



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

Notice is given pursuant to the provisions under Section 83 of the *Local Government Act 1999* that the next meeting of the Council will be held on:

Tuesday 23 June 2020
6.30pm
Zoom Virtual Meeting Room

Notice of this meeting is supplied to Council Members under Section 83 of the Act.

Public notice of this meeting is supplied under Section 84 of the Act.

Following amendments to s90 of the Act, this meeting of the Council is taken to be conducted in a place open to the public given that the Council Members will be participating via electronic means and the public can access a live stream of the meeting via the link contained on Council's website.

Andrew Aitken
Chief Executive Officer
19/6/20



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 23 June 2020
6.30pm
Zoom Virtual Meeting Room

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land.”

3. APOLOGIES/LEAVE OF ABSENCE

- 3.1. Apology
Apologies were received from
- 3.2. Leave of Absence
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 26 May 2020

That the minutes of the ordinary meeting held on 26 May 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Special Council Meeting 12 May 2020

That the minutes of the special meeting held on 12 May 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

6. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

- 7.1. Questions Adjourned
- 7.2. Questions Lying on the Table

8. PETITIONS / DEPUTATIONS

- 8.1. Petitions
 - 8.1.1. Footpath, Redden Drive Cudlee Creek
- 8.2. Deputations
 - 8.2.1. Andrew Admiraal & Michael Clements re 2020 AGI Adelaide Hills Rally

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Woodside Recreation Grounds – Cr Stratford

11. MOTIONS ON NOTICE

- 11.1. Provision of information and assistance regarding the Rostrevor/Woodforde Boundary Change Proposal - Cr Osterstock

I move that in relation to the Campbelltown City Council boundary realignment proposal, and on the basis of the results of the Council Boundary Change Survey and the Campbelltown City Council's lack of timeliness in formally considering Adelaide Hills Council's request to withdraw the proposal, Council resolves to provide no further information or assistance to the Campbelltown City Council in relation to their proposal other than that required by legislation.

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. AHRWMA Charter Review

- 1. *That the report be received and noted*
- 2. *To approve the draft Adelaide Hills Region Waste Management Authority Charter 2020, as contained in Appendix 1.*

- 12.2. Support for Road Closures 2020 Adelaide Hills Rally

- 1. *That the report be received and noted*
- 2. *That, in relation to the 2020 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:*
 - a. *Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event*
 - b. *Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event*
 - c. *Providing confirmation that the affected business owners are aware of the road closures*

- d. *Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and ingress for those properties can be managed within the event where possible*
- e. *Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.*
3. *That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the event, to be held on Saturday 17 October 2020 as follows:*
 - a. *Saturday 17 October 2020*
 - i. *Retreat Valley Stage*
Closure 8:00am – 1:30pm
Retreat Valley Road, Odea Road, Berry Hill Road and Langley Road closed – from Gorge Road to Cudlee Creek Road
 - ii. *Kenton Valley Stage*
Closure 8:20am – 1:50pm
Turner Road, Maidment Road, Lihou Road and Schocroft Road closed – from Burfords Hill Road to Schuberts Road
 - iii. *Charligate Short Stage*
Closure 11:40am – 5:10pm
Harrison Road, Pfeiffer Road, Teakle Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Black Heath Road
 - iv. *Blumberg Creek Stage*
Closure 12:00pm – 5:30pm
Hicks Road, Hanham Road, McVitties Road, Number Four Road and Burton Road closed – from Terlinga Road to Onkaparinga Valley Road
4. *That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.*

12.3. Community & Recreation Facility Framework Project Update

1. *That the report be received and noted*
2. *That Council endorses the Community & Recreation Facilities Framework - Community Consultation Implementation Plan, contained in Appendix 1.*

12.4. Local Roads and Community Infrastructure Program Projects

1. *That the report be received and noted.*
2. *To authorise the applications for the following projects to be submitted as the Adelaide Hills Council Local Roads and Infrastructure Program Projects for delivery in 2020/21 and the estimated associated expenditure to undertake those works:*
 - a) *New Toilets – Woodside Institute (\$200,000)*
 - b) *Lobethal Centennial Hall Toilet Upgrade (\$80,000)*
 - c) *Fabrik – Building upgrades(\$230,000)*
 - d) *Mill Road Corner Community Pocket Forest (\$40,000)*
 - e) *Stirling to Crafers Bikeway (\$125,000)*
 - f) *Footpath – Crafers (\$66,415)*
 - g) *Footpath – Cudlee Creek, Redden Drive (\$40,000)*
3. *Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to commit expenditure to undertake the above works with any adjustments to income and expenditure be incorporated in an upcoming budget review.*
4. *That should any projects be unsuccessful, or significant savings achieved, alternative projects will be recommended to Council for consideration.*
5. *That the CEO be authorised to write a letter of acknowledgement to the Hon Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development thanking the Federal Government for this additional funding program.*

12.5. Stirling Market Road Closure Permit Renewal

1. *That the report be received and noted*
2. *That a permit for Business Use of a Road under Section 222 of the Local Government Act 1999 be issued to Stirling Market Incorporated for a five year period for use of a portion of Druid Avenue Stirling and the service lane between Martha Street and Mt Barker Road, for a monthly market*
3. *That pursuant to Section 33(2) of the Road Traffic Act 1961 the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road and Martha Street, Stirling, as per permit conditions for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.*
4. *That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any minor changes to the permit conditions or road closure order in response to legislative changes, the results of annual permit reviews or for special road closure orders, such as if the market is rescheduled to another Sunday in a particular month, or if a special once-off market is held, over the same five (5) year period.*

12.6. Resumption of Physical Council Meetings, Workshops & Community Forums

1. *That the report be received and noted*
2. *That in relation to Ordinary Council Meetings:*
 - a. *To revoke Part 4 of Resolution 63/20 from its 21 April 2020 Council Meeting being “That, as from 21 April 2020 and until the expiry of the provisions of Notice No 1, meetings of the Council will take place by electronic means using the audio and visual functionality of the Zoom virtual meeting room as the electronic location”; and*
 - b. *To note that the Chief Executive Officer will determine the ‘place’ of Council Meetings in accordance with the provisions of Section 81(3a) of the Local Government Act 1999.*
3. *That in relation to Council Workshops and Professional Development Informal Gatherings to note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the informal gathering schedule, timings and locations.*
4. *That in relation to Community Forums:*
 - a. *To note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the Community Forum schedule to accommodate venue availability or other matters airing to necessitate change.*
 - b. *To resolve that the order of venues for upcoming Community Forums will be:*
 - i. *Mylor*
 - ii. *Basket Range*
 - iii. *Birdwood*

