their experience, having a quick go-to meal (that is not fast-food) which the whole family can enjoy takes some of the pressure out of the day. And for people who may have a new baby, are in financial hardship, out of work or suffering illness, having an easy, tasty meal at their fingertips can give a brief reprieve.

Ruby and Rachael know from experience that creating the evening meal can be stressful and satisfying the fussy eaters within the family is not easy. The meals they cook are not only delicious and nutritious but are created with children and adults in mind - dishes their own families love to eat and enjoy together.

How it works:

In the weeks leading up to one of their cook-ups, Ruby is responsible for rallying of ingredients which are sourced and gathered from the local community, friends and neighbor’s gardens and pantries, individuals or businesses donating food ingredients via call-outs by the local newspapers, local schools getting behind the cause and predominantly via the power of social media. Kind Hearted Kitchen’s facebook page: https://www.facebook.com/kindheartedkitchenbarossa/ has powerful reach and much of what is donated comes from these social media posts and shares.
Kind Hearted Kitchen cook-ups are a 2-day process, generally a day of food preparation (donated meat and vegetables are chopped and prepared by volunteers) and a day of turning those ingredients into main meals, with the cooking led by Rachael. For the last 3 years every 6-8 weeks regular cook-ups have occurred at Nuriootpa High School, their hospitality center generously donated for Kind Hearted Kitchen use. Here, a minimum of 1000 meals are cooked by a team of volunteers, some friends, and some strangers, but all there to help. Both Rachael and Ruby have a hospitality background and have a close network of local Barossa chefs who assist with cook-ups too. Dishes are created around the ingredients donated and range from seasonal soups, hearty family pies, vegetarian dishes to rustic stews as well as seasonal desserts and puddings (for many facing financial hardship, a delicious and wholesome sweet treat for the family is often left off the shopping list). Dishes are cooked and portioned into containers.

Meals are distributed by Ruby and volunteers to The Hub, Lutheran Community Care Emergency Relief Centre (who assist over 600 local families from Barossa and surrounding areas), Carer’s & Disability Link, Child and Family Youth Health, The Community Kitchen, and via pastoral care programs at multiple local schools, and are placed in freezers which are accessible to individuals and families during business hours Monday - Friday. Members of the Barossa community access meals direct as well. There is no qualification process to access meals, and this is one of the key elements to the service, people can simply help themselves to a meal from the freezer. Kind Hearted Kitchen does not charge for meals.

**Breakfast and lunch program:**

Currently several Barossa schools offer breakfast programs to ensure children have something in their bellies before starting a day of lessons and we offer additional fresh, nutritious food to those services. Over the last 18 months Kind Hearted Kitchen has made breakfast muesli bars and muffins (savory and sweet), to help meet the needs of students at both primary and high schools, for children who go to school without having breakfast or without food in their lunchbox.

We strongly believe that children have a right to tasty, nutritious food and if we can fill that gap at breakfast or lunchtime, we are helping create a happier, healthier community. Children don’t have a choice as to what goes in the shopping trolley, or what there is or isn’t in their pantry. We seek to provide tasty, nutritious breakfast items easily accessible to students, so that the maximum number of school children can have good energy food in their tummies and have the best opportunity to learn.

**Community feedback:**

Kind Hearted Kitchen has had positive feedback both from the community centers where meals are accessible and also by individuals who have accessed meals:

“It’s hard to put into words how much my family appreciated the support of the Kind Hearted Kitchen through Cross Roads. Honestly, the meals were beautiful and I’m not being dramatic when I say it was a life saver. PS Kids thought it was delish. Thank you, my food Angels,” one writes.

Another who was travelling from Adelaide for medical treatment said “On a practical level the service is brilliant, from a psychological perspective it is a feeling of love extended from strangers
from within the community which in itself is healing. It’s so wonderful to have a choice of foods which might I add are very very yummy. From my blessed heart- thank you.”

"Just wanted to say a very heartfelt thank you for a delicious lasagna last night. The boys are back in incubators which is a bit stressful and with the commute to the hospital and everything else this is a pretty tough time for us. Home cooked meals in the freezer have been not only nutritious and made life easier but they have warmed my heart and made me feel so grateful for this beautiful community we live in. Thank you from all five of us” says another.

Partnering with various distribution centers such as Lutheran Community Care, and The Hub, Carer’s & Disability Link, The Community Kitchen, Kind Hearted Kitchen is able to cast a wide net of distribution to families across Barossa and surrounds, thus more people in need can be supported by this community initiative. Importantly, it also means families have the ability to access the range of support services available by the work of Lutheran Community Care, Nuriootpa and The Hub when they need it. It goes beyond just a meal, people feel supported and part of a community who cares about them, even though they don’t know each other. Kind Hearted Kitchen believes this makes for a happy, healthier community.

Kind Hearted Kitchen has proven itself as a viable producer of free meals. The local community is extremely supportive, with an abundance of donated produce, community groups raising food vouchers and many individuals and businesses offering to assist in various ways, the cook-ups are never short of volunteers. It has created its own community – many of our volunteers have become friends over the years – volunteers are chefs, doctors, widowers, retirees, Barossa locals and those new to the region, young people, friends, strangers. Distribution has grown over the last five years, we now stock meals to: Lutheran Community Care, The Hub, Carer’s & Disability Link, Community Kitchen, various pastoral care programs at many local schools (Light Pass, Tanunda Lutheran School, St Jacobi, Redeemer Lutheran, Williamstown Primary) plus many individuals. Kind Hearted Kitchen is offering a proven benefit to the region, by feeding people when they need a hand, giving respite when needed and offering a collective avenue for people to give.

Where to next?

Unfortunately, due to Covid-19, Kind Hearted Kitchen has not been able to access Nuriootpa High School regularly, and in 2021 the school will be undergoing renovations and Kind Hearted Kitchen must find a new kitchen to access. In 2021, our aim is to cook more often, every 4 weeks, so that we can meet demand for both ready-made meals and breakfast and lunchbox items. We are looking to utilize a commercial kitchen over 2-3 days a month and are flexible with weekday or weekend days. Kind Hearted Kitchen is an incorporated body with a committee of volunteers, with our own cooking equipment and mobile coolroom. We anticipate during a cook-up we would utilize all kitchen facilities at Tanunda Show Hall except: a deep fryer and walk-in freezer. We would also love to see young people involved in cooking too, and perhaps with support we may be able to have students learn to cook with ‘tasty but good-for-you’ food with us. We truly believe that we provide an avenue for giving and we see cooking food for people as the ultimate act of giving nourishment on so many levels.

Contact: Ruby Stobart 0421750200 and Rachael Braunack 0412120727
**THE BAROSSA COUNCIL**

**EVENT APPLICATION FORM – APPLICATION FOR FEE REDUCTION**

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<thead>
<tr>
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<th>Event Application Form – Fee reduction</th>
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<th>TBCFO2250</th>
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<td>Manager Administration Services</td>
<td>TRIM Reference – Event Application:</td>
<td>/</td>
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<td>Responsible:</td>
<td>Customer Service</td>
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### 1. Event Description – from Event Application Form

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<td>Provide detail of usage of venue</td>
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### 2. Venue – from Event Application Form

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<th>Venue Name</th>
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<tbody>
<tr>
<td>Venue Location</td>
<td>Tanunda Show Hall Kitchen</td>
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### 3. Event Organiser Details

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<thead>
<tr>
<th>Contact Person for Event</th>
<th>Ruby Stobart 0421 750 200 Rachael Braunack 0412 120 727</th>
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<tbody>
<tr>
<td>Position</td>
<td>Founders</td>
</tr>
<tr>
<td>Organisation</td>
<td>Kind Hearted Kitchen</td>
</tr>
<tr>
<td>ABN (if relevant)</td>
<td>14 781 487 915</td>
</tr>
<tr>
<td>Address</td>
<td>PO Box 419, Tanunda, SA 5352</td>
</tr>
<tr>
<td>Mobile</td>
<td>Ruby Stobart 0421 750 200 Rachael Braunack 0412 120 727</td>
</tr>
<tr>
<td>Preferred Contact</td>
<td>Either</td>
</tr>
<tr>
<td>Phone (Business hours)</td>
<td>As above</td>
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<tr>
<td>Email</td>
<td><a href="mailto:ruby@arnowineco.com.au">ruby@arnowineco.com.au</a></td>
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<td>Not for Profit?</td>
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<tr>
<td>Has your organisation received previous funding or fee discounts from The Barossa Council?</td>
<td>No</td>
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<tr>
<td>If Yes, please indicate most recent amount and date:</td>
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<tr>
<td>Amount</td>
<td>Date</td>
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<tr>
<td>Is your event a ticketed event?</td>
<td>No If Yes, please advise how much per ticket</td>
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<tr>
<td>Amount:</td>
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</table>
Kind Hearted Kitchen cooks ready-made nutritious and tasty meals free for the Barossa community from donated ingredients, cooked and distributed by volunteers. We are able to do this thanks to the generosity of our community and operate for anyone in the Barossa community. There is no qualification process to receive a Kind Hearted Kitchen meal, and meals are given free of charge. Kind Hearted Kitchen operates solely for the benefit of the Barossa region and is not for profit. All ingredients, cooking, time and care is given in service to the community. We are seeking a commercial kitchen to enable efficiency and to be able to cook more regularly as the need in the community demands. Whilst we appreciate and understand the cost of operating a commercial kitchen, we would very much appreciate any subsidy or fee waiver so that we can ensure the use of our funds for our reason for being; to make and distribute free tasty meals for anyone who needs them.

Thank you for your consideration. Ruby & Rachael

Please refer to additional supporting document: Kind Hearted Kitchen doc
5. **General Conditions of Fee Reduction**

1. Acknowledgement of the support of The Barossa Council must be made on all promotional material produced in relation to this application.
2. All advertising material will incorporate The Barossa Council official logo. Please contact Customer Service.
3. Acknowledgement of the support of The Barossa Council will be made in your organisation's annual report.
4. All general and special conditions as documented on the Event Application Form for occupancy / hiring / use will be adhered to at all times.

6. **Event Organiser Declaration**

I certify to the best of my knowledge that the information provided on this form is true and correct. I acknowledge and accept the conditions specified in this application.

Signed for and on behalf of the Event Organiser

Kind Hearted Kitchen

Name Ruby Stobart

6/1/21

7. **Council Authorisation**

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<th>Fee Quoted</th>
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MAS Approval
As per sub Delegation – 55.2.6

Full Name
Signature
Date
7.3.2 DEBATE AGENDA – MANAGER COMMUNITY PROJECTS

7.3.2.1
MOUNT PLEASANT SHOW SOCIETY – REQUEST FOR ADDITIONAL FUNDING FOR SHOW OFFICE UPGRADE PROJECT
B10998

PURPOSE
For Council to consider the request from the Mount Pleasant Show Society (Show Society) for additional funding for the Show Office Upgrade project.

RECOMMENDATION
That Council:

(1) Endorses the updated design and costing information for the Mount Pleasant Show Office Upgrade project (the Project) as provided by the Mount Pleasant Show Society Inc.

(2) Approves an additional contribution of up to $56,655 ex GST to be applied to stage one of the Project build costs.

(3) Requires a contract for works be entered into between the Mount Pleasant Agricultural Show Society and the builder, GE Hughes Pty Ltd.

(4) Requires Officers to be continuing members of the project management team and participate in regular site meetings during final planning and construction works.

REPORT

Background
Council, at its 19 November 2019 meeting, resolved the following:

MOVED Cr Wiese-Smith that Council:

(1) Receives and notes the urgent New Initiative request from the Mount Pleasant Agricultural Show Society to upgrade the Show Office and construct a Wool Shed in order that a Regional Agricultural Show Development Grants Program funding application can be made by the deadline of 13 December 2019.

(2) Notes that due to the constraints of time between the release and close of the grant funding the Show Society and Officers have had limited opportunity to provide the usual information and due diligence required to support New Initiative requests as per Council’s Prudential Management Policy.
(3) Supports (in principle) the request for an up to $31,000 ex GST contribution to the grant application in the 2020/21 financial year on the basis that the identified works are identified in the Talunga Park Masterplan (the administration centre only) and as such, align with Council’s long-term vision for this facility.

(4) That Officers provide administrative support to the Show Society’s application for funding in the aforementioned program.

(5) That officers present the final application and financial assessment to a future meeting of Council.

Seconded Cr Barrett

CARRIED 2018-22/382

A further report was considered by Council at its 15 September 2020 meeting and resolved the following:

MOVED Cr Barrett that Council:

(1) Endorses the updated design and costing information for the Show Office Upgrade project as provided by the Mount Pleasant Show Society Inc.

(2) Confirms the contribution of $31,000 ex GST to the Show Office Upgrade project and a further $10,000 ex GST contribution (already budgeted) originally earmarked for the refurbishment of the ATCO toilet block, notes that no contingency appears to have been included in the figures provided.

(3) Requires Officers to be members of the project management team and participate in regular site meetings during final planning and construction works.

Seconded Cr Wiese-Smith

CARRIED 2018-22/250

Introduction
Plans have been submitted for Development Assessment (planning only) on 31 August 2020 and subsequently Building Rules Consent. A number of requests for information have required additional amendments to the design floor plan.

It is acknowledged that the inclusion of the toilets into the Show Office building have added complexity into the design and required specification of the plans. It has also become evident to Officers that the design tabled with the last Council report did not correspond to the quote that was also provided by the Show Society and GE Hughes and attached as part of that report. This was not known to Officers at the time of writing and tabling that previous agenda report. Consequently, the quote provided was under the cost to build the design at that point in time. Again, this was not known by Officers.

These design changes and misaligned quote have resulted in additional cost in order to achieve the Show Society’s outcomes and compliance with the Building Code.

Discussion
There is still support for the toilets being included within the Show Office footprint, for a greater community outcome, improved whole of life costs and to rationalise the number of buildings on that section of Talunga Park.
The current design floor plan (Attachment 1) has been reviewed by Council’s planners and building officers with the final outstanding information to be provided being:

1. Floor slab construction details (including concrete grade, thickness, reinforcement, jointing, damp-proof membrane, termite protection etc) and justification that the floor slab nominated is suitable to support lined and tiled walls and accommodate the differential soil movements resulting from moisture changes in the underlying reactive soils. (Engineering advice underway as engaged by Show Society)

2. Amended ceiling construction details over the disability toilet as the ceiling joists nominated appear undersized. (Building Officer recommended additional hanging beams or larger joist.)

The design floor plan includes a note that the internal fitout is not included in the quote and will not be a deliverable of stage one of the project. Officers have strongly recommended that the Show Society contact the Regional Agricultural Show Development Grants Program to confirm that an acquittal of stage one only of the project is acceptable within the terms of its grant funding agreement. The Show Society plan to fundraise and to complete the internal fitout of the building within 1 to 3 years. The building will still be suitable for occupation at the conclusion of stage one. The timeframe for the conclusion of the works by the Show Society is very much dependent on whether they will be able to hold the Mount Pleasant Show in 2021. This is the Show Society’s main revenue stream. Plans are well in hand but reliant on the level of any restrictions arising from COVID regulations prevailing at the time (and continued insurance cover). The Mount Pleasant Show had to be cancelled at extremely short notice in 2020 at the very beginning of COVID restrictions.

The quote for the building is provided at Attachment 2.

It is also noted that the cost of the shed materials of $46,950 ex GST remains in the quote as a PC Sum. Officers have requested that this part of the quote be confirmed.

A review of the project budget and funding model has also been completed by officers.

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<td>Mount Pleasant Agricultural Show Society</td>
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<td>Mount Pleasant Incorporated (Attachment 3)</td>
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<td>Mount Pleasant Pony Club (Attachment 4)</td>
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<td><strong>Budget Shortfall</strong></td>
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A letter of support (Attachment 5) was also received by the Mount Pleasant Farmer’s Market stating that in principle support is provided and a financial contribution may be made available subsequent to their committee meeting on 18 January 2021. A verbal update on this contribution will be made at the Council meeting.

The Mount Pleasant Pony Club’s letter of support provides for possible additional future funding for stage two (internal fitout) of the project.