12.7. Policy of Notification – Accredited Professionals

1. *That the report be received and noted*
2. *To adopt the draft Policy of Notification – Accredited Professionals as detailed in Appendix 2 of this report with a commencement date being the designated date of Phase 3 of the Planning & Design Code (and full implementation of the PDI Act) to be announced by the Minister for Planning in due course.*
3. *That the CEO be permitted to make any formatting, nomenclature or other minor changes to the Policy before the designated date for Phase 3 of the Planning & Design Code.*

12.8. Disclosure of Interest – Adelaide Hills Tourism

1. *That the report be received and noted*
2. *To note the declaration of interest by Chief Executive Officer, Andrew Aitken, in relation to being a Board Member of Adelaide Hills Tourism.*
3. *To determine that Chief Executive Officer, Andrew Aitken, is authorised to act in relation to his official duties as Chief Executive Officer of the Adelaide Hills Council in matters relating to Adelaide Hills Tourism.*

12.9. Delegations Review
Refer to Agenda Report

12.10. Status Report – Council Resolutions Update
Refer to Agenda Report

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

- 13.1. Ombudsman Correspondence
- 13.2. Quarterly Council Performance
- 13.3. Publishing Council Meeting Recordings
- 13.4. Policy Register Review

14. QUESTIONS WITHOUT NOTICE

15. MOTIONS WITHOUT NOTICE

16. REPORTS

- 16.1. Council Member Function or Activity on the Business of Council
- 16.2. Reports of Members/Officers as Council Representatives on External Organisations
- 16.3. CEO Report

17. REPORTS OF COMMITTEES

- 17.1. Council Assessment Panel – 10 June 2020
That the minutes of the CAP meeting held on 10 June 2020 as supplied, be received and noted.

- 17.2. Strategic Planning & Development Policy Committee
Nil

- 17.3. Audit Committee - 25 May 2020
That the minutes of the Audit Committee meeting held on 25 May 2020 as supplied, be received and noted

- 17.4. CEO Performance Review Panel – 4 June 2020
That the minutes of the CEOPRP meeting held on 4 June 2020 as supplied, be received and noted.

18. CONFIDENTIAL ITEMS

- 18.1. Event Opportunity

19. NEXT MEETING

Tuesday 28 July 2020, 6.30pm, venue to be advised

20. CLOSE MEETING

Council Meeting/Workshop Venues 2020

DATE	TYPE	LOCATION	MINUTE TAKER
JULY 2020			
Wed 8 July	CAP	TBA	Karen Savage
Thur 9 July	CEO Performance Review	Stirling	TBA
Tues 14 July	Workshop	Woodside	N/A
Tues 21 July	Professional Development	Stirling	N/A
Tues 28 July	Council	TBA	Pam Williams
AUGUST 2020			
Tues 11 August	Workshop	Woodside	N/A
Wed 12 August	CAP	TBA	Karen Savage
Mon 17 August	Audit Committee	Stirling	TBA
Tues 18 August	Professional Development	Stirling	N/A
Tues 25 August	Council	TBA	Pam Williams
SEPTEMBER 2020			
Tues 8 September	Workshop	Woodside	N/A
Wed 9 September	CAP	TBA	Karen Savage
Tues 15 September	Professional Development	Stirling	N/A
Tues 22 September	Council	TBA	Pam Williams

Meetings are subject to change, please check agendas for times and venues. All meetings (except Council Member Professional Development) are open to the public.

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Councillor:

Date:

Meeting name:

Agenda item no:

1. I have identified a conflict of interest as:

MATERIAL ACTUAL PERCEIVED

MATERIAL: Conflict arises when a council member or a nominated person will gain a benefit or suffer a loss (whether directly or indirectly and whether pecuniary or personal) if the matter is decided in a particular manner. If declaring a material conflict of interest, Councillors must declare the conflict and leave the meeting at any time the item is discussed.

ACTUAL: Conflict arises when there is a conflict between a council member's interests (whether direct or indirect, personal or pecuniary) and the public interest, which might lead to decision that, is contrary to the public interest.

PERCEIVED: Conflict arises in relation to a matter to be discussed at a meeting of council, if a council member could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter – whether or not this is in fact the case.

2. The nature of my conflict of interest is as follows:

(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)

3. I intend to deal with my conflict of interest in the following transparent and accountable way:

I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

OR

I intend to **stay** in the meeting (**complete part 4**) (*only applicable if you intend to declare a Perceived (Actual conflict of interest)*)

4. The reason I intend to stay in the meeting and consider this matter is as follows:

(This section must be filled in. Ensure sufficient detail is recorded of the specific circumstances of your interest.)

and that I will receive no benefit or detriment direct or indirect, personal or pecuniary from considering and voting on this matter.

CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS

Governance use only: Member voted FOR/AGAINST the motion.



Ordinary Business Matters

A **material, actual** or **perceived** Conflict of Interest does not apply to a matter of ordinary business of the council of a kind prescribed by regulation.

The following ordinary business matters are prescribed under Regulation 8AAA of the Local Government (General) Regulations 2013.

- (a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act
 - (b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders)
 - (c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act
 - (d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act
 - (e) the adoption or revision of an annual business plan
 - (f) the adoption or revision of a budget
 - (g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration
 - (h) a discussion or decision of a matter at a meeting of a council if the matter—
 - (i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council
 - (ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.
- (2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee.

Engagement and membership with groups and organisations exemption

A member will not be regarded as having a conflict of interest **actual** or **perceived** in a matter to be discussed at a meeting of council by reason only of:

- an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or membership of a political party
- membership of a community group, sporting club or similar organisation (as long as the member **is not** an office holder for the group, club or organisation)
- the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school
- a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a Council.

However, the member will still be required to give careful consideration to the nature of their association with the above bodies. Refer Conflict of Interest Guidelines.

For example: If your **only** involvement with a group is in your role as a Council appointed liaison as outlined in the Council appointed liaison policy, you will not be regarded as having a conflict of interest actual or perceived in a matter, and are **NOT** required to declare your interest.

8. DEPUTATIONS

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed the following considerations will be taken into account:
 - the number of deputations that have already been granted for the meeting
 - the subject matter of the proposed deputation
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
 - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
 - the size and extent of the agenda for the particular meeting and
 - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

8.3 PUBLIC FORUM

For the effective duration of the *Electronic Participation in Council Meetings Notice (No 1) 2020*, Council will not conduct a Public Forum during the Council meeting.

Item 4 Minutes of Council

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL MEETING
TUESDAY 12 MAY 2020
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom (via audio/visual link)

Members:

Councillor Ian Bailey (via audio/visual link)
Councillor Kirrilee Boyd (via audio/visual link)
Councillor Nathan Daniell (via audio/visual link)
Councillor Pauline Gill (via audio/visual link)
Councillor Chris Grant (via audio/visual link)
Councillor Linda Green (via audio/visual link)
Councillor Malcolm Herrmann (via audio/visual link)
Councillor John Kemp (via audio/visual link)
Councillor Leith Mudge (via audio/visual link)
Councillor Mark Osterstock (via audio/visual link)
Councillor Kirsty Parkin (via audio/visual link)
Councillor Andrew Stratford (via audio/visual link)

In Attendance:

Andrew Aitken	Chief Executive Officer
David Waters	Director Bushfire Recovery
Lachlan Miller	Executive Manager Governance & Performance
John McArthur	Manager Sustainability, Waste & Emergency Management
Chris Janssan	Manager Open Space

1. COMMENCEMENT

The special meeting commenced at 6.32pm.

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land”.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL MEETING
TUESDAY 12 MAY 2020
ZOOM VIRTUAL MEETING ROOM**

3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology
Nil

3.2 Leave of Absence
Nil

4. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL
Nil

5. PRESIDING MEMBER'S OPENING REMARKS
Nil

6. BUSINESS OF THE MEETING

6.1 Bushfire Royal Commission Notices

Moved Cr Chris Grant
S/- Cr John Kemp

84/20

Council resolves:

1. That the report be received and noted
2. That the Council responds to Notice in the terms contained in *Appendix 2*.
3. That the Council provides documents in response to Notice NTP-HB2-255 as indicated in *Appendix 2*.
4. That the Chief Executive Officer, or his delegate, be authorised to act for and on behalf of the Council in finalising the submission subsequent to this meeting, making the submission and providing any follow-up or supplementary information requested in relation to the aforementioned Notices.

Carried Unanimously

7. CONFIDENTIAL ITEM
Nil

8. CLOSE MEETING
The meeting closed at 6.59pm

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MAY 2020
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom (via audio/visual link)

Members:

Councillor Ian Bailey (via audio/visual link)
Councillor Kirrilee Boyd (via audio/visual link)
Councillor Nathan Daniell (via audio/visual link)
Councillor Pauline Gill (via audio/visual link)
Councillor Chris Grant(via audio/visual link)
Councillor Linda Green (via audio/visual link)
Councillor Malcolm Herrmann (via audio/visual link)
Councillor John Kemp (via audio/visual link)
Councillor Leith Mudge (via audio/visual link)
Councillor Mark Osterstock (via audio/visual link)
Councillor Kirsty Parkin (via audio/visual link)
Councillor Andrew Stratford (via audio/visual link)

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Marc Salver	Director Development & Regulatory Services
David Waters	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Mike Carey	Manager Financial Services
Jennifer Blake	Manager Communications, Engagement & Events
Kylie Hopkins	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.31pm.

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land”.

**ADELAIDE HILLS COUNCIL
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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology
Nil

3.2 Leave of Absence
Nil

3.3 Absent
Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 28 April 2020

Moved Cr Pauline Gill
S/- Cr John Kemp

85/20

That the minutes of the Ordinary Council meeting held on 28 April 2020, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2 Special Council Meeting – 12 May 2020

Moved Cr Malcolm Herrmann
S/- Cr Linda Green

86/20

That the minutes of the Ordinary Council meeting held on 12 May 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

Under Section 75A of the *Local Government Act 1999* Cr Chris Grant disclosed a Perceived Conflict of Interest in Item 12.4 Support for Road Closures – 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint, the nature of which is as follows:

- Cr Grant has engaged with residents and other councillors via email on this issue which may be perceived as a pre-determined position on this matter. Cr Grant intends to manage the perceived conflict of interest by judging the information provided on its merits and with an open mind when making his decision on this item.

Cr Grant intends to participate in discussions and vote when this item is discussed.

**ADELAIDE HILLS COUNCIL
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Under Section 74 of the *Local Government Act 1999* Cr Linda Green disclosed a Material Conflict of Interest in Item 12.5 Council Assessment Panel Membership, the nature of which is as follows:

- Cr Green intends to nominate for the Member position on the Council Assessment Panel which has a sitting fee attached and therefore she has a pecuniary interest.

Under Section 74 of the *Local Government Act 1999* Cr John Kemp disclosed a Material Conflict of Interest in Item 12.5 Council Assessment Panel Membership, the nature of which is as follows:

- Cr Kemp intends to nominate for the Member position on the Council Assessment Panel which has a sitting fee attached and therefore he has a pecuniary interest.

Under Section 74 of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material Conflict of Interest in Item 12.5 Council Assessment Panel Membership, the nature of which is as follows:

- Cr Mudge intends to nominate for the Deputy Member position on the Council Assessment Panel which has a sitting fee attached and therefore he has a pecuniary interest.

Under Section 75A of the *Local Government Act 1999* Cr Leith Mudge disclosed a Perceived Conflict of Interest in Item 12.3 Local Heritage Grant Fund Project Approvals and Guideline Amendments, the nature of which is as follows:

- Cr Mudge has a relative who has a business that provides services similar to those in a quotation attached to the report and there could be a perception of bias. He believes he will be able to manage the perceived conflict and make a decision in the best public interest.