It is acknowledged that added complexity has been applied to the project by the inclusion of the toilets to the building. However the benefit is rationalising the number of buildings on the area of Talunga Park and providing a fit for purpose amenity for the community usage on Framer’s Market, Horse Event, Mount Pleasant Show days, and any other events that are held at the Park.

Without additional funding, this benefit will not be realised and the Show Society will not be able to achieve their objectives for upgraded Show Office facilities. To continue to support the project, up to an additional $56,655 ex GST will be required.

Summary and Conclusion
The Project has been complicated by successive design reviews and the uncertainty of the Show Society having to manage its finances through the COVID response period with a consequential significant impact on its past and future revenue generation capacity. Finalised planning, associated quote and stakeholder contributions have now been finalised. There is a shortfall of $56,655 ex GST (including 7% contingency) to fund stage one of the project.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Mount Pleasant Show Office – Floor Plan Ref: 21/1571
Attachment 2: Mount Pleasant Show Office – Quote – GE Hughes Ref: 21/1573
Attachment 3: Letter of Support – Mount Pleasant Progress Association Incorporated Ref: 21/136
Attachment 4: Letter of Support – Mount Pleasant Pony Club Ref: 21/100
Attachment 5: Letter of Support – Mount Pleasant Farmer’s Market Ref: 21/136
Attachment 6: Due Diligence Level Two Report Ref: 21/4452

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan 2020 - 2040

Community and Culture
Infrastructure

Legislative Requirements
Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Financial Management Consideration
The Council contributions have been budgeted for in the 2020/21 budget for the original $10,000 contribution. Up to an additional $56,655 ex GST will required if further Council support is agreed.
The Budget Update as at 30 September 2020 for the 2020/21 financial year Key Performance Indicators forecast:

- Operating Deficit of $147k Operating Deficit Ratio of (0.4%)
- Net Financial Liabilities (NFL) of $19,926k NFL ratio of 50.1%
- Asset Funding Renewal Ratio of 122%

Financial assessment
As detailed in the Council Agenda report of the 19 November 2019, a Due Diligence Assessment was not completed for the original application as the original request from the Show Society for the support for the grant application came in at very short notice ahead of the grant close deadline. A Due Diligence Level Two Report has been completed as Attachment 6 with a BAT score of 52.

The financial assessment revised forecast include year to date approved additions not listed in the Budget Update as at 30 September, such as the Sub-Regions and Townships Project, Caravan Park Management Services, Community Consultation - Aquatic Services Provision and Stormwater Drainage and Footpath design and construction estimates, Nuriootpa War Memorial and Williamstown Swimming Pools - additional opening hours, Veranda at the Nuriootpa Multi Use change rooms, autonomous vehicle consultancy work for $50k, in this Agenda, along with this report item (if approved), at $57k, a total of $337k. These will be included in the Mid-year Budget Review or next Budget Update.

It is proposed that this item if approved, will be funded from the 2019/20 brought forward cash.

The 2020/21 budget update as at 30 September 2020 amounts and indicators, including Council approved items year to date, are used as the base for this financial assessment.

<table>
<thead>
<tr>
<th>Item for Budget inclusion:</th>
<th>Mount Pleasant Show Society for additional funding for the Show Office Upgrade project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net operating costs (incl depreciation)</td>
<td>$0</td>
</tr>
<tr>
<td>Additional project cost (ex GST)</td>
<td>$56,655</td>
</tr>
<tr>
<td>Grant Income reduced (ex GST)</td>
<td>$0</td>
</tr>
<tr>
<td>Funding required by Council</td>
<td>$56,655</td>
</tr>
<tr>
<td>DDR provided</td>
<td></td>
</tr>
</tbody>
</table>

This project BAT score approved by CMT (Cut-off CMT reviewed and recommended if approved - a BAR or NI will be included in the: 2020/21 Mid-year Budget Review as at 31 December 2020

Assessment of Key Performance Indicators (KPI) for all changes council has approved and the reports in Council meeting(s) agenda since the Budget Update as at 30 September 2020/21*.

<table>
<thead>
<tr>
<th>KPI</th>
<th>Revised forecast</th>
<th>Overall Change since*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Surplus/ (Deficit) (Target: break even position over a five year period)</td>
<td>$-427k</td>
<td>Increased by $280k</td>
</tr>
<tr>
<td>Operating Surplus Ratio (Target: &gt;-2% to 10%)</td>
<td>-1.07%</td>
<td>Deficit position increased 0.55%</td>
</tr>
<tr>
<td>Net Financial Liabilities (NFL) $</td>
<td>$20263.428k</td>
<td>Increase in NFL $337k</td>
</tr>
<tr>
<td>Net Financial Liabilities Ratio (Target: &gt;0 to &lt;100%)</td>
<td>50.9%</td>
<td>Increase to liabilities ratio 0.8%</td>
</tr>
<tr>
<td>Asset Funding Renewal Ratio (Target: &gt;80% to &lt;110%)</td>
<td>122%</td>
<td>No change to asset renewal spends</td>
</tr>
</tbody>
</table>
Noting that after the addition of this and previously approved projects for 2020/21 - all KPI’s are within the target range set by Council.

Funding for this project will:

☐ Be transferred from existing budget line:
☐ Be allocated from next years discretionary spend:
☑ Be allocated from previous years surplus:
☑ Effect the Council’s end of year results and cash position.

This item is an additional capital expenditure in 2020/21 of $57k.

Since Budget adoption 2020/21, the net cash reduction approved by Council for numerous budget amendments in the Budget Update 30 September and Council meetings reports for additional expenditure not included with this update. These have been funded from the brought forward cash.

The Mid-year Budget Review as at 31 December 2020 will include the actual closing financial and cash position for 2019/20. This report will update the opening cash position for 2020/21 used to fund the additional expenditure.

Risk Management Consideration
Ongoing project and budget risk remains as to date and despite offers of support from Officers, there has been no contract entered into by the parties to formalise the project. Officers have stressed the importance of this step in the management of public funding and drafted a contract to assist. It is recommended that any additional contribution be subject to the execution of the appropriate works agreement contract.

Officers will continue to provide input on Council requirements for Project and Contractor Management requirements and will participate in site meetings.

COMMUNITY CONSULTATION
Undertaken as part of the consideration of the Talunga Park and Old Talunga Park Masterplan development and adoption process. This is a Mount Pleasant Show Society initiated project and there has been no specific consultation by Council in relation to these proposed items.
10mm Gyproc - To walls

6mm Linoleum - To internal, wet area, walls

NOTE: Internal not included in costing.
17th December 2020

Mt Pleasant Show Grounds
Attn: Vicki Fawcett

Via email: mtpleasantshow@bigpond.com

**REVISED QUOTATION:** Proposed multi-purpose function shed, 15mtrs x 12mtrs x 3000mm wall height including 1 disabled toilet, 3 female toilets (1 being ambulant) and 2 male toilets (1 being ambulant)

**REF:** GEH Quote 2278-D

Pending council approvals and certification by others

We estimate to carry out the following works:

**Site works:**
Strip top soil and supply, lay and compact a 300T layer of quarry sand $ 8,300.00

**Shed piers:**
Supply of concrete for piers; piers changed to 12/600x1200; 6/600x600 $ 2,090.00

Subject to engineer report

**New colorbond shed:**
15mtrs x 12mtrs with a 11 degree roof with a wall height of 3000mm.
Includes 6 windows 900mm high x 1510mm wide and 1 windows 600mm high x 900mm wide plus flashings and 8 single access doors. Includes gutters with downpipes to ground only. Design windspeed 39 m/s.
Includes sarking to walls and roof PC $ 46,950.00

**Concrete shed floor: Subject to engineer report**
- Screed over sub-base
- Supply and install fortecon to base
- Prepare and pour a shed floor with 100mm thick 32mpa concrete and 1 layer of SL72 mesh on chairs
- Includes concrete pump $ 20,540.00

**Plumbing:**
- Underfloor for kitchen and toilet block
- Sewer drain to new 3000 litre tank with pumping department.
- 1st fix and 2nd fix cold water supply only
- Allowed a 25mm blue line for cold water
- Sanitaryware allowance for pans, vanities, grab rails for ambulant and disabled toilet, paper towel and soap dispenser, toilet paper holder, toilet block, tapware – PC $10,000.00 + GST. Note Excludes hot water.
- 1 x garden taps on external walls (Vandal proof)

$ 43,570.00
**Electrical:**
- Supply and install 1 x distribution board
- Supply and install 5 x double power points in main shed
- Supply and install 4 x Hanaco 200 watt high bay main shed
- Supply and install 5 x exit lights
- Supply and install 6 x exhaust fan
- Supply and install 2 x smoke alarms
- Supply and install 5x outside lights with sensors
- Power to septic tank 10amp
- Install 1 phone point building using old lead in cable
- Disconnect from existing building $ 14,749.00

6mm Villaboard wall lining to toilet blocks and R2.5 insulation.
10mm gyprock to wall around toilets. R3 insulation to ceilings over wet areas $ 14,827.00

**Carpentry:**
- Supply and install wall frames to toilet block and 2nd fix complex.
- Wall frames using 90x45 treated H2 pine $ 16,500.00

**Tiling:**
Includes screeds and waterproofing to wet areas, floor tiling to toilets and a skirting tile 1 row above basins.
Allowance to buy tiles is $40 sqm + GST. Includes silicone joints. $ 9,970.00

**Painting:** interior of toilet walls, 2 doors, 1 coat sealer, 2 finished coats and 1 coat of anti-graffiti paint. $ 3,750.00

**Adelaide Pest Control:**
Spray to underfloor $ 940.00

3 vents on roof for toilet fans PC $ 2,100.00

Signs for toilet blocks, door closers, push and pull door furniture, 2 x air lock doors, including external doors seals.
Note: No mirrors PC $ 3,440.00

**Council Fees, private certification, plans, CITB levy and insurances** PC $ 6,925.00

2 x fire extinguishers and blankets PC $ 780.00

**Scissor lift hire for electrician** $ 500.00

**Skip bin** $ 1,200.00

**Usage of on-site toilets for trades** $ 0.00
Site clean $ By Owners

Project management; Discounted for MPSG $ 17,500.00

Note: Quote does not include any walls or lining to main area

Estimated Sub-Total $ 214,631.00
10% GST $ 21,463.10

Estimated Total incl GST $ 236,094.10

We thank you for the opportunity to tender and await your further instruction.

Duane Hughes/James Law
This quotation is current for the period of 60 days from the date detailed hereon
The Secretary
Mt Pleasant Show Society
Mrs Vicki Fawcett
Dear Vicki,

Thankyou for your email letter in which you ask for donations towards the increased cost of the Show Office rebuild because the toilets will now be part of that building.

Whilst I have not yet received a response, I assume you are aware that the grant awarded to the Progress Association for the renovation of the ATCO toilets ($10,000) has been transferred to Mt Pleasant Show Society to support the construction of the show office with toilets incorporated.

The only source of income for the Inc. Body is through the Community Dinners, so our resources are somewhat limited.

However, in the spirit of community participation and co-operation and noting that the office will be made available for use by other groups, we are pleased to offer you a sum of $1000.00 towards the project.

We look forward to seeing this important community project come to fruition.

Kind regards,

Wendy Harvey
Chairman
Mount Pleasant Progress Assn. Inc.
30th December 2020

0428 915 998
From: mtpleasantshow@bigpond.com
To: Rebecca Tappert
Subject: FW: Mt Pleasant show grant.
Date: Monday, 4 January 2021 10:43:14 AM
Attachments: image001.jpg

With Regards
Vicki Fawcett
Secretary
Mt Pleasant Show
Ph: 8568 2303
Fax: 8568 1760
Email: mtpleasantshow@bigpond.com

below
With Regards
Vicki Fawcett
Secretary
Mt Pleasant Show
Ph: 8568 2303
Fax: 8568 1760
Email: mtpleasantshow@bigpond.com

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From: Tania Drever <kiarma98@yahoo.com.au>
Sent: Monday, 4 January 2021 7:51 AM
To: mtpleasantshow@bigpond.com
Cc: Mt Pleasant Pony Club <mppc@hotmail.com.au>
Subject: Re: Mt Pleasant show grant.

Good morning
The Mt Pleasant Pony Club Committee met last night and agreed to contribute funds towards the new administration building project. Unfortunately we are not flush with funds but have agreed to provide $2000 initially with the possibility of additional funding for the fit out of the building at a later date.
We appreciate there is a huge amount of work involved in pulling together a project like this and acknowledge the new building will be an asset to the Mt Pleasant Community, visitors and the various community groups who utilise the Mt Pleasant Show Grounds.
The cost of the project at first glance seems excessive but we understand the toilets must meet standards and are therefore a large part of the cost.
Thank you for coordinating this on behalf of the community.
Kind regards
Tania Drever
MPPC President
Phone 0402 441 303
On Friday, 18 December 2020, 01:57:51 pm ACDT, <mtpleasantshow@bigpond.com> wrote:

To The Committee,

As you may know, the Mt Pleasant Show society was successful in their application for a grant to improve our administration building.

We have done a lot of work on this project, and now at the suggestion of The Barossa Council, have incorporated the toilet block into our new building, essentially merging two council projects into one building.

However, adding the toilet block at the rear of the building has caused our works to exceed the limit of
our grant funding and the current contributions that were originally directed to the individual toilet block. Council would prefer us to continue to pursue completion of the building including the toilets but at present it does not fit within the budget.

We are writing to you today, to see if your committee could please consider assisting us and Barossa council with a financial contribution towards the project. This is to be a community building and meeting room that can be utilised by any organisation and the works will greatly benefit many organisations.

We are hopeful that Barossa Council will be able to further assist this endeavour also. If you could please reply to us by Monday January 4th as we would like to table with Barossa Council for their next meeting so we can move forward.

Any and all contributions would be gratefully accepted.

Thanking you in advance,

Vicki Fawcett
The Secretary  
The Mt Pleasant Show Society Inc.  
Vicki Fawcett,

Dear Vicki,

Thankyou for your email of the 18th December in which you request financial support for the increased costing for the rebuilding of the Show office.

The email was presented to the Board at its most recent meeting on the 21st December.

We understand that this request is based on the requirements of the Council for you to be able to demonstrate that this project will be a multi-use building and an enhancement of the facilities of Talunga Park for the betterment of the Community.

The Board supports in principle a donation for this purpose but given the short time frame of both your email and the stated deadline for decisions, the Board was unable to provide you with a definite amount.

We encourage you to inform the Barossa Council of our support for the Show and this important project and that we will be able to provide you with a definite answer following our meeting on the 18th January.

We look forward to working co-operatively in the future,

Yours sincerely

Ashley Dent  
Chairman  
Mt Pleasant Farmers Market Board  
December 2020
SECTION B (of A-E): Proposal Description

Please provide a clear description of the proposal

Construction of a new Show Society Office, also available for meeting room and administration space for other park user groups. Will also incorporate toilets following the demolition of the old ATCO toilet block (with associated asbestos and termite damage).

Please provide the justifications for the proposal with reference to the Strategic Plan

An identified component of the Talunga Park Master Plan for The Big Project but was not a prioritised project in the August 2019 prioritisation process. Aligns with the Community and Culture and Infrastructure strategies of the Community Plan.

Please describe how the success of this project will be measured

Completion of revised scope within final budget figure. Agittal of associated grant and adherence to deadlines. Increased level of service of administration to support the Mount Pleasant Show and other park user groups and improved social health and wellbeing outcomes.
### SECTION C (of A-E): 10 Year Funding Requirements & Financial Outcomes

#### Title of Proposal:

0 Example data has been inserted

<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>NI - Income</strong></td>
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<tr>
<td>Total Funding</td>
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<tr>
<td><strong>NI - Operating</strong></td>
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<tr>
<td><strong>NI - Project-Net Profit/(Loss)</strong></td>
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<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>165,000</td>
<td>(165,000)</td>
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#### How will the proposal be funded?

<table>
<thead>
<tr>
<th><strong>Funding</strong></th>
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</thead>
<tbody>
<tr>
<td>External Contribution/Grants</td>
<td>124,000</td>
</tr>
<tr>
<td>Council Reserves</td>
<td>8,000</td>
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<tr>
<td>Council Contribution</td>
<td>41,000</td>
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<td>Total</td>
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#### Is there a build or purchase cost for an asset?