Cr Mudge intends to participate in discussions and vote when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor commented on important weeks in May, which included volunteer week and reconciliation week, and hoped that Council Members were able to participate in the celebrations.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MAY 2020
63 MT BARKER ROAD STIRLING**

7. QUESTIONS ADJOURNED/LYING ON THE TABLE**7.1 Questions Adjourned**
Nil**7.2 Questions Lying on the Table**
Nil**8. PETITIONS/DEPUTATIONS/PUBLIC FORUM****8.1 Petitions**
Nil**8.2 Deputations****8.2.1 Tim Possingham, Adelaide Rally****8.2.2 Marg Schroder, Lobethal Recreation Ground Sports Club and South Australian Nip the Drought Initiative (SANDI)**

7.17pm Mark Osterstock left the meeting

7.19pm Mark Osterstock returned to the meeting

9. PRESENTATIONS**9.1 Mr Graeme Martin, Southern & Hills Local Government Association (S&HLGA)****10. QUESTIONS ON NOTICE**
Nil**11. MOTIONS ON NOTICE****11.1 Citizen of the Year Location, Cr Pauline Gill**
Motion was withdrawn**12. OFFICER REPORTS – DECISION ITEMS****12.1 2019-20 Budget – Budget Review 3****Moved Cr Malcolm Herrmann**
S/- Cr Linda Green**87/20****Council resolves:**

- 1. That the report be received and noted.**

**ADELAIDE HILLS COUNCIL
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2. To adopt the proposed budget adjustments presented in Budget Review 3 which result in:
- a. a reduction in the Operating Surplus from \$411k to an Operating Deficit of \$13k for the 2019-20 financial year.
 - b. changes to capital resulting in a proposed capital expenditure budget of \$16.526m for the 2019-20 financial year from:
 - i. a reduction in Capital Expenditure of \$448k
 - ii. the proposed carry forward of capital project income of \$1.774m and expenditure of \$1.454m to the 2020-21 financial year.
 - c. an increase in Council's current Net Borrowing Result from \$4.100m to \$4.395m for the 2019-20 financial year as a result of the proposed operating and capital adjustments.

Carried Unanimously

12.2 2020-21 Annual Business Plan and Budget Consultation

8.02pm Cr Kirsty Parkin left the meeting

8.06pm Cr Kirsty Parkin returned to the meeting

8.27pm Cr Mark Osterstock left the meeting

8.31pm Cr Mark Osterstock returned to the meeting

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

Council resolves:

1. That the report be received and noted
2. To endorse the draft Annual Business Plan 2020-21 (ABP), as contained in Appendix 1, for community consultation in accordance with Section 123 of the Local Government Act 1999, after adjusting the budget financial information to reflect Capital Expenditure on New and Upgraded Assets of \$4.953m.
3. That the CEO be authorised to:
 - a. Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.

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Amendment:

Moved Cr Kirrilee Boyd
Seconded Cr Ian Bailey

To insert the words 'with the removal of Strategic Initiative O5002 – Equipment to broadcast Council meetings' after the words "Appendix 1" in Part 2 of the motion.

Lost

**Moved Cr Mark Osterstock
Seconded Cr Kirsty Parkin**

88/20

That the question (motion) be put.

Carried

That motion was put

**Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge**

89/20

Council resolves:

- 1. That the report be received and noted.**
- 2. To endorse the draft Annual Business Plan 2020-21 (ABP), as contained in Appendix 1, for community consultation in accordance with Section 123 of the Local Government Act 1999, after adjusting the budget financial information to reflect Capital Expenditure on New and Upgraded Assets of \$4.953m.**
- 3. That the CEO be authorised to:**
 - a. Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and**
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.**

Carried Unanimously

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12.3 Local Heritage Grant Fund Project Approvals and Guideline Amendments

Cr Leith Mudge declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.3 Local Heritage Grant Fund Project Approvals and Guideline Amendments.

Moved Cr Chris Grant

S/- Cr Ian Bailey

90/20

Council resolves:

- 1. That the report be received and noted**
- 2. To approve the six projects shortlisted to receive grant funding to contribute to the works as detailed in Appendix 1 of this report and listed below:**
 - **Kinclaven Coach House**
 - **Former Thorpe Coachhouse**
 - **Former Aldgate Valley Church of Christ**
 - **Stonehedge Avenue House**
 - **Gwynne House**
 - **Ironbank Uniting Church**
- 3. To approve the proposed changes to the Local Heritage Grant Fund Guidelines as detailed in Appendix 2 of this report.**

Carried Unanimously

Cr Leith Mudge voted in favour of the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

Moved Cr Kirsty Parkin

S/- Cr Malcolm Herrmann

91/20

Council resolves:

That the meeting be adjourned until 9pm.

Carried Unanimously

8.45pm The meeting adjourned

9.02pm the meeting resumed

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- 12.4 Support for Road Closures – 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint**
Cr Chris Grant declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.4 Support for Road Closures – 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint.

Moved Cr Pauline Gill
S/- Cr Chris Grant

That this item be deferred to the June meeting to allow Council Members time to consult with the community.

Lost

9.17 Cr Linda Green left the meeting
9.17 Cr Linda Green returned to the meeting

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge **92/20**

That the meeting be extended for 30 minutes.

Carried

Moved Cr Nathan Daniel
S/- Cr John Kemp **93/20**

10.04pm Cr Chris Grant left the meeting
10.06pm Cr Chris Grant returned to the meeting

Council resolves:

1. **That the report be received and noted.**
2. **That, in relation to the 2020 Shannons Adelaide Rally and 2020 Gorge Rallysprint, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:**
 - a. **Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event**
 - b. **Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event**
 - c. **Providing confirmation that the affected business owners are aware of the road closures**
 - d. **Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress**

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and regress for those properties can be managed within the event where possible

- e. Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.

3. That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 13 September and between Wednesday 25 and Saturday 28 November as follows:

2020 Gorge Rallysprint

- a. **Sunday 13 September**
- i. **Stage 1 - Pinkerton Gully**
Approximate closure 9:00am – 4:30pm
Gorge Road closed – from approximately King George Avenue to Pinkerton Gully Road
 - ii. **Stage 2 – Paracombe**
Approximate closure 9:00am – 4:30pm
Gorge Road closed – from approximately Batchelor Road to 500m before Torrens Valley Road
 - iii. **Stage 3 – Prairie**
Approximate closure 9:00am – 4:30pm
Gorge Road closed – from approximately Torrens Valley Road to Prairie Road

2020 Shannons Adelaide Rally

- b. **Wednesday 25 November**
- iv. **Stage 1 and 9 – Scott Bottom and Bradbury**
Approximate closure 11:30am – 2:00pm and 3:45pm – 6:15pm
Mount Bold Road and Dorset Vale Road closed – from AHC boundary to Gurr Road
- c. **Thursday 26 November**
- v. **Stage 11 and 14 – Anstey Hill Short**
Approximate closure 8:45am – 2:30pm
Lower North East Road closed – from Perseverance Road to Range Road
 - vi. **Stage 12 and 15 – Chain of Ponds Plus**
Approximate closure 9:00am – 2:45pm
North East Road closed – from Fidlers Hill Road to Gorge Road
 - vii. **Stage 13 – Corkscrew**
Approximate closure 9:30am – 1:00pm
Corkscrew Road closed – from Gorge Road to Montacute Road

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- viii. **Stage 16 – Lobethal**
Approximate closure 11:30am – 3:00pm
Cudlee Creek Road closed – from Fox Creek Road to Tabor Lane

- d. **Friday 27 November**
 - ix. **Stage 19 and 22 – Norton Summit**
Approximate closure 8:30am – 1:45pm
New Norton Summit Road closed – from Coach House Drive to Lobethal Road
 - x. **Stage 20 and 24 – Stafford Ridge and Heysen**
Approximate closure 9:00am – 12:15pm and 12:45pm – 4:30pm
Staffords Road and Fox Creek Road closed – from Lobethal Road to Fox Creek MTB carpark
 - xi. **Stage 21 and 23 – Castambul and Morialta**
Approximate closure 9:30am -4:00pm
Gorge Road, Corkscrew Road, Montacute Road and Marble Hill Road closed – from Prairie Road to Tembys Road
 - xii. **Stage 25 – Ironbank**
Approximate closure 2:00pm – 5:00pm
Morgan Road and Scott Creek Road closed – from Morgan Road to Evans Drive
 - xiii. **Stage 26 – Sturt Valley**
Approximate closure 2:00pm – 5:15pm
Sturt Valley Road closed – from 274 Sturt Valley Road to Longwood Rd
 - xiv. **Stage 27 and 32 – Eagle on the Hill and Leawood Gardens**
Approximate closure 2:15pm – 5:45pm
Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd

- e. **Saturday 28 November**
 - xv. **Stage 28 – Mt Lofty**
Approximate closure 9:30am – 1:15pm
Greenhill Road and Summit Road closed – 661 Greenhill Road to Cleland Wildlife Park
 - xvi. **Stage 29 – Basket Range**
Approximate closure 10:00am – 1:30pm
Lobethal Road closed – 374 Lobethal Road, Ashton to Basket Range Road
 - xvii. **Stage 30 – Carey Gully**
Approximate closure 10:15am - 1:45pm
Lobethal Road and Deviation Road closed – Fernglen Road to Boundary Drive (South)
 - xviii. **Stage 31 – Mt George**
Approximate closure 10:30am – 2:15pm

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Gorge Road, Worden Road, Muller Road, Carey Gully Road, Tanamerah Road, Gum Flat Road, Badenoch Road closed – from Rangeview Drive to Beaumont Road, Verdun

- xix. Stage 32 – Summit Road
Approximate closure 1:00pm – 3:45pm
Summit Road closed – Greenhill road to Cleland Wildlife Park
- xx. Stage 33 – Athelstone
Approximate closure 1:45pm – 4:45pm
Gorge Road closed – from Corkscrew Road to Council boundary

4. That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.
5. That organisers of the 2020 Shannons Adelaide Rally be required to attend a Council workshop by February 2021 to provide feedback on the 2020 event and allow elected members the opportunity to ask questions in relation to the event.

Carried

Cr Chris Grant voted against the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

12.5 Council Assessment Panel Membership

Moved Cr Kirsty Parkin
S/- Cr Nathan Daniell

94/20

Council resolves:

1. That the report be received and noted
2. To determine to retain the current Terms of Reference for the Council Assessment Panel, specifically for it to comprise one (1) member of the Council (with an Elected Member deputy) and (4) Independent Members.
3. To determine that the method of selecting the Council Assessment Panel Member and Deputy Member to be by an indicative vote to determine the preferred persons for the two Member positions utilising the process set out in this Agenda report.

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4. **To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Council Assessment Panel Council Member roles and for the meeting to resume once the results of the indicative vote have been declared.**

Carried Unanimously

10.15pm The meeting was adjourned for the purposes of conducting an indicative vote.
10.28pm The meeting resumed.

Moved Cr John Kemp
S/- Cr Leith Mudge

95/20

That the meeting be extended for 30 minutes.

Carried

Cr Leith Mudge declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.5 Council Assessment Panel Membership.

10.29pm - Cr Leith Mudge left the meeting and did not participate in the vote.

Cr John Kemp declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.5 Council Assessment Panel Membership.

10.29pm - Cr John Kemp left the meeting and did not participate in the vote.

Moved Cr Linda Green
S/- Cr Malcolm Herrmann

96/20

5. **To appoint Cr John Kemp as Member and Cr Leith Mudge as Deputy Member of the Council Assessment Panel for a 24 month term to commence 1 June 2020 and conclude on 31 May 2022 (inclusive).**

Carried Unanimously

10.30pm – Councillor John Kemp and Cr Leith Mudge returned to the meeting

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12.6 Southern & Hills Local Government Association – 2020-21 Key Action Plan and Draft Budget

Moved Cr Malcolm Herrmann
S/- Cr Linda Green

97/20

Council resolves:

1. That the report be received and noted
2. That the Southern & Hills Local Government Association's 2020-21 Key Action Plan and proposed budget be received and noted.

Carried Unanimously

12.7 Membership Extension of Commonwealth Home Support Service Funding

Moved Cr Ian Bailey
S/- Cr Leith Mudge

98/20

Council resolves:

1. That the report be received and noted
2. That the Council agrees to enter into the Deed of Variation in relation to the Commonwealth Home Support Program which extends the Commonwealth Government funding as follows:
 - a. for the provision of home and social support elements of the program, from 1 July 2020 until 30 June 2022
 - b. for the provision of our Sector Support and Development program, from 1 July 2020 until 30 June 2021
3. That the Council authorise the Mayor and Chief Executive Officer to affix the seal of Council and execute the Deed of Variation in relation to Home Support

Carried Unanimously

12.8 Status Report – Council Resolutions Update

This item was deferred to the next meeting

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Quarterly Council Performance Report – Q3

This item was deferred to the next meeting

**ADELAIDE HILLS COUNCIL
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13.2 Ombudsman Correspondence - – Complaint regarding Internal Review of Council Decision and Unreasonable Complainant Conduct Policy

This item was deferred to the next meeting

13.3 Publishing Council Meeting Recordings

This item was deferred to the next meeting

14. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann asked a question regarding the bid process for grant monies awarded from the bids for the \$781,000 of grant money recently awarded.