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<thead>
<tr>
<th><strong>Capital Expenditure</strong></th>
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<tbody>
<tr>
<td>Building</td>
<td>214,631</td>
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<tr>
<td>Structures (plant, equipment &amp; furniture)</td>
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<tr>
<td>Other - contingency</td>
<td>15,024</td>
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<tr>
<td>Total</td>
<td>229,655</td>
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#### Net Operating Result Profit/(Loss)

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<tr>
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</thead>
<tbody>
<tr>
<td>Total</td>
<td>-</td>
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#### Total Operating Revenue

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<tbody>
<tr>
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#### Total Operating Expenses

<table>
<thead>
<tr>
<th><strong>Total Operating Expenses</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Total</td>
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</table>

#### Total Maintenance Expenses

<table>
<thead>
<tr>
<th><strong>Total Maintenance Expenses</strong></th>
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</thead>
<tbody>
<tr>
<td>Total</td>
<td>-</td>
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</table>

#### Operational

<table>
<thead>
<tr>
<th><strong>Operational</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>User Charges</td>
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</tr>
<tr>
<td>Cabin Fees</td>
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<tr>
<td>Seeding Sales</td>
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<tr>
<td>Other Income</td>
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</table>

#### Operating Expenses

<table>
<thead>
<tr>
<th><strong>Operating Expenses</strong></th>
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</thead>
<tbody>
<tr>
<td>Operations</td>
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<tr>
<td>Employee Costs</td>
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</tr>
<tr>
<td>Contracts</td>
<td>-</td>
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<tr>
<td>Consultant</td>
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</tr>
<tr>
<td>Management Fees</td>
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</tr>
<tr>
<td>Plant Hire</td>
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</tr>
<tr>
<td>Finance Costs</td>
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<tr>
<td>Advertising &amp; Printing</td>
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<tr>
<td>Telecommunications &amp; Internet</td>
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<tr>
<td>Administration Costs (FCA)</td>
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<tr>
<td>Other Costs</td>
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<tr>
<td>Maintenance Expenses</td>
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<tr>
<td>Employee Costs</td>
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<tr>
<td>Contracts</td>
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<tr>
<td>Materials</td>
<td>-</td>
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<tr>
<td>Plant Hire</td>
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<tr>
<td>Other Costs</td>
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</table>

#### Maintenance Expenses

<table>
<thead>
<tr>
<th><strong>Maintenance Expenses</strong></th>
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<tbody>
<tr>
<td>Infrastructure</td>
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<tr>
<td>Equipment</td>
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<tr>
<td>Contracts</td>
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<tr>
<td>Plumbing repairs</td>
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<tr>
<td>Paint repairs</td>
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<tr>
<td>Plant repairs</td>
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<tr>
<td>Materials Other</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
</tr>
</tbody>
</table>

#### Additional expenditure items

- Internal road maintenance - incl. rubble, water, employees, plant
- OH&S compliance - fire extinguishers, testing & tagging
- Equipment & sundries repairs
- Landscaping - build & maintenance
- Temporary or third party
- Add Employees - PC/Laptops, desk/mobile phones, Sundries, website

---

**THE BAROSSA COUNCIL**

**DUE DILIGENCE REPORT - LEVEL 2 - PROJECT FEASIBILITY STUDY (Sections A to E)**

<table>
<thead>
<tr>
<th>Related Policy/Process</th>
<th>TRIPCOVER Budget &amp; Business Plan and Information Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document Number:</td>
<td>96345000512</td>
</tr>
<tr>
<td>Document Owner:</td>
<td>Manager Corporate and Community Services</td>
</tr>
<tr>
<td>Last Revised Date:</td>
<td>New Form</td>
</tr>
<tr>
<td>Document Control:</td>
<td>Manager Financial Services</td>
</tr>
<tr>
<td>TRIM Reference:</td>
<td>337</td>
</tr>
<tr>
<td>Date Approved:</td>
<td>19/11/2014</td>
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<td>Next Review Date:</td>
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**THE BAROSSA COUNCIL**

**DUE DILIGENCE REPORT - LEVEL 2 - PROJECT FEASIBILITY STUDY (Sections A to E)**

**Related Policy/Process:** TRIPCOVER Budget & Business Plan and Information Policy

**Document Number:** 96345000512

**Document Owner:** Manager Corporate and Community Services

**Last Revised Date:** New Form

**Document Control:** Manager Financial Services

**TRIM Reference:** 337

**Date Approved:** 19/11/2014

**Next Review Date:** 3/3/2018
SECTION D (of A-E): Strategic Analysis

Title of Proposal:

This section focuses on the Strategic situation and provides the detail on how the proposal progresses our long-term strategic directions. It requires an analysis of how the proposal provides a sustainable outcome.

Social Impact - What effect will the proposal have on community wellbeing; the development of strong and engaged communities; a liveable district; connected people and places; healthy lifestyles and healthy communities?

| Supports the Mount Pleasant Show - one of the largest and oldest shows in regional SA. Supports community participation and integration with the resulting social health and wellbeing outcomes. Will also be available to other user groups such as the MP Farmers’ Market, Pony Club (who have provided contributions to the cost) who also provide activities that have become a critical part of the social fabric of the community. |

Cultural impact - what effect will the proposal have on; developing a learning community; support for cultural diversity; local identity; preservation of cultural heritage and planning for the future; creativity and artistic expression?

| Will provide a central administrative and meeting facility for all users of the park and encourage collaboration and cross user group support and communication. The building will provide space for storage of Show society records and memorabilia. |

Economic impact - What effect will the proposal have on; a supportive business environment; a strong, adaptable and diversified economy; leadership in environmental best practice; developing active business networks?

| Will support a vibrant and expanding MP Show which is the largest annual community event in the town and which generates revenue and visitation to the region. |

Environmental impact - What effect will the proposal have on; actively responding to climate change; responsible management of water resources; landscapes, habitats and local biodiversity; waste and contamination; an environmentally aware and engaged community?

| No standout environmental impacts. Good building practice to be applied. |

Organisational impact - What effect will the proposal have on: improving organisational efficiency and effectiveness?

| Centralised meeting, administration and storage facility will make it easier to conduct the business of the show and provide an enhanced environment for volunteers. This will hopefully drive efficiency and participation and continue to support the longevity of the MP show. |
SECTION E (of A-E): Business Analysis

Title of Proposal:
Mount Pleasant Show - Talunga Park New Administration / Show Office

The Business Analysis provides details of the resource and business implications of the proposal. The analysis should be concise and as accurate as available evidence will allow.

Risks - All proposals will require the identification and implications of the key risk; this will include those associated with not undertaking the proposal as well as those inherent in pursuing the improvement.

As documented in original project proposal. Council has required the input of Council Officers in the project support for this work in the planning and implementation stages as a stipulation of funding. Officers have met and corresponded with Show Society representatives to provide advice on process and potential opportunities and risks. This process has been fragmented and somewhat challenging but officers will continue to provide support through the project. The full scope of internal toilet cannot be achieved within the current and increased proposed budget and will require further funding from stakeholders. Officers have stipulated that the Show Society needs to ensure this will not cause a grant acquittal issue by checking upfront with the grant authority. Officers have also advised that a contract with the contractor must be concluded and have offered to draft and support the execution of this. The current Show Office has been dismantled and was subject to safe asbestos removal. There is now no facility for the user groups to use other than the Pavilion building. There are relationship issues between stakeholders and funding partners.

Proposal Team - is aimed at identify potential impacts on other teams/Work Areas and ensuring that there is sufficient capacity available in those areas.

The Facilities Coordinator has assisted with components of associated works such as asbestos removal in the old toilet block. Building Officers have advised re development requirements and met with stakeholders. The current project is being managed across the teams but remains reactive rather than proactive due to the fragmented communication with the Show Society and the proposed contractor. There have been issues when out of date documentation has been provided or updates not provided.

Capacity and Capability - is aimed at identifying ongoing demands on resources and ensuring that all expenses associated with the development and implementation of the proposal are identified.

Refer to 27 January 2021 Council Agenda Report and resource impacts identified above.

Key Stakeholders - Provides an assessment of potential expectations and commitments there may be associated with the proposal.

Refer to 27 January 2021 Council Agenda Report and resource impacts identified above.

Key Assumptions - Document the key underlying evidence on which the proposal is based and should give some indication of the variability inherent in these assumptions.

Refer Council report 19 November 2019

Alternative options - Indicates other solutions that have been considered so that unnecessary investigations are not required at a later time.

The proposal has been amended at the suggestion of officers to incorporate toilets within the new facility. Previously Council approved refurbishment of the old Atco toilet block but these funds have now been redirected to the project. There is additional cost as a result but the old Atco block has now been confirmed as significantly impacted by white ant damage and would not have been able to be refurbished in any event. The longer term outcome of this approach will be better.

Potential Income - Should include any forecast savings and provide an assessment of their ongoing nature.

Income is linked to Show Society and will not directly impact the revenue of the facility/Council. It will also be used by other user groups who are endeavouring to make some upfront capital contribution to the works which is encouraging.

Timeframe - Should be established after a realistic review of all of the above categories and should be aimed at preventing carry-overs.

end of December 2021.
Project Name: Mount Pleasant Show Society - New Show Office and Administration Facility Construction - Talunga Recreation Park

The MP Show Society no longer has an office. The impact on the organisation of the MP Show in the future will be significant. There will be a lost opportunity for increased community partnership, collaboration and volunteer support.

### RISK Priority Number calculated as L * I + W + P (If the Project does not proceed)

<table>
<thead>
<tr>
<th>Likelihood of Risk Occurring</th>
<th>Impact if Risk Occur</th>
<th>Who Controls Risk</th>
<th>Political Environment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Almost Certain</td>
<td>Catastrophic</td>
<td>TBC</td>
<td>Extreme Impact</td>
</tr>
<tr>
<td>Likely</td>
<td>Major</td>
<td>4</td>
<td>Major Impact</td>
</tr>
<tr>
<td>Possible</td>
<td>Moderate</td>
<td>3</td>
<td>Moderate Impact</td>
</tr>
<tr>
<td>Unlikely</td>
<td>Minor</td>
<td>2</td>
<td>Minor Impact</td>
</tr>
<tr>
<td>Rare</td>
<td>Insignificant</td>
<td>1</td>
<td>Insignificant Impact</td>
</tr>
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</table>

### COST Priority Number calculated as A + C + F + P

<table>
<thead>
<tr>
<th>Additional Staff Resources Required</th>
<th>Cash Required (non sal) - Current Year</th>
<th>Future Project Financial Commitments</th>
<th>Period of Future Financial Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>No additional FTE</td>
<td>$0</td>
<td>No</td>
<td>5</td>
</tr>
<tr>
<td>1-2 FTE or additional salary funding</td>
<td>$20,000</td>
<td>Yes &gt; $20,000</td>
<td>5</td>
</tr>
<tr>
<td>3 FTE</td>
<td>$40,000</td>
<td>Yes &gt; $20,001</td>
<td>5</td>
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</table>

### IMPACT Priority Number calculated as H + E + S + B

<table>
<thead>
<tr>
<th>Health &amp; Safety Impact</th>
<th>Environmental Impact</th>
<th>Social/Comm Wellbeing Impact</th>
<th>Business &amp; Economic Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
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</tbody>
</table>

### BENEFITS Priority Number calculated as E + S + B + S

<table>
<thead>
<tr>
<th>Funding (External) Sources</th>
<th>Savings</th>
<th>Beneficiaries</th>
<th>Service Levels Outcome to (Community)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Funded via External</td>
<td>3</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Part Funded External &lt;50%</td>
<td>3</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Part Funded External &gt;50%</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

### FINANCIAL SUSTAINABILITY Priority Number calculated as O + C + J

<table>
<thead>
<tr>
<th>Operating Budget Impact</th>
<th>Capital Budget Impact</th>
<th>Justification for Council Involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

### INNOVATION / CONTINUOUS IMPROVEMENT / OTHER CONSIDERATIONS Priority Number calculated as O + C + J

<table>
<thead>
<tr>
<th>Opportunities for Regional/Sector Collaboration</th>
<th>Continuous Improvement</th>
<th>Other Strategic Plans (Public Health, DAIP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
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<td>3</td>
</tr>
</tbody>
</table>
COUNCIL
CORPORATE AND COMMUNITY SERVICES
MANAGER’S REPORT
27 JANUARY 2021

7.3.2 DEBATE AGENDA – MANAGER COMMUNITY AND CULTURE

7.3.2.2
MEN’S SHED DEFIBRILLATOR INITIATIVE – DEED OF ACKNOWLEDGEMENT
B10577
Author: Co-ordinator, Barossa & Light Community Transport and Home Assist

PURPOSE
That approval be provided for the Mayor and Chief Executive Officer to sign and seal the Deed of Acknowledgement from the Commonwealth of Australia Department of Health for supply of a defibrillator to the Barossa Community Men’s Shed, 6 Ash Street, Tanunda.

RECOMMENDATION
That Council provide approval for the Mayor and Chief Executive Officer to affix the seal and sign the Deed of Acknowledgement from the Commonwealth of Australia Department of Health for supply of a defibrillator to the Barossa Community Men’s Shed in Tanunda, in accordance with section 38 of The Local Government Act 1999.

REPORT
The Barossa Community Men’s Shed are successful applicants of The Commonwealth Government’s Department of Health defibrillator initiative.

The purpose of the initiative is to ensure that men’s sheds have access to automated external defibrillation devices. This is provided at no cost to the Men’s Shed.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES
Attachment 1: Deed of Acknowledgement of the Commonwealth of Australia Department of Health (20/72867)

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS
Community Plan 2020 - 2040
Health and Wellbeing
9.1 Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS
Nil

COMMUNITY CONSULTATION
Not required under legislation or Council Policy.
**Deed of acknowledgement**

This Deed is made by:

The Barossa Council, for Barossa Community Men's Shed (the Men's Shed)

_of_ 6 Ash Street Tanunda, TANUNDA SA 5352 (Shed) 43/51 Tanunda Road, NURIOOTPA, SA 5355 (Council principle office)

_in favour of and enforceable by the Commonwealth of Australia represented by the Department of Health (the Department)._

By this Deed, the Men's Shed acknowledges and agrees:

1. The Department will arrange for Cardiac Science Australia Pty Ltd ABN 51 095 328 911 (the AED Distributor) to supply the following to the Men's Shed at no charge as part of the Men's Sheds Defibrillator Initiative (the Initiative):

   a. Cardiac Science Powerheart G5 Fully Automatic Automated External Defibrillator (the AED), including: premium carry case, wall bracket and 8 year replacement warranty; and

   b. access to online training about the use of the AED (the Training Material).

2. The Department has engaged the AED Distributor to supply the AED to the Men's Shed. The Department makes no warranties of any kind about the AED or the Training Material and the Men's Shed accepts them on an 'as is' basis. If the Men's Shed becomes aware of any defect or malfunction with the AED, it should raise this with the AED Distributor immediately by contacting it using the following details:

   Cardiac Science Australia Pty Ltd
   Phone: (03) 9429 2666
   Email: ds@cardiacscience.com.au

3. All legal title and risk (including, without limitation damage or destruction) in the AED shall pass to the Men's Shed on and from the date that the AED and Training Material are delivered to the Men's Shed.

4. This Deed does not effect any transfer of any intellectual property subsisting in the AED or the Training Material.

5. The Men's Shed must use reasonable efforts to maintain the AED in accordance with the Training Material and any manufacturer or supplier requirements.

6. The purpose of the Initiative is to ensure that men's sheds have access to automated external defibrillation devices. Accordingly, the Men's Shed must not encumber, dispose of or transfer the AED or the Training Material without the prior written permission of the Department for the duration of the useful life of the AED.
7. Subject to clause 8, the Men's Shed:
   
a. has no claims against the Department and releases the Department from any claims in respect of; and
   
b. agrees to indemnify the Department against all liability, loss, damage, costs and expenses suffered or incurred by the Department in relation to,

the Men's Shed's acceptance, ownership, use, possession or control of the AED and the Training Material.

8. The Men's Shed's release of, and indemnity to, the Department:
   
a. will be reduced proportionally to the extent that any negligent or otherwise tortious act or omission of the Department contributed to the relevant loss, liability, damage, cost or expense;
   
b. is in addition to any other right, power or remedy provided to the Department by law; and
   
c. does not entitle the Department to be compensated in excess of the amount of the relevant liability, loss, damage, or expense.