10.44pm - Cr John Kemp left the meeting

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

- 29 April 2020, Filming for National Volunteers Week @ Stirling
- 29 April 2020, Local Recovery Committee meeting via zoom
- 29 April 2020, Budget Review meeting via zoom
- 30 April 2020, SHLGA meeting via webex
- 30 April 2020, Business Support and Eco recovery LGA session via zoom
- 4 May 2020, GAROC committee meeting via zoom
- 5 May 2020, Introduction meeting with East Waste Chair via zoom
- 6 May 2020, Film interview for Reconciliation Video @Woorabinda, Stirling
- 6 May 2020, Meeting with Josh Teague via zoom
- 7 May 2020, Virtual visit by NBRA via zoom
- 7 May 2020, Interview with Radio National re bushfire grants allocation and funding received via phone
- 8 May 2020, Meeting with John Gardener MP for Morialta via zoom
- 11 May 2020, Interview with The Courier about Bushfire grant funding
- 13 May 2020, Online meeting with Karen Raffin RDA Metro via zoom
- 13 May 2020, Local Recovery Committee meeting #14 via zoom
- 13 May 2020, COVID-19 briefing with Premier Steven Marshall via zoom
- 19 May 2020, Private meeting with His Excellency the Governor of SA (with CEO AHC) via zoom
- 19 May 2020, Agenda briefing and CEO catchup @ Stirling
- 20 May 2020, AHC internal meeting re AHC deputation to Campbelltown re boundary

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- 21 May 2020, LGA SA Board meeting via zoom
- 22 May 2020, AHC internal meeting re bushfire funding progress
- 22 May 2020, Where we Build What we build webinar via zoom
- 26 May 2020, AHC internal meeting re Community Ready initiative possible funding via zoom

Cr Malcolm Herrmann

- 7 May 2020, GRFMA Meeting with consultant
- 25 May 2020 Audit Committee Meeting

16.2 Reports of Members as Council/Committee Representatives on External Organisations

10.47pm - Cr John Kemp returned to the meeting

16.3 CEO Report

Andrew Aitken, CEO, provided Council with a verbal Corporate Update.

17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel

Nil

17.2 Strategic Planning & Development Policy Committee

Nil

17.3 Audit Committee

Nil

17.4 CEO Performance Review Panel

Nil

18. CONFIDENTIAL ITEMS

Nil

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 23 June 2020 from 6.30pm in the Zoom Virtual Meeting Room.

20. CLOSE MEETING

The meeting closed at 10.50pm.

**ADELAIDE HILLS COUNCIL
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AGENDA BUSINESS ITEM**

Item: 8.1.1

Responsible Officer: Lachlan Miller
Executive Manager Governance & Performance
Office of the Chief Executive

Subject: Petition – Footpath Redden Drive Cudlee Creek

For: Decision

SUMMARY

A petition has been received with 28 signatories stating:

We, the undersigned, request Adelaide Hills Council to include the sealing of Redden Drive footpath from the Gorge Road to the Gorge Wildlife Park 30 Redden Drive Cudlee Creek (in AB Plan or distribution of \$781k Cwlth grant).

This unsealed footpath is used by:

- *School children catching the bus by the CC Hall*
- *Tourists moving to and from the Gorge Wildlife Park*
- *Residents travelling from Banks Road an Redden Drive to catch the bus opposite the Cudlee Creek Tavern and*
- *Residents going to the Post Office and Tavern*

RECOMMENDATION

Council resolves:

- 1. That the petition signed by 28 signatories requesting the sealing of Redden Drive footpath, from Gorge Road to the Gorge Wildlife Park, be received and noted.**
 - 2. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**
-

1. PETITION DETAILS

Council has received a petition organised by Karen Tregloan of Cudlee Creek and signed by 28 signatories.

The Petition states:

We, the undersigned, request Adelaide Hills Council to include the sealing of Redden Drive footpath from the Gorge Road to the Gorge Wildlife Park 30 Redden Drive Cudlee Creek (in AB Plan or distribution of \$781k Cwltg grant).

This unsealed footpath is used by:

- *School children catching the bus by the CC Hall*
- *Tourists moving to and from the Gorge Wildlife Park*
- *Residents travelling from Banks Road an Redden Drive to catch the bus opposite the Cudlee Creek Tavern and*
- *Residents going to the Post Office and Tavern*

This Petition does not meet the legislative requirements (and therefore Council's *Petitions Policy*) for a compliant petition. Nevertheless, the CEO has exercised his delegation, under 7.4.2 of the Policy, and determined to include the petition on the agenda.

2. OFFICER'S RESPONSE – Peter Bice, Director Infrastructure & Operations

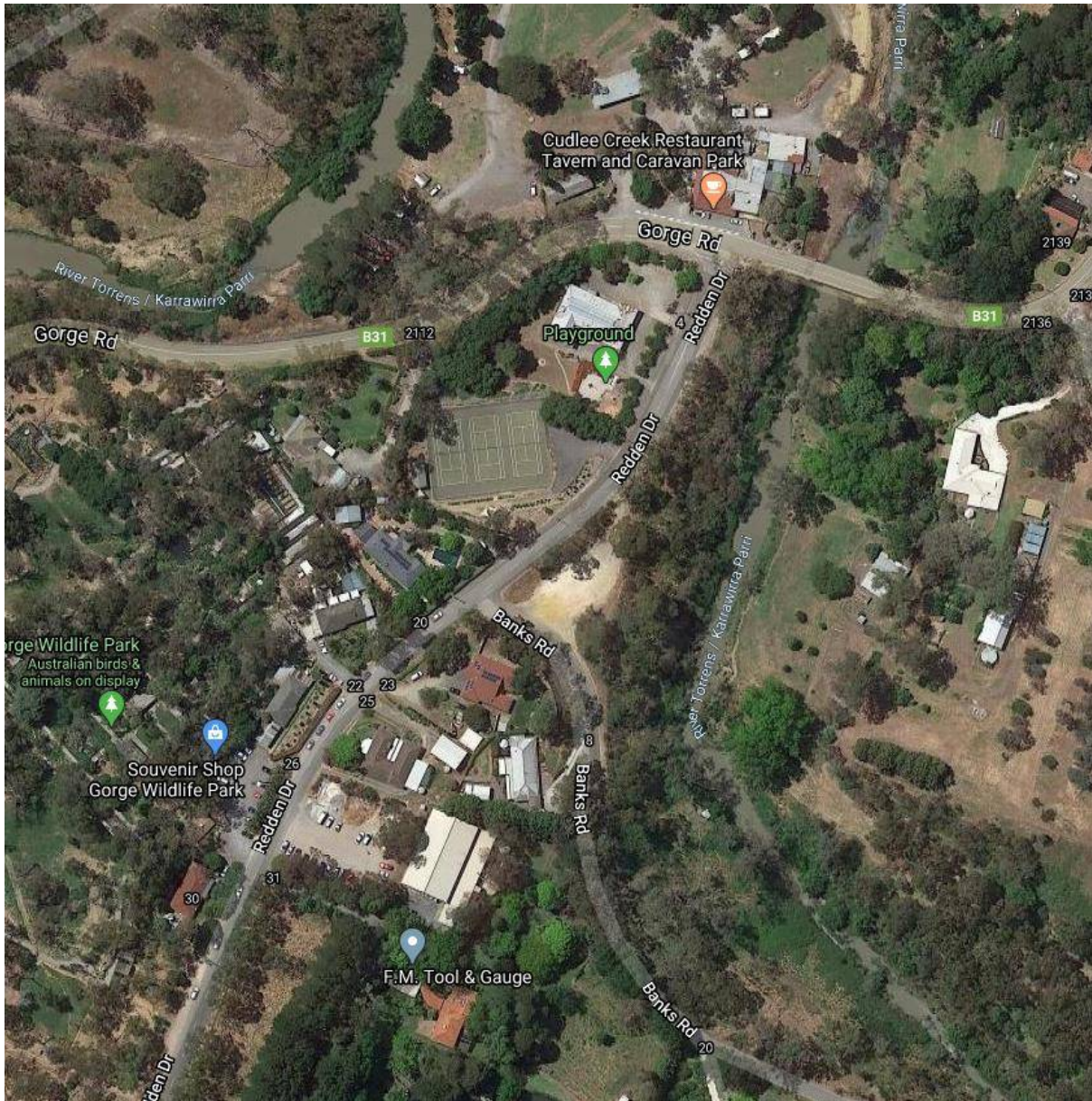
➤ Relationship/relevance to Council services/activities/plans/strategies/resolutions

Redden Drive, Cudlee Creek, footpath sealing has been included as one of the recommended Local Roads and Community Infrastructure Projects as per Council report later in the meeting Agenda.

➤ Options¹

Council will consider this matter later in the agenda as part of Item 12.4, Local Roads and Community Infrastructure Program Projects.

¹ Any potential motion arising from the receipt of a petition is a Motion Without Notice and Council has resolved for restrictions on the scope on these types of motions as per clause 3.18 of the *Code of Practice for Council Meeting Procedures*.



**ADELAIDE HILLS COUNCIL
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Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Andrew Stratford

Subject: Woodside Recreation Grounds Masterplan

1. QUESTION

1. What is the status of the Woodside Recreation Grounds Masterplan?
2. What is the proposed time line for the Woodside Masterplan to be at a stage whereby individual lease holders to the Woodside Recreation Grounds can make key strategic decisions on their own future planning and development which are not likely to compromise the recommendations of this plan?
3. What is the proposed time line for the Woodside Masterplan to be at a stage where the Management Committee of the Recreation Grounds are able to make key strategic decisions in regard to future grounds development which are not likely to compromise the recommendations of this plan? (For example drainage, traffic flow, oval maintenance etc).
4. Which of Council's staff is the most appropriate contact person for the WRG Management Committee to liaise with on this matter?
5. Have there been specific allocations made against the \$70,000 included in Council's 2020/21 draft budget for the Woodside Recreation Grounds? If so what are these?

Background:

The Woodside Recreation Grounds Management Committee is frustrated that progress on this plan has been incredibly slow. Their input and recommendations were sought and considered by Council staff as far back as 2017/18 yet to date the plan appears to still have not been developed, circulated, or fully endorsed?

There are a number of lease holders to these grounds who are wanting to move forward with their own future plans, and feel that this process (which has been sold to them as the over-arching document to guide future growth and development of the grounds) has stalled, is not even recognised across different Council directorates and is serving no purpose other than to cause angst, frustration and missed opportunities across the site.

The Management Committee holds a similar view and feel that any contribution that their members have made to previous planning and consultative processes conducted earlier have not been met with any commitment or documentation from Council.

2. OFFICER'S RESPONSE – Chris Janssan, Manager Open Space

A masterplan is a long-term planning document that provides conceptual ideas and potential layouts that can guide future growth and development of a site. A masterplan should be a dynamic document that has the ability to change or adapt over time.

1. The masterplan that has been formulated for the site is a high level, conceptual document that identifies some conceptual layouts and priorities. This is seen as the most appropriate level and structure for obtaining grant funding for various elements.
2. This is difficult to quantify at this point in time, as it depends on what funding opportunities become available, and what outcomes the funding bodies are trying to achieve. Considering the allocation of funding in Council's draft Annual Business Plan, some work will be undertaken in the coming financial year. However, it is unrealistic to set a start and end date at this point in time when funding opportunities are not yet clear. In relation to individual clubs making key strategic decisions on their own future planning and development, this will be able to be facilitated with input from Council's Sport & Recreation Planner.
3. The plan does highlight high level elements which include Carparking & Traffic, Ovals & Pitches, Buildings & Facilities, Swimming Pool, BMX Track, Town Entrance and Creek line Park. These elements (along with discussions with Council staff) should provide context for future ground development. It should also be noted that in the last 12 months Council has undertaken the following work at the Woodside Recreation Ground:
 - Widened the access road that exits onto Nairne Road to 6 metres for approximately 100 metres
 - Works to the creek line running through the site, including rock lining the creek
 - Line marked the car parking areas in the entrance way off Onkaparinga Valley Road and near the playground / toilet
 - Minor pit and pipe cleaning
4. Renee O'Connor, Sport & Recreation Planner, will take the lead on this project as of July 1 2020.
5. This funding will be used in a similar manner / approach to what we have taken with other Masterplans; where the Council funding, plus contribution from clubs is used as matched funding in grant applications to fund masterplan priorities. Alternatively, more detailed design for a particular element / action from the masterplan can be undertaken. Our approach will be determined, depending on what grant funding becomes available.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Provision of information and assistance regarding the Rostrevor/Woodforde Boundary Change Proposal