9. The Men's Shed warrants and represents that it has all power to enter into this Deed, its signatories to this Deed are fully authorised to sign this Deed and this Deed is legally binding on and enforceable against it.

10. This Deed is governed by the laws of the Australian Capital Territory and the Commonwealth of Australia. The Parties irrevocably submit to the non-exclusive jurisdiction of the courts of the Australian Capital Territory and the Commonwealth of Australia.

11. This Deed is the entire agreement between the Parties in relation to this subject matter and supersedes all previous agreements, understandings and negotiations in relation to this subject matter. Any implied terms, conditions and warranties which are capable of being excluded, are excluded.
**EXECUTED AS A DEED POLL BY:**

**NOTE TO MEN’S SHED:** PLEASE SIGN THIS DEED USING THE EXECUTION CLAUSE WHICH MATCHES YOUR LEGAL ENTITY TYPE

**INCORPORATED ASSOCIATION**

**SIGNED, SEALED AND DELIVERED** for and on behalf of the **Men’s Shed** by affixing its common seal in accordance with its rules in the presence of:

<table>
<thead>
<tr>
<th>Signature of Public Officer</th>
<th>Signature of committee member/secretary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full name of Public Officer</td>
<td>Full name of committee member/secretary</td>
</tr>
<tr>
<td>Date of signature</td>
<td>Date of signature</td>
</tr>
</tbody>
</table>

**COMPANY – MULTIPLE DIRECTORS**

**SIGNED, SEALED AND DELIVERED** for and on behalf of the **Men’s Shed** in accordance with section 127 of the **Corporations Act 2001 (Cth)** by:

<table>
<thead>
<tr>
<th>Signature of Director</th>
<th>Signature of Director / Secretary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full name of Director</td>
<td>Full Name of Director / Secretary</td>
</tr>
<tr>
<td>Date of signature</td>
<td>Date of signature</td>
</tr>
</tbody>
</table>
COMPANY – SOLE DIRECTOR WHO IS THE SOLE COMPANY SECRETARY

SIGNED, SEALED AND DELIVERED for and on behalf of the Men’s Shed in accordance with section 127 of the Corporations Act 2001 (Cth) by authority of its sole director and secretary in the presence of:

__________________________________________________________________________
Signature of Sole Director and Secretary                                      Signature of witness

__________________________________________________________________________
Full name of Sole Director and Secretary                                      Full name of witness

__________________________________________________________________________
Date of signature                                                            Date of signature

INDIVIDUAL

SIGNED, SEALED AND DELIVERED by: in the presence of:

__________________________________________________________________________
Full name                                                                  Full name of witness

__________________________________________________________________________
Signature                                                                  Signature of witness

__________________________________________________________________________
Date of signature                                                           Date of signature
PARTNERSHIP

SIGNED, SEALED AND DELIVERED for and on behalf of the Men’s Shed who warrants that they have the authority to bind the partnership in the presence of:

Signature of Partner

Signature of witness

Full name of Partner

Full name of witness

Date of signature

Date of signature
7.3.2 DEBATE AGENDA – MANAGER COMMUNITY AND CULTURE

7.3.2.3 COMMUNITY CONSULTATION – MOUNT PLEASANT SHOPPING BUS
B11336
Author: Co-ordinator, Barossa & Light Community Transport and Home Assist

PURPOSE
To advise Council of the outcome of recent community consultation regarding a proposal for a monthly shopping bus between Eden Valley, Springton and Mount Pleasant to Gawler, principally for people over 65 years and living along the suggested bus route.

RECOMMENDATION
That Council note the outcome of community consultation regarding a proposal for a monthly shopping bus between Eden Valley, Springton and Mount Pleasant to Gawler, and endorse officers’ decision not to introduce the service due to level of demand and anticipated low patronage indicated in the consultation responses.

REPORT

Background
Council’s Community Transport officers were contacted by a resident in September 2020 about the need for a door to door community shopping bus service in Mount Pleasant. A LinkSA public bus is available; however, for older people it was the resident’s view that distance from bus stops with heavy groceries was unmanageable.

A proposal to trial a monthly shopping bus between Eden Valley, Springton and Mount Pleasant to Gawler, driven by a Community Transport Volunteer Driver and funded via the Commonwealth Home Support Programme, subject to an initial period of community consultation to assess interest/demand, was made.

Discussion
Community Consultation
Community consultation on the proposal took place between 4 and 24 November 2020.

The survey was made available online and in paper copy and was widely promoted including: Your Say, Council’s Website, Barossa Community Services Network, Mount Pleasant Beat newsletter, hard copies in Springton Store and Post Office, Eden Valley Post Office, Nuriootpa Library, Angaston Library, Mount Pleasant Library, Mount Pleasant Hospital, Mount Pleasant doctors, Mount Pleasant Post Office, Mount Pleasant Men’s Shed, Mount Pleasant Bowls Club and Mount Pleasant Bakery.
The criteria for going ahead with the proposal was set at four responses from people in the target group (over 65 and living along the suggested bus route) wishing to use the bus.

**Consultation Results**
Eight responses were received, 7 Yoursay responses and 1 hardcopy. They are summarised below.

<table>
<thead>
<tr>
<th>Would use?</th>
<th>Town</th>
<th>Age</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Not now but maybe in the future</td>
<td>Might be moving to Springton</td>
<td>59</td>
<td>Doesn’t yet live in Springton. Below target age.</td>
</tr>
<tr>
<td>2. Not now but maybe in the future</td>
<td>Mount Crawford</td>
<td>71</td>
<td>Mount Crawford out of proposed bus route.</td>
</tr>
<tr>
<td>3. No</td>
<td>Tanunda</td>
<td>n/a</td>
<td>Advocacy only – wanted to say it’s a good idea.</td>
</tr>
<tr>
<td>5. Yes</td>
<td>Eden Valley</td>
<td>77</td>
<td>Meets criteria and would use.</td>
</tr>
<tr>
<td>6. Not now but maybe in the future</td>
<td>Eden Valley</td>
<td>73</td>
<td>Meets criteria but wouldn’t want to use yet.</td>
</tr>
<tr>
<td>7. Not now but maybe in the future</td>
<td>Mount Pleasant</td>
<td>87</td>
<td>Meets criteria but wouldn’t want to use yet.</td>
</tr>
<tr>
<td>8. No</td>
<td>Lyndoch</td>
<td>n/a</td>
<td>Advocacy only – wanted to say it’s a good idea.</td>
</tr>
</tbody>
</table>

**Outcome**
The go-ahead criteria was not met. Only one respondent met the target criteria and would like to use the service.

All eight respondents have been contacted about the result and given information about the Community Transport Car service, which remains open to them.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment: Advertising poster and hard copy survey (Ref: 20/60752)

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan 2020 - 2040

- **Infrastructure**
  8.1 Support opportunities to increase community transport and access to services and facilities.

- **Health and Wellbeing**
  9.1 Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected
Financial and Resource Management
A monthly shopping bus between Eden Valley, Springton and Mount Pleasant to Gawler, would be driven by a Community Transport Volunteer Driver and funded via the Commonwealth Home Support Programme.

Risk Management
Community Transport Volunteer Drivers complete an accreditation process to be accepted for volunteering. They also must adhere to Council’s Volunteer Code of Conduct and quality checks on their service provision are undertaken intermittently.

COMMUNITY CONSULTATION
No formal community consultation is required under the Local Government Act 1999 or Council Public Consultation Policy. However, a survey was made available online and in paper copy and was widely promoted in Mount Pleasant and surrounding district, from 4 – 24 November 2020.
Jump on the bus!

Seeking interest in a return Community Shopping Bus from Eden Valley, Springton and Mount Pleasant to Gawler.

The Barossa Council is proposing a Community Transport shopping bus service from Eden Valley, Springton, Mount Pleasant to Gawler and return.

Funded by the Commonwealth Home Support Programme this service would be primarily for older people who are registered with My Aged Care who struggle to use the public bus. Spare seats would be available to the wider community.

The monthly service would be door to door with registered passengers booking in advance. Cost would be $10 return. The bus would be driven by a Community Transport volunteer. Wheelchair access would be available.

If you think this is a service you might use or would like to provide feedback you can:

Complete our short survey online yoursay.barossa.sa.gov.au/ 4 to 24 November

Complete and return the survey in hard copy (contact us for a copy)

Email - transport@barossa.sa.gov.au

Call - 8563 8411 - during business hours

Feedback to be received by 24 November 2020.
Expressions of Interest / Feedback - Community Bus Proposal

I would be interested in using this bus as described.

Please explain why ........................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................

I would not be interested in using this bus as described.

Please explain why ........................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................

I would be interested in using this bus, but with changes.

Please explain suggested changes. .............................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................

If you are interested what day of the week (Monday to Friday) would you prefer? .......................  

Any other comments / thoughts / ideas concerning this proposal ..........................................................
...........................................................................................................................................................
...........................................................................................................................................................
...........................................................................................................................................................

Name ........................................................................................................................................................

Address ....................................................................................................................................................

Age ............ Phone number .....................................................................................................................

Email ........................................................................................................................................................

Would you like us to keep you up to date on this proposal? If so what is your preferred method of
contact .....................................................................................................................................................

Please return to PO Box 867, Nuriootpa SA 5355 - or drop into any Barossa Council office or library
by 24 November 2020
COUNCIL
CORPORATE AND COMMUNITY SERVICES
MANAGERS’ REPORTS
27 JANUARY 2021

7.3.2 DEBATE AGENDA – MANAGER LIBRARY AND HERITAGE SERVICES

7.3.2.4 DRAFT BAROSSA REGIONAL HERITAGE STRATEGY 2021 - 2025
B2318

PURPOSE

RECOMMENDATION

REPORT

Background
The Barossa, Light and Gawler Regional Heritage Strategy 2014-2020 was developed and approved by Council in 2015. The Barossa Regional Heritage Network has revised and developed the updated strategy, renamed as the Draft Barossa Regional Heritage Strategy 2021-2025.

Note: The title has removed Gawler and Light, to identify the strategy as a Barossa Council document. Groups from Gawler, Light and Mid Murray Councils continue to participate, but the strategy is not required to be formally endorsed by their respective Councils.

Introduction
The Barossa Regional Heritage Network has been successful in achieving many of the actions of the 2014 - 2020 Strategy.

Highlights for the first six years can be summarised under the strategy themes.

Participation:

- Increased heritage experiences for the Vintage Festival and History Festival with new events - bus tours, talks, concerts and exhibitions developed.
- Increased participation by families and children through library collaboration for new experiences such as the Barossa Museum Escape Room and Wunderbar Barossa Family Trail.
- Developed the Barossa Heritage Trail Map in 2016, 13,000 maps distributed.
- Delivered World War I experiences with commemorations including Mount Pleasant History Room revival of Violet Day and Cheer Up Hut experiences. The Freidensberg German School, Private Semmler story by ABC TV for Remembrance Day 2018. War history was researched and included in The
Barossa: Federation to the Fifties publication and the development of the Light Horse permanent exhibition at Kapunda.

- Participation by the library at Bushgardens Reconciliation and Barossa Reconciliation Group events. Increased discussions with Ngadjuri, Peramangk, and Kaurna representatives and inclusion of their heritage in documents and events.
- Initiated the Barossa History Fair held in 2018 and 2019 attracting 300 people each year. 2020 was cancelled due to Coronavirus and will be held in 2021.
- Opening of the Angaston History Centre in 2019 producing regular exhibitions.
- Support and research provided for the Angaston Railway Station restoration and Barossa Adventure Station development.

Promotion:
- Initiated social media use with Barossa Heritage Facebook page reaching 554 followers, new sites for Angaston, Mt Pleasant, Luhrs Cottage Museum and Nuriootpa groups.
- Commenced Vintage Festival Ambassadors heritage workshops 2015 – 2021 at the Nuriootpa Library History Room.
- Increase in school visits to the Barossa Library, Angaston Blacksmith, Barossa Museum, Freidensberg School and Luhrs Cottage Museum.

Preservation:
- Publication of The Barossa: Federation to the Fifties 1901-1950, a major work recording the twentieth century history of the region, 3,000 printed in 2017.
- Barossa Library digitised to date 335 photographs from the Barossa Archives and Historical Trust collection, training 6 volunteers to digitise and catalogue.
- Increased grant applications were encouraged including: Council and SA History Trust grants for the Moculta Linke Stripper shelter, Langmeil Centre Pastor Kavel grave restoration, Angaston relocation the German Wagon to the Blacksmith and museum shed and development of Angaston History Centre. Peter Lehmann Arts and Education Foundation grants were received for Luhrs Cottage storage shed and Barossa Heritage Trails App.
- 4 member groups Angaston, Freidensberg, Luhrs Cottage Museum, and Mount Pleasant History Room retained South History Trust of South Australia, Museums and Collections program status and received additional grant funding.
- Opening of the Gawler Cultural Heritage Centre and sharing of knowledge which are contributing to planning for the Barossa Creative Industries Centre.

Discussion
The revised strategy continues the aims and themes and identifies actions to 2025. (See Attachment 1 – Draft Barossa Regional Heritage Strategy 2021 – 2025.)

The aims of the strategy are to:
1. To ensure a strong, knowledgeable and collaborative community heritage sector for the region.
2. To maintain a strong presence in the cultural tourism sector and establish heritage experiences which contribute to the social, environmental and economic status of the community.

3. To ensure productive relationships with government, statutory bodies and private interests to ensure decisions relating to heritage are made with an informed heritage perspective.

4. To ensure effective preservation and digitisation practices in our leading cultural heritage and community facilities.

An annual action plan is developed each financial year to drive the progress of the strategy. Priorities identified for 2021 include:

- Support the development of the Creative Industries Centre.
- Increase heritage tourism though the launch of the Barossa Heritage Trails My Tours App for Angaston, Light Pass, Mount Pleasant, Nuriootpa, Tanunda in 2021 with Lyndoch, Williamstown, Barossa Museum and other locations in 2022. Funded by the Peter Lehmann Arts and Education Foundation.
- Participation in the Vintage Festival, History Festival and Barossa History Fair.
- Continue the digitisation program, commence Council assessment books and seek funding for shared library software to promote groups online collections.
- Continue discussions with Ngadjuri, Peramangk and Kaurna representatives to increase recognition of Firsts Nations heritage and experiences.
- Increase sustainability for heritage groups through volunteer support.
- Collaboration with schools to better connect heritage experiences.
- Planning for a Barossa collection significance survey to identify the depth of the collections and preservation needs and digitising priorities.

**Summary and Conclusion**

The current Regional Heritage Strategy has been successful in increasing collaboration, participation and focusing the effort of community heritage groups and library heritage services. The proposed 2021-2025 strategy will continue to strengthen the community heritage sector, support heritage tourism and increase the preservation of Barossa heritage.

The recommendation is for Council to approve the Draft Strategy.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 – Draft Barossa Regional Heritage Strategy 2021-2025

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan
- Community and Culture

- How We Work – Good Governance

5. We are a strong community that is welcoming, safe and enjoys a quality lifestyle that celebrates our local identities, diversities, cultures and histories including our Aboriginal heritage.
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

12. We are a visitor destination of choice.

**Legislative Requirements**

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

**Financial**
The Regional Heritage Network is supported within the existing Library Services budget. Over the life of the strategy grant funding will be sought from heritage sources, self-funded by heritage network member groups, or Councils funding for significant projects, as determined through Council budget processes.

The Department of Environment and Water will be finalising the Heritage Tourism Strategy in 2021 which may offer new grant funding opportunities. Other grant sources include from the History Trust of South Australia, the National Library and the Peter Lehman Arts and Education Foundation.

**Resources**
Officer support is provided by:
Manager Library and Heritage Services, Coordinator Heritage Services, Local History Officer, Barossa Visitor Centre Officers, Member Groups and their volunteers.

Priorities for funding 2021-2025 include purchasing or outsourcing access to large format digitising equipment for significant digitising and preservation projects including Council Assessment Books. A software product is required to manage and curate digital images to increase online access to the collections held by the library and member groups. Resources for heritage implementation work are under pressure as interest and expectations continue to increase. A clear strategy helps to target resourcing on agreed priorities and associated actions.

**Risk Management**
The Regional Heritage Network meets in an advisory capacity and is considered a low-risk activity. Risk is managed through risk assessments that will be completed as required e.g. for major events or projects.

Managing expectations of what can be achieved within current resource levels is a reputational risk.

Ongoing risks for Member Groups include financial sustainability, aging membership and succession planning and volunteer retention.

**COMMUNITY CONSULTATION**
Community consultation was completed for the Regional Heritage Strategy 2014 - 2020 in April 2015. Changes to the strategy are in line with the intent of the original strategy and further community consultation is not considered necessary or required under the legislation and Council Public Consultation Policy. Regional Heritage Network Members from across the Council area have assisted in developing the Draft Strategy 2021-2025 and been consulted prior to the completion of the final proposed draft.
DRAFT

BAROSSA REGIONAL HERITAGE NETWORK

Barossa Regional Heritage Strategy 2021-2025

TheBarossaCouncil
Barossa Regional Heritage Network

The Barossa Regional Heritage Network represents many heritage organisations located in The Barossa Council and includes groups from the Light, Gawler and Mid Murray Council regions and collaborates with representatives of the Ngadjuri, Peramangk and Kaurna Nations. The Chairperson, Paula Bartsch, from the Mount Pleasant History Room, and The Barossa Council Public Library support the work of the network. The network developed the Regional Heritage Strategy 2014 – 2020 and actions have been achieved by working collaboratively with each other and partnering wherever possible with government, business, state and national heritage agencies. The Barossa Council Community Plan 2020 - 2024 guides the strategy and actions. This is the second version of the strategy and it identifies the priorities for the next five years 2021- 2025.

Vision

To ensure the rich heritage of the Barossa, Light and Gawler region is identified, preserved, promoted and accessible.

What is Heritage?

Heritage is the term applied to buildings, places, objects, monuments, landscapes, cultural artefacts, practices and traditions from the past that are valued by the community and passed onto future generations. It acknowledges the traditional lands of the Ngadjuri, Peramangk, and Kaurna Nations and their ongoing cultural links to the region. Heritage is fundamental in defining us as a community and a region and is equally important to understanding our collective story and identity.

Why is Heritage Important?

Understanding and celebrating our heritage contributes to the social, cultural, environmental and economic landscape of the Barossa region and provides the community with a tangible link to the past. It is fundamental in creating a sense of place, not only for the local residents, but also for the many thousands of visitors to the region.

Heritage places and traditions add character to the region and provide a platform for people to be socially connected. Understanding and interacting with heritage can have a transformative effect on individuals and groups and contribute to the social cohesiveness of our communities.
Aims

1. To ensure a strong, knowledgeable and collaborative community heritage sector for the region.

2. To maintain a strong presence in the cultural tourism sector and establish heritage experiences which contribute to the social, environmental and economic status of the community.

3. To ensure productive relationships with government, statutory bodies and private interests to ensure decisions relating to heritage are made with an informed heritage perspective.

4. To ensure effective preservation and digitisation practices in our leading cultural heritage and community facilities.

Themes

**Participation:** Participation in heritage activities provides insight into the culture of a place and contributes to the development of education, skills and social connectedness opportunities.

**Preservation:** Preservation is acknowledging the importance of objects, places, buildings, landscapes, traditions and stories and actively undertaking activities which involve preservation, restoration and protection. Quality preservation requires policy, resourcing, communication, knowledge and specialised skills.

**Promotion:** Promotion of heritage ensures people can find opportunities to enjoy heritage activities and understand the value of heritage in our region. The more people know where and how they can interact with heritage supports a strong heritage sector, a community connected to their heritage and invites the next generations and visitors to discover more.
# Objectives & Actions

**Aim 1:** To ensure a strong, knowledgeable and collaborative community heritage sector for the region.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Actions</th>
<th>Timeframe</th>
<th>Resources</th>
<th>Milestone(s)</th>
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</thead>
</table>
| 1.1 Collaborate | - Meet as the Regional Heritage Network, initiate the strategy actions and set priorities.  
- Strengthen collaboration and share knowledge across groups and Councils. | Quarterly | - Member Groups  
- Barossa, Gawler & Light Council Officers | Barossa, Gawler & Light Groups represented. Rotate meetings in other locations. |
| 1.2 Ngadjuri, Peramangk, and Kaurna Heritage | - Collaborate with Ngadjuri, Peramangk, and Kaurna Nations representatives to increase opportunities to promote cultural tourism.  
- Ensure First Nations heritage is represented in the history of the region, raise awareness and participate in reconciliation activities. | Ongoing | - Representatives of the Ngadjuri, Peramangk, and Kaurna communities  
- First Nations representatives  
- Barossa, Gawler Reconciliation Groups | Member attends Reconciliation Group and member groups participate in reconciliation events  
Increased recognition of, Ngadjuri, Peramangk and Kaurna Nations across the region. |
| 1.3 Volunteer Connections | - Develop volunteer policy, processes and training that support heritage groups to be sustainable including: shared programming, administration support, finance, marketing, simplified operation, WHS insurance, complaint resolution and succession planning.  
- Identify volunteering recruitment opportunities, training, retention programs and project-based volunteers to attract and engage younger volunteers. | 2021-2022 | - Member Groups  
- Volunteering Barossa & Light  
- Gawler Volunteer Resource Centre  
- Community | Produce volunteer policies including induction and general management and recruitment and project options.  
Volunteer recruitment |
<table>
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</table>
| 1.4 Skills Development | - Deliver contemporary and engaging heritage experiences by increasing skills in: digitisation, archival management, cultural tourism, tour guiding, event management, websites, social media, apps, podcasting, curating exhibitions, collection significance, collection policies, and research techniques. | Annual             | - Member Groups  
- History Trust SA  
- History Council  
- National Trust  
- Art Lab  
- State Library  
- Tourism SA  
- State Records | Regular training sessions  
Promotion of training and workshops by other providers. |
| 1.5. Collaborative Projects | - Plan and promote a community project across member groups which engages with the community and encourages them to value heritage and invite them to become members.  

For example –  

Foster the depth of heritage and unique stories of each town and collaborate to promote the region e.g. Town Anniversaries  

Heritage awards – having people vote on their favourite heritage thing or tradition.  

Heritage, art, crafts, music, lost trades, furniture, food, buildings, customs, exhibitions, experiences, publications, online content. | Annual SA History Festival  
Town Anniversary Celebrations  
Vintage Festival 2021, 2023, 2025  
Barossa History Fair 2021, 2022, 2023, 2024, 2025  
Community Events  
Barossa Heritage Trails App 2021 | - Member Groups  
- Council officers  
- Libraries and Gawler Cultural Heritage Centre  
- Regional Gallery  
- Tourism Barossa  
- Visitor Centres  
- Barossa Vintage Festival  
- Community groups  
- Grant funding | Successful completion of a community projects  
Community participation  
History Festival events  
Vintage Festival events  
History Fair events  
Collaborative projects  
Barossa Heritage Trail Map  
Barossa Heritage Trails App 2021 |
## Aim 2:

To maintain a strong presence in the cultural tourism sector and establish heritage experiences which contribute to the social, environmental and economic status of the community.

<table>
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</tr>
</thead>
</table>
| **2.1. Cultural Tourism** | - Renew or enhance cultural tourism experiences and collaborations developing contemporary and engaging experiences.  
  - Regular events and new experience  
  - History Month & Vintage Festival  
  - Barossa Heritage Trails App  
  - Tours  
  - Social media & online experiences | Ongoing   | - Member Groups  
  - Tourism Barossa  
  - Vintage Festival  
  - Barossa Visitor Centre  
  - Barossa Libraries  
  - Regional Gallery  
  - Heritage businesses | Heritage Products planned, developed and launched by heritage groups & businesses |
| **2.2. Heritage Promotion** | - Develop a marketing strategy which gives the heritage sector a more contemporary feel, reflects the Barossa Brand and reaches wider audiences.  
  - Increase promotion of heritage stories and experiences through local media and social media and Australian Tourism Data Warehouse | Annual    | - Tourism Barossa  
  - Visitor Centres  
  - Councils  
  - Member Groups  
  - Barossa Council officer support  
  - Local Media, Barossa Mag, Social Media  
  - Australian Tourism Data Warehouse  
  - Social Media | Annual media plan  
  Articles published & social media posts  
  Council websites Barossa.com event listings |
| **2.3. Networking** | - Work with local tourism bodies and conduct networking session with other tourism providers, food and wine sector to raise the profile of heritage tourism. | Annual    | - Tourism Barossa  
  - Visitor Centres  
  - Councils  
  - Tourism Barossa  
  - Vintage Festival  
  - Regional Gallery  
  - Young Ambassadors | Heritage groups are members of Tourism Barossa  
 Regional events barossa.com listings |
Aim 3: To ensure productive relationships with government, statutory bodies and private interests to ensure decisions relating to heritage are made with an informed heritage perspective

<table>
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<tr>
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</tr>
</thead>
</table>
| 3.1 Advise and Influence Decision Makers | - Contribute to the development of Council and state heritage priorities and initiatives.  
- Work collaboratively with Councils as an advisory group and actively contribute to significant heritage discussions and issues  
- Raise community awareness of heritage issues so they can effectively participate in decision making. | Ongoing | - Council  
- State consultations | Be recognised and respond as the community heritage peak body |
| | | Ongoing | - Development and heritage officers | Updates from Council planning officers |
| | | Ongoing | - Member Groups  
- Town Committees  
- Community  
- Your Say consultations | Heritage campaigns |
| 3.2 State and National Heritage Connections | - Facilitate and attend opportunities with state-based bodies to advocate for the heritage of the Barossa region and encourage collaborations on heritage initiatives. | Annual | - History Trust SA  
- State Library  
- SA Museum  
- National Trust  
- Heritage SA  
- Aboriginal Nations representatives | Meeting with relevant heritage bodies |
| | | | | Biannual regional workshop or conference |
**Aim 4:** To ensure effective preservation and digitisation practices in leading cultural heritage and community facilities.

<table>
<thead>
<tr>
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</tr>
</thead>
</table>
| 4.1 Development of Cultural Heritage Facilities | - Support the Barossa Council to develop the Creative Industries Centre. To plan, gain funding and implement, which will support and inspire regional heritage activity, collaboration, sharing knowledge, facilities and equipment.  
- Increase qualified heritage officer positions in Council and across the region, support the development of heritage officer qualifications and opportunities for experience. Encourage, professional researchers, PhD candidates, historian in residence programs or literary, musical or artistic interpretation of heritage programs.  
- Collaborate to develop a sustainable activation plan of heritage venues and promote as regular tourism experience. e.g. Heritage venues open and staffed on a set day each weekend, rotating a venue through the month, to always provide one heritage experience each week. Such as Barossa Museum, Luhrs Cottage, Angaston Blacksmith & Heritage Centre, Coulthard House, Friedensberg School or tours or activity. | 2021 - 2025  
2023-2025  
2022 -2024 | - Member Groups  
- Council officers  
- State and Federal grants  
- Council Library funding  
- Sponsorship program  
- Grants  
- University partners  
- Member Groups,  
- Visitor Centres  
- Social media  
- Volunteer recruitment | Centre funded & commenced  
Number of positions or initiatives  
Facilities activated with regular activity |
| 4.2 Preservation | - Develop a regional significance survey and annual preservation plan to prioritise preservation and digitisation of community collections. | 2022 - 2025  
Annual Plan | - Member Groups  
- Council Officers  
- State/ National expert groups | Significance Survey completed  
Annual priorities identified. |
<table>
<thead>
<tr>
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<th>Personnel / Resources</th>
<th>Milestone(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Purchase shared preservation and digitising equipment and provide regular training in digitisation techniques. Source funding to progress priority and significant projects.</td>
<td>Ongoing</td>
<td>- Grant funds&lt;br&gt;- Council funds&lt;br&gt;- Sponsorship&lt;br&gt;- Member Groups&lt;br&gt;- National Library digitising program</td>
<td>Items digitised or preserved&lt;br&gt;Annual training session provided</td>
<td></td>
</tr>
<tr>
<td>- Purchase curating software and online storage to share across the region. Make accessible online collections and shared websites to promote the strengths of the regional collections.</td>
<td>2021-2023</td>
<td>- Grant funds&lt;br&gt;- Sponsorship&lt;br&gt;- Council funding</td>
<td>Increase in digitised items&lt;br&gt;Increase in online access to collections</td>
<td></td>
</tr>
<tr>
<td>4.3 Education Collaborations</td>
<td>- Identify curriculum links for heritage groups to develop or revise educational programs to effectively support preschool and school learning and visits.</td>
<td>2022 -2024</td>
<td>- Member Groups&lt;br&gt;- Council Officers&lt;br&gt;- Local Teachers&lt;br&gt;- Local Schools&lt;br&gt;- Volunteer Resource Centre&lt;br&gt;- Member Groups&lt;br&gt;- Library Officers</td>
<td>Regular schools programming offered&lt;br&gt;Increased student and family engagement with heritage</td>
</tr>
<tr>
<td>- Identify student and family participation opportunities in heritage activities and volunteering to develop the next generation of heritage enthusiasts.</td>
<td>Ongoing</td>
<td>- Local Schools&lt;br&gt;- Volunteer Resource Centre&lt;br&gt;- Member Groups&lt;br&gt;- Library Officers</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Regional Heritage Network Member Groups

Member Groups are representatives of heritage groups across the region which may grow and change over the life of the strategy.

Representatives of the Peramangk, Ngadjuri and Kaurna Nations
Angaston & Penrice Historical Society - including Angaston Heritage, Blacksmith Shop, Angaston History Centre and Old Union Chapel.
Barossa Council Public Library
Barossa Goldfields Historical Society
Barossa Valley Archives & Historical Trust / Barossa Museum
Barossa Valley Machinery Preservation Society
Barossa Valley Historical Vehicle Club
Barossa Visitor Centre
Bethany Heritage Group
Eden Valley Tourism & Promotion Group
Friedensberg Early German School Museum
Heritage Roses in Australia – Barossa and Beyond Group
Kapunda Museum and Kapunda Historical Society
Keyneton Progress Association

Langmeil Lutheran Church Heritage Centre
Luhrs Cottage Museum and Preservation Society
Lyndoch District Historical Society
Moculta District Historical Society
Mount Pleasant District History Room
National Trust SA – Collingrove
Nuriootpa Futures Association
Streets of Nuriootpa Group
Gawler Cultural Heritage Centre
Gawler History Team
Gawler National Trust Museum
Rechner Cottage Conservation Association
Local Schools

Regional Heritage Network Contacts:

Chairperson: Paula Bartsch and Barossa Council Public Library – Coordinator Heritage Services: Alison Packer
p: 8563 8440 e: library@barossa.sa.gov.au www.barossa.sa.gov.au
7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.1 LAND ACQUISITION – CAPITAL WORKS ROAD UPGRADE – AUTHORITY FOR DOCUMENTATION EXECUTION

B10870-04 – 20/73519

**PURPOSE**

To formalise land acquisition required for road making purposes associated with the Stockwell Road / Penrice Road intersection upgrade, authority is required for the signing and sealing of documentation by Council.

**RECOMMENDATION**

That the Mayor and Chief Executive Officer be authorised to sign and seal documentation required to finalise the acquirement of a portion of land associated with the property at 314 Penrice Road, Penrice which is required for road construction purposes at the intersection of Stockwell Road and Penrice Road, Penrice

**REPORT**

At the 16 June 2020 meeting of Council a report was presented advising of the successful application for the Stockwell Road and Penrice Road – Intersection Upgrade under the 2020/2021 Black Spot Program. Council was granted full funding of $560,000 inclusive of road construction, land acquisition, contingency and native vegetation clearance offset costs.

Documentation associated with the required land acquisition at 314 Penrice Road, Penrice has now been prepared by Jones Lang LaSalle (SA) Pty Ltd and signed by the property owner, Aubrey Rohrlach, for “Right to Enter, Licence to Construct and Agreement to Sell”. The proposed land acquisition is required to widen the intersection wings and to construct an off-set intersection arrangement by installing central “tear drop” medians. Refer [attached](#) agreement with general layout plan.

This document now requires execution by the Mayor and CEO under Common Seal.

Future documentation required to be signed to finalise the acquisition will be the Consent for the Deposit of Plan of Division, with the Land Title Office (LTO).

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1 – Right To Enter, Licence To Construct and Agreement To Sell
Community Plan

Infrastructure

6. The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.

7. Community infrastructure planning is aligned to both current and the future needs of the community.

8. To have a connected and safe transport network that meets the needs of our community.

8.2 Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.

8.1 Support opportunities to increase community transport and access to services and facilities.

8.2 Ensure a high quality road, shared paths and footpath network throughout the Barossa in partnership with all levels of government.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

All project costs associated with the execution of the land acquisitions are fully funded by the Black Spot grant funding.

COMMUNITY CONSULTATION

Nil.
RIGHT TO ENTER, LICENCE TO CONSTRUCT & AGREEMENT TO SELL

THIS AGREEMENT is made the ______ day of ______ 20__.

BETWEEN

1. Tradan Pty Ltd of PO Box 39, Light Pass SA 5355 (hereinafter referred to as “the Licensor”); and

2. The Barossa Council of 43-51 Tanunda Road, Nuriootpa SA 5355 (“Council”)

RECITALS

A. The Licensor is the owner of the Land.

B. Council and the Licensor have negotiated the Council’s purchase of the Acquisition Site for road purposes.

C. The Licensor has agreed to grant a Right of Entry and Licence to Construct to Council to enable the road construction to begin prior to the vesting of the Acquisition Site to Council.

NOW THIS AGREEMENT WITNESSES AS FOLLOWS:

1. “Acquisition Site” means that portion of the Land to be acquired by Council as Road as surveyed in accordance with clause 10.

“Council” means The Barossa Council and includes its agents, employees, servants, contractors, successors and assigns.

“Land” means the whole of the land in Certificate of Title Volume 6016 Folio 757 comprising land described as Allotment 21 Deposited Plan 76030.

“Licensor” means Tradan Pty Ltd and includes its agents, employees, servants, contractors, successors and assigns.

“Licence Area” means that portion of the Land being an area of approximately 69 m² shown hatched in orange and marked as “Proposed Land Acquisition Area” on the attached plan.

“Licence Period” means the period from the date of this agreement until completion of the vesting of the Acquisition Site to Council.

“Permitted Use” means the right to enter, pass and repass, use and occupy, dig-up, construct, maintain and repair a road, and remain on in through over and across the Licence Area, with or without motor vehicles and plant and equipment of any kind, and includes, without limitation, the right to store plant and equipment, for the purposes associated with the construction of a road.

2. The Licensor hereby licences Council to enter into and upon the Licence Area and to occupy and use the same for the Permitted Use for the Licence Period.
3. There shall be no consideration payable for the grant of this Right of Entry, Licence to Construct and Agreement to Sell.

4. (i) The consideration payable by Council to the Licensor for the purchase of the Acquisition Site shall be $11,000 (plus GST as appropriate). 75% of the consideration ($8,250 plus GST as applicable) shall be paid within 14 days of the later of the date of execution of this agreement or the date that Council receives an appropriate tax invoice from the Vendor. The balance of the consideration will be paid on lodgement of the Application referred to in clause 12.

5. Prior to Council entering the Licence Area, Council shall effect and keep current over the Licence Area adequate Public Liability Insurance and will provide to the Licensor a certificate of currency of the insurance within seven (7) days of a written request from the Licensor.

6. In doing anything under Clause 2, Council and its agents:

(a) will cause as little harm and inconvenience as practicable;
(b) must not occupy the Land for any longer than is reasonably necessary;
(c) must co-operate as far as practicable with the Licensor;
(d) will relocate any existing fencing or boundary demarcation on the boundary of the Land within the Licence Area to the new boundary of the Acquisition Area and the balance of the Licensor’s land; and
(e) will remove all rubbish from the Land on termination of the Licence Period.

7. Council agrees to access the Licence Area at its own risk in all things and releases the Licensor and its invitees from all responsibility and liability in respect of any loss incurred by it in respect of Council’s access to the Licence Area or use of the Licence Area in accordance with the Permitted Use.

8. The Licensor acknowledges that all vehicles, plant and equipment of any description and any materials things affixed or brought on, to the Land for the Permitted Use by Council remains the property of Council.

9. It is agreed that this licence does not create a lease but merely a licence that subsists only until the expiration of the Licence Period or such earlier termination of this Licence.

10. Council must, at its own cost and expense, arrange for the preparation of the Plan delineating the boundaries of the area to be acquired by Council for road purposes, being the area as approximately shown as the Licence Area, by a licensed surveyor, as soon as reasonably practical after the completion of the road works.

4.(2) The consideration includes an amount payable to the Licensor for the re-instatement, by the Licensor of strainer posts, trellis wiring and irrigation systems within their retained land.
11. After completion of the Plan described in clause 10, Council shall deliver to the licensor such Application for Deposit of a Plan of Division as is required to effect the vesting of the Acquisition Site to Council as road. The licensor must execute and return the Application document within seven (7) days of receipt. The Licensor will consent to and do all things reasonable to assist Council in the lodgement and registration of the Application, including but not limited to providing appropriate authority for the Licensor’s mortgagee to consent to the Application vesting the land and provide the Certificate of Title for the Land for registration of the Application.

12. Council will bear all costs associated with this Agreement and the preparation and registration of the Application, including any stamp duty and registration fees

IN WITNESS whereof the parties hereunto have executed this agreement on the above date.

EXECUTED by the parties as an Agreement.

Executed by
Trdan Pty Ltd ACN 080 292 039
in accordance with Section 123
of the Corporations Act 2001
in the presence of:

____________________
Aubrey Errol Rohrlach (Director)

____________________
Anne Christine Rohrlach (Director)

The Common Seal of
The Barossa Council
was hereunto affixed this day
of 20
in the presence of:

____________________
Mayor

____________________
Chief Executive Officer
7.4.1 DEBATE AGENDA – DIRECTOR WORKS AND ENGINEERING SERVICES

7.4.1.2 PROPOSED ROAD CLOSURE – 2021 BAROSSA VINTAGE FESTIVAL - ZIEGENMARKT
B10734 – 21/1760

Author: Manager Engineering Services.

PURPOSE
A request has been received from Tourism Barossa for temporary road closure of several streets around “Goat Square”, Tanunda, for the staging of the 2021 Barossa Vintage Festival Ziegenmarkt event.

RECOMMENDATION
That the Commissioner of Police be advised that The Barossa Council endorses the closure of the following roads in Tanunda on Thursday 15 April 2021:

Maria Street from Julius Street to Young Street and
John Street from William Street to Albert Street,
from 5.00am up to 3.00pm,

to stage the 2021 Ziegenmarkt as part of the 2021 Barossa Vintage Festival.

REPORT

Background
Literally meaning “goat market”, the Ziegenmarkt first appeared in Tanunda during the mid-1800’s. Organisers of the 2021 event promise participants a bustling live market and an opportunity to bid on fresh produce, buy livestock, taste the local fare and embrace the sights, sounds, tastes and experiences of a bygone era.

Programmed to be held on Thursday 15 April 2021 this is a free event scheduled to run between 8.00am and 11.00am.

Summary and Conclusion
Council has previously supported this event by organising and implementing the road closure. The proposed road closure is pursuant to Section 33 of the Road Traffic Act 1961.
Parking restrictions will also be implemented along one side of each of the surrounding streets, being Maria Street, John Street, Julius Street, Young Street and William Street to allow smooth passage of vehicles utilising the detours.
The road closure and parking restrictions are deemed necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

The total cost to Council to facilitate the proposed events is $1,500 inclusive of Council staff costs for the road closures and speed restrictions.

If Council elects not to implement the road closure requirements, this will need to be performed by a traffic management company engaged at the event organiser’s expense, as happens with some other public events of similar nature in the Barossa.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Nil

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

Community Plan

- Community and Culture
- Health and Wellbeing

5. We are a strong community that is welcoming, safe and enjoys a quality lifestyle that celebrates our local identities, diversities, cultures and histories including our Aboriginal heritage.

5.1 Support the development of activities that celebrate the history, art and culture of the Barossa and its people.

10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

10.3 Build on the capacity of community members to participate in cultural, creative, recreational, sporting and learning opportunities.

Legislative Requirements

Local Government Act 1999
Road Traffic Act 1961

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Financial and Resources -

The estimated actual cost of $1,500 for Council to facilitate the road closures and speed restrictions would be allocated from Council’s “Road Closure – Support” budget.

Risk management –

Council officers deem the closure necessary as a risk mitigation strategy to maintain the safety of participants and the general public.

**COMMUNITY CONSULTATION**

The community will be advised of the proposal by public advertisement to be placed in The Leader and also via placement of the SAPOL notice on Council’s website.
7.5.1.1 MOUNT LOFTY RANGES AGRARIAN LANDSCAPE WORLD HERITAGE BID - UPDATE B1948

Author: Director Development and Environmental Services

PURPOSE

To provide an update on the proposed World Heritage Bid, and provide direction to the Project Steering Group on continuation with the project.

RECOMMENDATION

That Council:
(1) Note the progress in regard to the World Heritage Bid, and support the joint bid between the Adelaide city layout and parklands and the Mount Lofty Ranges.
(2) Authorise the Mayor to respond to the Project Steering Group advising that Council has a Reconciliation Working Group, and wishes to continue to be a part of the Project, as per the advice provided in December 2019.

REPORT

Background

In 2010, the University of Adelaide initiated the feasibility of mounting a World Heritage bid to the United Nations Educational, Scientific and Cultural Organisation (UNESCO). It was considered that a series of agricultural landscapes extending from the Fleurieu Peninsula in the south to the Clare Valley in the north could be listed as a World Heritage Site as they represent an outstanding example of a “working agrarian landscape” which is under threat of irreversible change.

The region is believed to be worthy of listing for its working agricultural landscapes and historic townships on the basis of their unique history of settlement and continuing culture and practice.

Council first considered the World Heritage Bid in February 2011, where it gave in principle support to commence a study to explore the opportunities for mounting a bid.

Since then, Council has contributed both financially and in-kind to the project.

A specific project-oriented structure was established consisting of a Project Steering Group (PSG) and a Project Management Group (PMG). The PSG comprises Mayors and CEOs of the partner councils. The PMG comprises nominated staff representatives of each Council.
Initial councils were Adelaide Hills Council, The District Council of Mount Barker, The Barossa Council and City of Onkaparinga. This has grown to include Alexandrina Council, Yankalilla Council, Light Regional Council, Clare and Gilbert Valleys Council, City of Mitcham, and Mid Murray Council.

Introduction
Following a meeting of the Project Steering Group on Monday 14 December 2020, Mayor Wisdom, Adelaide Hills Council and Chair of the Project Steering Group has written to all of the Mayors seeking direction from each of the participating Councils (Attachment 1).

At this meeting, the Lord Mayor Sandy Verschoor provided context surrounding the City of Adelaide intent to pursue a World Heritage Bid associated with the city layout and parklands, and desire to pursue a joint bid with the Mount Lofty Ranges Bid noting that Minister Speirs did not support two bids. Minutes of the meeting are provided in Attachment 2.

Mayor Wisdom seeks advice whether or not Council:

1. Has a Reconciliation Working Group and who the contact person is; and
2. Wishes to continue to be a part of the project by way of either in-kind and/or financial support.

Discussion
At its meeting on 15 October 2019 Council received an update report on the World Heritage Bid project. Presented as a Consensus Agenda, Members elected to debate the item. Accordingly Council resolved as follows:

a) Receives the report including the Annual Report and Independent Expert Review;
b) Notes that significant additional research work is required to close research gaps, including confirming values and attributes in order to map the boundaries of any potential bid ‘property’;
c) Notes that in order to progress any bid, State Government support is required but that this support has not been indicated to date;
d) Continues to partner with other councils to present to the State Government a governance model in which the State will be responsible for all further research required to prepare a formal bid; and
e) That Council’s future contribution to the project be on an in-kind basis only unless otherwise determined on a case-by-case basis”

A copy of the letter to Dr Jan-Claire Wisdom, Mayor Adelaide Hills Council following Council’s resolution is provided in Attachment 3.

Summary and Conclusion
The Project Steering Group met to discuss the opportunity for a joint bid for the Adelaide city layout and parklands and the Mount Lofty Ranges. In order to progress the project, Mayor Wisdom has sought advice whether or not the partner Councils wish to continue to be a part of the project by way of either in-kind and/or financial support.
Based on where the project is at, it is proposed that Council respond in favour of the joint bid, and seek to continue to provide support to the project in line with the resolution from 15 October 2019.

Mayor Wisdom had requested a response by no later than 22 January 2021. To accommodate this timeframe a response had been provided in relation to the Reconciliation Working Group and referring back to the 23 December 2019 letter as Council’s current position, advising that Council will formally consider the matter again at its January meeting.

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**
Attachment 1 - Letter from Mayor Wisdom, Chair of the Project Steering Group
Attachment 2 - Minutes of the Project Steering Group, 14 December 2020
Attachment 3 - Letter to Mayor Wisdom dated 23 December 2019

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

**Community Plan**

Natural Environment and Built Heritage

1. The Barossa has sustainable farmland providing diverse and stable returns, while protecting the unique natural environment and biodiversity of the region.

1.1 Ensure land use planning and resource use protects the quality of the natural environment, the existing character of rural landscapes, historic significance and the high value of agricultural land.

1.2 Support tourism development that is sensitive to the natural environment and ensures that the unique character of the rural landscape is appropriately managed and promoted.

1.3 Build on the conservation of the region’s natural heritage including bush ecosystems, grassy woodlands, agricultural landscapes and recreational green spaces.

**Advocacy Plan**

2. Build on the strong Barossa brand by working with tourism providers and industry bodies to enhance opportunities in eco-tourism, the World Heritage bid, and new and emerging markets.

**Corporate Plan**

1.1 Facilitate planned and appropriate development of our townships and district to maintain the character of townships and rural landscapes and to preserve properties and sites which have historic significance.

1.12 Build and maintain relationships with other levels of government to ensure development strategies are responsive to regional needs and issues.

**Legislative Requirements**
Aboriginal Heritage Act 1988
Development Act 1993
Character Preservation (Barossa Valley) Act 2012
Planning, Development and Infrastructures Act 2016
FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial
Council had previously allocated funding to the project on an annual basis. Since the 2019 resolution, no allocation has been made, and a decision to do so is on a case by case basis.

Resource
In-kind support is being provided with senior management attending meetings of the Project Steering Group and/or Project Management Group as required. Should Council support the project this in-kind support will continue.

Risk Management
Maintaining involvement in the project is consistent with the Advocacy Plan to build on the strong reputation of the Barossa brand. The joint bid will seek to address the need for better support from the State Government, noting that the Minister has stated that he would not support two bids.

COMMUNITY CONSULTATION
Nil
22 December 2020

Bim Lange
Mayor
Barossa Council
PO Box 867
 Nuriootpa SA 5355

Dear Mayor Lange

RE: Mount Lofty Ranges Agrarian Landscape World Heritage Listing Bid Project – Next Steps

I note that you were not able to attend last week’s Project Steering Group (PSG) meeting and therefore wish to bring you in the loop with regard to what was discussed and the agreed next steps for the progression of our Iconic World Heritage Bid Project. Attached for your information, please find the notes of the 14 December 2020 PSG meeting.

At the meeting, the Lord Mayor, Sandy Verschoor, outlined why the City of Adelaide was pursuing a World Heritage bid for the Parklands and City’s Layout Plan. Duncan Marshall AM then presented the key findings of the two Expert Reviews undertaken for the Mt Lofty Ranges and the City of Adelaide’s World Heritage Bids. Both Expert Reviews recommended that both bids would be strengthened if pursued jointly with the core narrative (to be refined) being:

The Systematic Colonisation Settlement Landscape of South Australia, including the Adelaide plan, is of Outstanding Universal Value as evidence of the 19th century Wakefield systematic colonisation model, an important and influential model in the history of European free migration and colonial settlement. It is the most complete realisation of British colonial settlement planning and/or a major achievement of such colonial planning.

It was subsequently agreed that collaborating with the Adelaide City Council’s World Heritage bid is highly desirable and as such it was also agreed at the meeting that the PSG be formally disbanded. I wish to thank you for your Council’s participation in this project to date. With this in mind, a new project management structure will need to be established in order to progress the project. To do this, it was agreed that a Working Group be established in the first instance to discuss next steps, including:

- Development of a work plan to progress the combined bid project;
- Reviewing possible governance arrangements and recommending a preferred option;
- When to brief all the Collaborating Councils that wish to continue to be a part of this project;
- When to meet with the Minister Speirs in order to brief him in relation to the bids;
- What to do with the balance of the unspent project funds, noting that consultation will occur with those councils who contributed these funds; and
- Preparation of a community and interested stakeholders engagement plan
Another key point in the discussion was around the involvement of the relevant Aboriginal groups in the bids. It was pointed out that with regard to our bid, we have already obtained a Statement of Support from the three Kaurna groups back in November 2017. However, it was considered important that all relevant Aboriginal groups be invited to participate in this project which has always been the intent. To commence this process it was suggested that a briefing of all the collaborating councils’ Reconciliation Working Groups should occur. This will be a task for the Working Party to coordinate.

With the above in mind please advise whether or not your Council:

1. Has a Reconciliation Working Group and who the contact person is; and
2. Wishes to continue to be a part of the project by way of either in-kind and/or financial support. This will enable us to know who wishes to be a part of the Working Party.

Please can you provide a response regarding the above two matters by no later than 22 January 2021.

Thank you again for your Council’s involvement and support in this iconic project to date. Should you wish to discuss any of the above matters further, then please do not hesitate to contact either myself or Marc Salver, Director Development & Regulatory Services of our Council, on 8408 0522.

May I take this opportunity to wish you and your Council a very safe and happy festive season and New Year.

Yours sincerely

[Signature]

Dr Jan-Claire Wisdom
Mayor
Chair Project Steering Group
Mount Lofty Ranges Agrarian Landscape World Heritage Bid - Project Steering Group – Minutes – 14 December 2020

MOUNT LOFTY RANGES AGRARIAN LANDSCAPE
WORLD HERITAGE BID

Project Steering Group
Monday 14 December 2020 from 9:30 to 11:30pm
Stirling, West Wing Conference Room & via Zoom

Minutes

Attendees:

<table>
<thead>
<tr>
<th>Adelaide Hills Council</th>
<th>Mayor Jan-Claire Wisdom</th>
<th>CHAIR</th>
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<tbody>
<tr>
<td></td>
<td>Andrew Aikin, CEO</td>
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<td></td>
<td>Marc Salver, Director Strategy &amp; Development</td>
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<td></td>
<td>Melissa Bright, Manager Economic Development</td>
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<td></td>
<td>James Stobo, Senior Strategic &amp; Policy Planner</td>
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<td>Alexandrina Council</td>
<td>Glenn Rappenberg, CEO from 10.30am via Zoom</td>
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<td></td>
<td>Sally Roberts, Manager Planning &amp; Development (via Zoom)</td>
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<td>The Barossa Council</td>
<td>Gary Mavrinac, Director Development &amp; Environmental Services</td>
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<tr>
<td>Clare &amp; Gilbert Valleys Council</td>
<td>Mayor Wayne Thomas (via Zoom)</td>
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<td></td>
<td>Dr Helen MacDonald, CEO (via Zoom)</td>
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<tr>
<td>Light Regional Council</td>
<td>Craig Doyle (via Zoom)</td>
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<tr>
<td>Mount Barker District</td>
<td>Greg Sarre, Manager Strategic Planning &amp; Economic Development</td>
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<tr>
<td>City of Onkaparinga</td>
<td>Adam Mrotek, Manager, Economic Growth, Tourism</td>
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<td></td>
<td>Divya Ball Dogra, Built Heritage Planner (via Zoom)</td>
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<td>District Council of</td>
<td>Gary Lewis, Chief Financial Officer</td>
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<tr>
<td>Yankalilla</td>
<td>Kirsty Tapp, Strategy &amp; Policy Planner (via Zoom)</td>
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<tr>
<td>RDA Barossa</td>
<td>Anne Moroney, CEO (via Zoom)</td>
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</tbody>
</table>

Special Guests:
- Lord Mayor Sandy Verschoor – City of Adelaide
- Michelle English, Associate Director, City of Adelaide
- Rick Hutchins, Manager Spatial Planning & Heritage, City of Adelaide
- Duncan Marshall AM – World Heritage Expert

Apologies:

Alexandrina Council
- Mayor Keith Parkes
- Tim Lange, Mayor
- Martin McCarthy, CEO

Clare & Gilbert Valleys Council
- Andrew Christiansen
- Light Regional Council
- Bill O'Brien, Mayor
- Brian Carr, CEO
- City of Mitcham
- Mayor Heather Holmes-Ross
- Matthew Pears, CEO
- Craig Harrison
- Mid Murray Council
- Mayor Dave Burgess
- Ben Scales, CEO
Meeting Start:  9:40am

Opening Statement

"Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come."

1. Welcome and Apologies

Mayor Wisdom welcomed everyone to the meeting.

2. Adoption of Previous Project Steering Group Minutes of 28 May 2018

That the minutes of the previous PSG meeting of 28 May 2018 be adopted
Moved: Adam Mrotek
Seconded: Greg Sarre  
Carried Unanimously

3. Adelaide City Council Interest in pursuing a World Heritage Bid - Lord Mayor Sandy Verschoor

Lord Mayor Sandy Verschoor provided context surrounding the Adelaide City Council’s intent to pursue World Heritage Bid and desire to pursue a joint bid with the Mount Lofty Ranges Bid noting that Minister Speirs did not support two bids. In particular, the city layout plan and parklands and the work undertaken to date, including the recently published Expert Review by Duncan Marshall and Dr Jane Lennon.

4. Presentation on Adelaide City & Mt Lofty Ranges Expert Reviews – Duncan Marshall AM

Mr Marshall provided an introduction to World Heritage (Wh) Expert Reviews and the authors of the two reviews undertaken. Key points included:

- Not all WH sites need a wow factor, PNG example demonstrates this.
- Familiarity can distort perception of significance for example the Royal Exhibition Building in Melbourne and the Sydney Opera House, both of which have WH status.

Mr Marshall provided an overview of the findings from each of the reviews:

- Is there a good case? Short answer is yes
- His light bulb moment was when Prof. Eric Richards spoke about the importance of the migration story of SA in an international context at the Mount Lofty Ranges WH Bid Workshop held in late 2017. Observations of this story persuaded Mr Marshall of the Outstanding Universal Value that SA’s Systematic Colonisation story may have. The importance of this story is that it is a small example of systematic colonisation against backdrop of larger immigrations during this period (transatlantic).
Mount Lofty Ranges Agrarian Landscape World Heritage Bid – Project Steering Group – Minutes – 14 December 2020

- Without more detailed research it is not yet fully understood whether the listing is best represented as a serial boundary or whole of area listing. This can be refined as the features of the bid reveal themselves when further research is undertaken.
- Comparative Analysis – need to compare the ‘property’ with others in the world. This is important consideration that is often not done well.
- Importantly there was a clear link to the City of Adelaide through the town acres being linked to rural 80 acre allotments. As such the recommendation is for this to be a cultural landscape bid.
- Overlap with the MLR bid, due to the strong overlapping elements/themes.
- Advantages of the combined bid is that it becomes a complete portrayal of the colonial settlement model and the whole of the settlement city.
- Boundaries of the City Plan are easy to define, however, at this stage it is difficult to do that for the rural component.
- Both Expert Reviews provided work plans to progress the bids
- Both reviews also contain significant information that would form a large part of the documentation required for Tentative listing

Mr Marshall strongly recommended that both bids would be strengthened if pursued jointly with the core narrative (to be refined) being as follows:

The Systematic Colonisation Settlement Landscape of South Australia, including the Adelaide plan, is of Outstanding Universal Value as evidence of the 19th century Wakefield systematic colonisation model, an important and influential model in the history of European free migration and colonial settlement. It is the most complete realisation of British colonial settlement planning and/or a major achievement of such colonial planning.

He pointed out that WH Bid process is a long game and ‘is a marathon not a sprint’ and often bids fail because they are rushed.

5. **Next Steps**

Mr Salver provided an overview of the WH bid process and then Mayor Wisdom tabled the following suggested next steps:

1. That a joint WH bid of Systematic Colonisation of SA be pursued;
2. That the current Mt Lofty Ranges Governance arrangements be dissolved and a cross Council Working Group be established and include those councils interested in pursuing the joint bid;
3. That the abovementioned Working Group prepare a Project Implementation Plan based on advice from two Reviews; and
4. That the Implementation Plan be used to inform the appropriate use of retained funds.

The Lord Mayor suggested a briefing of Heritage SA as they advise the Minister for Environment and Water on heritage matters. There was further discussion on the involvement of Aboriginal Groups in the project and Marc Salver advised that this had already occurred with the Kaurna Nation who had signed a Statement of Support in November 2017. Further discussions with other Aboriginal groups needs to occur and it was suggested that briefings with the respective councils’ reconciliation working groups occurs. The Lord Mayor offered the Adelaide Town Hall as a venue for such a briefing. The Lord Mayor also suggested a briefing by Duncan Marshall of the Capital Cities Forum of which the Premier is a member, and all the councils occur. These matters will be considered by the joint Working Group as part of the development of the abovementioned Implementation Plan.

It was decided that Mayor Wisdom write to all the collaborating councils and seek their response with regard to future participation in the WH bid. Each council to then respond and we will progress matters from there.

6. **Close of Meeting**

The meeting closed at 11:42am
23 December 2019

Dr Jan-Claire Wisdom
Mayor, Adelaide Hills Council
Chair Project Steering Group
PO Box 44
WOODSIDE SA 5244

Dear Mayor Wisdom,

Mount Lofty Ranges Agrarian Landscape World Heritage Listing Bid Project – ongoing commitment by the Barossa Council.

At its meeting on 18 October 2019 Council received an update report on the World Heritage Bid project which included your letter dated 27 September 2019 which provided a project update, the Expert Review report and the latest Annual Report.

Presented by staff as a ‘consensus’ item to be for noting, the matter was selected for debate with ensuing discussion regarding the significant level of resources invested to date, the ongoing absence of State Government commitment and the apparent significant additional investigations still required.

While encouraged by the findings of the Expert Review, members determined that the project has reached the critical point where the State Government needs to take ownership and that until this occurs our Council reduces its level of input.

Accordingly Council resolved as follows:

“... that Council:

a) Receives the report including the Annual Report and Independent Expert Review;

b) Notes that significant additional research work is required to close research gaps, including confirming values and attributes in order to map the boundaries of any potential bid ‘property’;

c) Notes that in order to progress any bid, State Government support is required but that this support has not been indicated to date;

d) Continues to partner with other councils to present to the State Government a governance model in which the State will be responsible for all further research required to prepare a formal bid; and

e) That Council’s future contribution to the project be on an in-kind basis only unless otherwise determined on a case-by-case basis”
I assure you that Council will continue to play an active ongoing role as required including senior staff attendance at project management and project steering levels.

Council is pleased with the work undertaken to date and has noted the benefits that have flowed from the partnership of Councils and other parties in the project.

Sincerely,

Bim Lange
Mayor, The Barossa Council
COUNCIL
DEVELOPMENT AND ENVIRONMENTAL SERVICES
ENVIRONMENTAL SERVICES REPORT
27 JANUARY 2021

7.5.2 DEBATE AGENDA – ENVIRONMENTAL SERVICES REPORT

7.5.2.1 CONSIDERATION AND ADOPTION OF COMMITTEE RESOLUTIONS – BAROSSA BUSHGARDENS
B11625

Author: Director, Development and Environmental Services

PURPOSE
The Minutes of Council Section 41 Committees are presented for consideration and adoption of Council.

RECOMMENDATION
That Council receive and note the Minutes of the Barossa Bushgardens S41 Committee Meeting held on 9 December 2020.

REPORT
The consideration and adoption of recommendations of Council Committees to Council requires assessment by Council to ensure compliance with Council obligations under section 6(a) of the Local Government Act. The relevant Minutes received in the past month are hereby presented for Council adoption.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1: Minutes - Barossa Bushgardens S41 Committee Meeting held 9 December 2020.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

| ![House] | Natural Environment and Built Heritage |

| ![Sun] | Community and Culture |

Corporate Plan
Natural Environment and Built Heritage
1.3 Build on the conservation of the region’s natural heritage including bush ecosystems, grassy woodlands, agricultural landscapes and recreational green spaces.

3.2 Collaborate with partners and our community to support innovative approaches to waste minimisation, and increase reuse and recycling opportunities.

Community and Culture

5.3 Create vibrant public spaces that provide places for creative development, cultural interaction and social connections.

Legislative Requirements
Local Government Act and Regulations
Development Act and Regulations

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

Identified within the body of the Minutes, and is included within the endorsed Council Budget.

**COMMUNITY CONSULTATION**

Not required by Council.
MINUTES OF THE MEETING OF
THE BAROSSA BUSHGARDENS S41 COMMITTEE
To be held in the Council Chambers on Wednesday 9 December 2020 commencing at 1:00pm

1. WELCOME

The Chair welcomed everyone, and opened the meeting at 1:04pm.

2. PRESENT

Members
Russell Johnstone
Cr Kathryn Schilling
Trevor Waldhuter
Bryce Lillecrapp
Louise Mason
Andrew Fairney

Staff
Pam Payne
Doreen Von Linde
Gary Mavrinac
Steve Carroll

3. APOLOGIES

Jan McKenzie.

4. GUESTS

James Maitland (Friends of Barossa Bushgardens).

5. DECLARATION OF INTEREST BY MEMBERS

Nil.

6. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

Moved: L Mason 
Seconded: T Waldhuter
That the minutes of the Barossa Bushgardens S41 Committee meeting held on 14 October 2020 be received and confirmed.

CARRIED
7. BUSINESS ARISING FROM PREVIOUS MINUTES (ACTION LIST)

7.1 ACTION LIST

C K Schilling advised the Committee of an offer of assistance from Australia Wide Badges for signage replacement.

**ACTION:** D Von Linde to follow up with Australia Wide Badges.

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Resolution/Action</th>
<th>Status</th>
<th>Actioning Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 February 2019</td>
<td>Prepare Brochures and marketing material (hard copy and electronic format) with assistance from Marketing and Communications Team.</td>
<td>Refer to Agenda Item 13.4 Comments to be provided to D Von Linde by end of December 2020 to enable production of the finalised brochures in the New Year.</td>
<td>NRC Coordinator</td>
</tr>
<tr>
<td>17 July 2019</td>
<td>Discussion on marketing and future opportunity for sales at the Bushgardens.</td>
<td>In progress.</td>
<td>Management Committee</td>
</tr>
<tr>
<td>14 October 2020</td>
<td>Signage to be designed for placement around the Barossa Bushgardens alerting visitors/volunteers to the possible presence of snakes and other animals.</td>
<td>In progress.</td>
<td>Nursery Manager</td>
</tr>
<tr>
<td>14 October 2020</td>
<td>Barossa Bushgardens staff to investigate the availability of snake awareness training for volunteers, and to consider formulating a policy.</td>
<td>Completed. Snake awareness Training was provided to approximately 30 staff and volunteers on Tuesday 8 December 2020.</td>
<td>Nursery Manager/NRC Co-ordinator</td>
</tr>
<tr>
<td>14 October 2020</td>
<td>Northern and Yorke Landscape Board, Operational Plan and Public Consultation session outcomes.</td>
<td>In progress.</td>
<td>Chairperson, NRC Co-ordinator and Nursery Manager</td>
</tr>
<tr>
<td>14 October 2020</td>
<td>Request to consider the establishment of a Dog Sensory Garden at Barossa Bushgardens.</td>
<td>To be reviewed at February 2021 S41 Committee Meeting.</td>
<td>NRC Co-ordinator</td>
</tr>
</tbody>
</table>
Recommendation

That the Committee receive and note the progress of decisions from previous meetings.

Decision

Moved: T Waldhuter Seconded: B Lillecrapp
That the recommendation be adopted.

CARRIED

8. CORRESPONDENCE

Nil.

9. RISK MANAGEMENT

9.1 Work Health and Safety

That the Committee receive and note the report.

Decision

Moved: L Mason Seconded: T Waldhuter
That the recommendation be adopted.

CARRIED

10. REPORTS – CONSENSUS AGENDA

10.1 Chairperson’s Report

Recommendation

That the Verbal report be received.

10.2 Strategic Plan Progress Report

Recommendation

That the report be received.

10.3 Visitation

Recommendation

That the report be received.
10.4 Partner Projects

Recommendation

That the report be received.

10.5 Drought Grant Funding

G Mavrinac advised that the funding amount is $55,000, and not $50,000 as listed in the report.

Recommendation

That the report be received.

11. ADOPTION OF CONSENSUS AGENDA

Recommendation

That the Committee receive and note the information items contained in the Consensus Agenda and that any recommendations contained therein be adopted.

Decision

Moved: K Schilling T Waldhuter

That the recommendation be adopted.

CARRIED

12. FOCUS AGENDA

Nil.

13. DEBATE AGENDA

13.1 Finance

Recommendation

That the Committee receive and note the report.

Decision

Moved: L Mason Seconded: B Lilecrapp

That the recommendation be adopted.

CARRIED
13.2 Strategic Plan (2021 Update)

R Johnstone recommended that the Strategic Plan be reviewed in 2021, once funding details are confirmed.

**Recommendation**

(1) That the Chair, and Director Development and Environmental Services confer on any final changes required, and;
(2) That the Committee adopt the Barossa Bushgardens Strategic Plan (2021 Update) as a basis for future funding of programs and projects as part of the Council’s budget process for 2021-22 financial year.

**Decision**

Moved: K Schilling  
Seconded: A Fairney  
That the recommendation be adopted.  
CARRIED

13.3 Request from Friends of Barossa Bushgardens – Proceeds of Donation Tins

**Recommendation**

That the Committee:
(1) Authorise the Friends of the Barossa Bushgardens to manage funds collected from two collection tins located within the Barossa Bushgardens.
(2) The proceeds to be deposited into the Friends of the Barossa Bushgardens bank account and used to fund targeted projects as identified by the Barossa Bushgardens S41 Committee.

**Decision**

Moved: B Lillecrapp  
Seconded: T Waldhuter  
That the recommendation be adopted.  
CARRIED

13.4 Draft Suite of Brochures

**Recommendation**

That the Committee:
(1) Approve the nine draft Brochures for production and distribution as contained within Attachment One.

**Decision**

Moved: T Waldhuter  
Seconded: A Fairney  
That the recommendation be adopted.  
CARRIED
13.5 Friends of Barossa Bushgardens – Successful Grant Funding Application

Recommendation

That the Committee:

1. Request in writing to the Friends of the Barossa Bushgardens, the amount of $3,659.00 to be transferred to the Barossa Bushgardens to enable commencement of the project.

Decision

Moved: T Waldhuter  Seconded: L Mason
That the recommendation be adopted.

CARRIED

13.6 2021 Meeting Dates

Recommendation

That the Committee endorse the proposed Schedule of Meetings for 2021.

Decision

Moved: A Fairney  Seconded: L Mason
That the recommendation be adopted.

CARRIED

13. URGENT OTHER BUSINESS

Co-ordinator, NRC advised that plans are underway for an expanded Open Day, proposed for 16 May 2021, which will incorporate several presentations and workshops. It is proposed that a sub-committee be formed to assist with preparations.

ACTION: Co-ordinator to present a report to the next S41 Committee Meeting.

12. NEXT MEETING

Wednesday 10 February 2021 commencing at 1.00pm.
13. CLOSURE OF MEETING

The Chair extended Christmas greetings to Committee members and staff, and declared the meeting closed at 2:16pm.

Confirmed

Date: ........................................... Chairman: ...........................................
7.5.5 DEBATE AGENDA – WASTE SERVICES REPORT

7.5.5.1 MANDATORY GREEN ORGANIC SERVICE EXEMPTION
B11432-01

Author: Waste Management Officer

PURPOSE

To provide an overview of how the green organic service exemption will be determined and implemented.

RECOMMENDATION

That Council
(1) support the proposed criteria and process for determining an exemption for the green organic service, and
(2) authorise officers to commence a call for residents to apply for the service exemption ahead of the roll out of the mandatory green organic service, and
(3) note that a further report will be provided to Council on the final assessment of the proposed new service level following the call and negotiations with Solo Resource Recovery.

REPORT

Background
At the Council Meeting held 15 December 2020, Council moved to introduce a mandatory Green Organic service and provide a service exemption for properties that are able to demonstrate effective management of their green waste.

MOVED Cr Boothby that Council:
(1) receive and note the results of the public consultation for the proposed mandatory green organic service;
(2) authorise the Chief Executive Officer or his delegate to (a) negotiate a contract variation with Solo Resource Recovery to convert the Green organic Service to a mandatory service, shifting the service to weekdays aligning service day with other waste streams, increase the service level to weekly and provide a service exception for properties that are able to demonstrate that they effectively manage their green waste, (b) amend the Waste Management Services Policy to align with the revised service levels.
(3) contribute $24,472.16 (plus GST) to match Grant funds to be taken from the recyclables reserve which as of 30 June 2020 has a balance of $57,967.00
(4) support further education in waste reduction strategies and best use of the kerbside services to minimise waste to landfill and contamination, with the intent to bring about the new service level by the start of the 2021-22 financial year.

Seconded Cr Johnstone

CARRIED 2018-22/336
Discussion
The proposed process guidelines for the management of the Green Organic service exemption including the application form and criteria is outlined in Attachment 1.

This process has been modelled on the Waste Services Special Circumstances application and renewal process which is used to manage general waste service upgrades. The service exemption will need to be reapplied for each financial year.

The criteria for a property to be eligible for the Green Organic service exemption is as follows –

- The property is within the designated mandatory collection route.
- Photographic evidence of a suitable composting system (compost pile or bay, static or tumbling compost bins) will be need to be supplied with the completed application form
- The person applying for the service exemption is the property owner or rate payer for the property that the application relates to
- A statutory declaration is completed and submitted with the application.

In the event that a property is sold, the Green Organic service exemption will be revoked, charges will be reinstated on the rates notice and a Green Organic bin will be delivered to the property. The new property owners can then apply for the exemption if they will be continuing composting and the independent management of green waste.

Communication with residents in relation to the Green Organic service will commence in February 2021 and will focus on the intention to move the service to mandatory and seek to make residents aware of the proposed changes to service levels and the current collection schedule.

If the recommendations in this report are supported, the communication to residents will also include a call for residents to apply for the Green Organic Service Exemption. Applications will close at the beginning of April 2021.

Discussions with Solo Resource Recovery have commenced to begin assessing the proposed change to service levels and the potential for a contract variation to be actioned. It has been requested that Solo Resource Recovery provide an overview of resourcing, operational changes and associated costs that may be required for the roll out of a mandatory Green Organic Service.

Summary and Conclusion
The process for the Green Organic Service Exemption is easily trackable through the licensing and customer request modules in Council’s Pathway system.

The application form covers the criteria that needs to be met for a resident to be eligible, how the service will be renewed as well as when a service exemption will be revoked and a service reinstated to a property.

A report will be put to Council in April 2021 to provide an update on the progression of the mandatory Green Organic service and will include an update on Solo Resource Recovery’s position and the estimated cost of the service. Final timeframes for the rollout of bins and kitchen caddies will be included in the report.
The total number of services will also be confirmed at this time and will be broken down into the following categories -

1. **Existing services** – no bin or kitchen caddy rollout required
2. **New Services** – rollout of bin and kitchen caddy required
3. **Successful service exemptions**

**ATTACHMENTS OR OTHER SUPPORTING REFERENCES**

Attachment 1: Draft Application and Renewal Process Green Organic Service Exemption

**COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS**

**Community Plan**

Natural Environment and Built Heritage

3. We take a proactive approach in responding to key environmental challenges such as climate change, water security and waste management.

3.2 Collaborate with partners and our community to support innovative approaches to waste minimisation, and increase reuse and recycling opportunities.

**Advocacy Plan**

1. Working with the community, industry and government to build on the Barossa’s capacity to attract investment, improve services and encourage employment opportunities.

**Corporate Plan**

4.10 Facilitate access to hard and green waste facilities and associated recycling opportunities that reduce waste disposed to landfill and support the environment.

**Legislative Requirements**

Local Government Act 1999
Environment Protection Act 1993
Green Industries SA Act 2004

**FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS**

The optional Green Organic service is currently offered to tenants and the administration of this is managed by Customer Support and the Waste Management Officer. With the service moving to mandatory, the tenant services and licences will no longer be required.

Resources that are currently used to manage tenant services can be shifted to manage the Green Organic service exemptions.

**COMMUNITY CONSULTATION**

Nil
The Barossa Council offers an organic service exemption to residents who can reasonably demonstrate that they are effectively managing the disposal / generation of organic waste from their property.

Application for this exemption does not guarantee approval and each request is individually assessed.

If your application is unsuccessful you may choose to resubmit your application with further information or documentation.

Approvals for the Organic Service Exception expire on 30 June each year. A renewal application will be issued prior to the end of the financial year.

Please complete this Application Form and submit it to: The Barossa Council
PO Box 867 Nuriootpa SA 5355
or
Email: barossa@barossa.sa.gov.au

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<tr>
<th>Applicant Details</th>
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<tr>
<td><strong>Name</strong></td>
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<td><strong>Telephone</strong></td>
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<td><strong>Application Date</strong></td>
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<td><strong>Site Address</strong></td>
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<td><strong>Postal Address</strong></td>
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<td><strong>Assessment Number</strong></td>
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**Organic Service Exemption**

I wish to apply for /renew by approval the Organic Service Exception based on the following provisions:

- Compost system implemented (photographic evidence attached)
- Statutory Declaration stating that green waste is managed through other means and will not be placed in general waste bin
Conditions for Organic Service Exception

1. A property is eligible for the Organic Service exception if the property is within the designated mandatory collection route.

2. Photographic evidence of a suitable composting system (compost pile or bay, static or tumbling compost bins) will be required for the service exemption to be applicable.

3. You must be the property owner or rate payer to be eligible for the Organic Service Exemption.

4. If you are renewing your service exception, you will need to complete the request for the organic service exception renewal form but will not be required to provide an additional signed statutory declaration.

5. An application for the Organic Service Exemption will need to be renewed each financial year to confirm eligibility, as the needs of residents may change.

6. You are required to notify Council if your circumstances change, this includes moving from your current premises.

7. In the event that a property is sold, the organic service exemption will be revoked, charges will be reinstated on the rates notice and a green organic bin will be delivered to the property.

8. Bins that are assigned to the property and must not be removed from the property when there is a change of tenants or sale of the property. All bins remain the property of SOLO Resource Recovery.

Applicant Signature: ___________________________ Date: ____________

Office Use Only

Pathway CR: ………………………

Request Date: ….. /….. /…….

Proof of status:

☐ Statutory Declaration Sighted

☐ Photo of composting system sighted

☐ Approved ☐ Not Approved

Date: ….. /….. /…….

Applicant advised: YES / NO

Service Removal Date: ….. /….. /…….

3.1 Overview:

- **Request Received from Solo or Resident**

  - Customer Request Created. Application form sent to person requesting the exemption (If a Waste Track has been received, attach it to the customer request but don’t approve)

  - Form is completed and returned to Council within 30 days

- **Yes**
  - Form is attached to the customer request.
  - Application is assessed and relevant documentation is sighted

- **Application Successful**
  - Licence created as per guidelines
  - Original request received via Solo
  - Waste Track to be approved.
  - Resident advised application was successful. Organic bin collected from property, charges removed from rates.

- **Application Unsuccessful**
  - If form was returned, a letter is sent to the Applicant via the customer request confirming application was unsuccessful. If the form has not been returned, it is noted in the customer request that the application has lapsed.
  - Original request received via resident
  - Request for Waste Track sent to Solo
  - If applicable, Waste Track is declined

- **Customer Request Closed**
4. Guidelines – Renewing an Application for Organic Service Exemption

4.1 Overview:

Application form for renewal of service exemption generated from Organic Exemption Licences that are Service Exemption Eligible. Status is then moved to Application Lodged for each licence. Resident has 30 days to return the completed form.

- **Renewal Form returned**
  - Completed form is paperclipped to licence and the form returned task is completed.
  - Application is assessed and relevant documentation is sighted.

- **Application Successful**
  - Continuation of Service. Licence Status moved to Service Exemption Eligible.

- **Application Unsuccessful**
  - Reminder notice sent advising that the service will be reinstated and charges added to rates if the licensee does not make contact with Council.
  - No contact is made with Council.
  - Letter sent from customer request confirming the application was unsuccessful.
  - Solo advised to reinstate Green Organic Service.
  - Licence status moved to Non-Eligible. Rate Type and Service on property reinstated.
The matter of the agenda item being confidential information of clubs and businesses including financial and personal details of a commercial nature therefore pursuant to Section 90(3)(a) and (d)(i) and (ii) of the Local Government Act 1999 ("the Act") being information that must be considered in confidence in order to ensure that disclosure of sensitive financial and personal information.

There is strong public interest in enabling members of the public to observe Council’s transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that:

- the disclosure of certain information that would prevent the efficient and effective governance of the Council or committee;
- the disclosure of private information of an individual or club or commercial organisation that could be unfair or harmful;
- could result in damage to third parties or the flow of information for future grant programs that Council operates due to loss of confidence in Council in managing confidential personal and commercial information.
On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

**RECOMMENDATION**

That Council:

(1) Under the provisions of Section 90(2) of the Local Government Act 1999, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate and Community Services, Director Development and Environmental Services, Director Works and Engineering, Information and Technology Officer and the Minute Secretary, in order to consider in confidence a report relating to agenda item 8.1.1 ‘COVID-19 Recovery Grant Program – Updated Matters’ being information that must be considered in confidence in order to ensure that the Council does not disclose information that is considered confidential under the following provisions of the Local Government Act 1999:

   i) Section 90(3)(a) being information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

   or

   ii) 90(3)(d)(i) and (ii) being commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest;

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential to avoid disclosure of certain information that would prevent the efficient and effective governance of the Council or committee; disclosure of private information of an individual or club or commercial organisation that could be unfair or harmful or; could result in damage to third parties or the flow of information for future grant programs that Council operates due to loss of confidence in Council in managing confidential personal and commercial information.
The matter of the agenda item being confidential information being the provision of business information related to a select tender for the provision of services therefore pursuant to Section 90(3)(k) of the Local Government Act 1999 (“the Act”) being information that is related to the tenders for the supply of goods, the provision of services or the carry out of works.

There is strong public interest in enabling members of the public to observe Council’s transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that the disclosure of certain information being a submission to carry out services contains commercial information and pricing.

On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.
## RECOMMENDATION

That Council:

1. Under the provisions of Section 90(2) of the Local Government Act 1999, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate and Community Services, Director Development and Environmental Services, Director Works and Engineering, Information and Technology Officer and the Minute Secretary, in order to consider in confidence a report relating to agenda item 8.1.2 ‘Proposal to Develop Autonomous Vehicle Business Case’ being information that must be considered in confidence as it is a submission in relation to the consultant services under Section 90(3)(k) of the Local Government Act being tenders for the supply of goods, the provision of services or the carrying out of works; and

2. Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential to consider the commercial and pricing proposal of the submission.
8.2.1 WORKS AND ENGINEERING SERVICES - CONFIDENTIAL

MENGE ROAD - TANUNDA – NOISE COMPLAINT
LPA/6234 – 21/2105
The matter of the agenda item being Menge Road, Tanunda – Noise Complaint pursuant to Section 90(3)(h) of the Local Government Act 1999 (“the Act”) being legal advice.

There is strong public interest in enabling members of the public to observe Council’s transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that Council has been provided with legal advice from Kelledy Jones Lawyers on instruction from Council Officers pertaining to a noise complaint.

On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweigh the factors in favour of the public interest of open decision making.

RECOMMENDATION
That Council:

(1) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director, Corporate and Community Services, Director Development and Environmental Services, Director Works
and Engineering Services, Manager Engineering Services and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(h) of the Local Government Act 1999 being legal advice; and

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential as Council has been provided with legal advice from Kelly Jones Lawyers on instruction from Council Officers pertaining to a noise complaint.