1. MOTION

I move that in relation to the Campbelltown City Council boundary realignment proposal, and on the basis of the results of the Council Boundary Change Survey and the Campbelltown City Council's lack of timeliness in formally considering Adelaide Hills Council's request to withdraw the proposal, Council resolves to provide no further information or assistance to the Campbelltown City Council in relation to their proposal other than that required by legislation.

2. BACKGROUND

New Local Government boundary change legislation commenced in January 2019 which requires the initiating council to prepare a submission to the Boundaries Commission (Commission) addressing a number of criteria in order to substantiate the case for a boundary realignment.

There is no requirement for the relinquishing council to be in agreement with or to contribute to the development of the submission. The Commission considers a preliminary (Stage 1) submission and determines whether to invite a subsequent, more detailed (Stage 2) submission from the initiating council. The Commission then assesses the initiating council's Stage 2 submission and if it believes that there is merit, the Commission will conduct its own independent investigation (Stage 3), at the initiating council's expense, before making a recommendation to the Minister for Local Government.

Ironically, also in January 2019, Campbelltown City Council (Campbelltown) passed a resolution to lodge a Stage 1 submission with the Commission regarding a proposed change to its boundary with Adelaide Hills Council (AHC). The Campbelltown submission seeks to absorb the AHC areas of Rostrevor and Woodforde. According to statements made by Campbelltown this decision was made in response to requests received by them from local residents. AHC as well as some affected residents are still awaiting the detailed public release of these resident requests, including their specific number and nature.

Surprisingly, some may say disturbingly, to date, this evidence has not been forthcoming.

AHC was not informed that this item had been put on Campbelltown's agenda nor that it was passed. Astonishingly, the first that AHC, and our community for that matter, heard of the resolution was when the media contacted AHC Mayor Wisdom for comment.

The Boundaries Commission subsequently granted Campbelltown permission to pursue a Stage 2 proposal in May 2019.

During the course of 2019, AHC was also receiving anecdotal feedback from residents of the two affected suburbs that Campbelltown's proposal did not have their support.

In response to the differing information regarding how residents felt about boundary realignment, AHC convened a community meeting in early September 2019 at Rostrevor College. The purpose of this meeting was to provide information to affected residents and ratepayers regarding the boundary reform proposal and to gain a further appreciation of their views. Campbelltown accepted AHC's invitation to present at this meeting.

Approximately 122 people attended the meeting and such was the depth of feeling communicated by residents, that the AHC resolved in September 2019 to conduct a survey of the AHC residents in the affected area for the purpose of understanding their views on the proposal and to inform the Council's position on the matter.

AHC commenced a comprehensive Council Boundary Change Survey of Rostrevor and Woodforde residents and ratepayers in November 2019. Almost two thirds of the survey respondents were opposed to the Campbelltown proposal and only 28% supported the proposal. The remaining 7% were either undecided or had no preference. A total of 268 people responded to the survey. Of the Rostrevor residents and ratepayers who completed the survey, over 80% were against the Campbelltown proposal.

In response to the majority of residents and ratepayers' wishes, AHC has publicly requested that Campbelltown considers withdrawing its proposal to annex the suburbs of Rostrevor and Woodforde from its council area.

On Tuesday, 2 June 2020, AHC Mayor Jan-Claire Wisdom and Deputy Mayor Nathan Daniell made a deputation at the Campbelltown City Council meeting and declared their request.

AHC's response to the Campbelltown proposal has always been to be guided by the opinions of those residents and ratepayers who would be affected directly by the proposed boundary change.

The results of the survey conducted late last year are undeniable with almost two thirds of the survey respondents opposed to the proposal.

To date, despite the clear opposition from local residents to Campbelltown's proposal for boundary change, AHC, and more importantly, the local community, are none the wiser as to what evidence Campbelltown relied upon to initiate this proposal in the first place, and more recently, despite this opposition from the local community, why Campbelltown is persisting with its proposal.

3. OFFICER'S RESPONSE – Lachlan Miller, Executive Manager Governance & Performance

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal	A Progressive Organisation
Objective O4	We actively represent our community
Priority O4.4	Explore council boundary reform options that best serve the community

➤ Legal Implications

Part 2 – Reform Proposals of Charter 3 of the *Local Government Act 1999* (Act) sets out the provisions relating to (amongst other matters) the alteration of council boundaries. These provisions are further detailed in a series of guidelines prepared by the Boundaries Commission¹.

The boundary change process contained within these provisions, as it relates to a General Proposal (which is what the current Campbelltown proposal is classified as), is largely as set out in the Background section above.

An important point of additional detail is that when (and if) the Campbelltown proposal is accepted by the Commission for investigation, both the initiating and relinquishing councils are legally required to provide assistance and information to the Commission's investigators.

As the proposed motion revolves around the provision of information and assistance to Campbelltown in the development of their Stage 2 proposal, there are no specific legal implications.

➤ Risk Management Implications

As the proposed motion revolves around the provision of information and assistance to Campbelltown in the development of their Stage 2 proposal and Council will continue comply with any legislative requirements in relation to the matter, there is minimal risk.

However the broader risk posed by the boundary change proposal, should it approved by the Minister is:

Realignment of Council boundaries bordering Campbelltown City Council leading to financial, resource allocation, social and representation changes

Inherent Risk	Residual Risk	Target Risk
High (2B)	High (2B)	Medium

¹ See *Guidelines for preparing a proposal*, https://www.dpti.sa.gov.au/local_govt/boundary_changes

➤ **Financial and Resource Implications**

Costs associated with the boundary reform submission process (as opposed to outcomes of boundary reform) are borne by the initiating council(s). The financial and resource implications associated with a decision of the Minister for Local Government to change council boundaries could have significant financial and resource implications depending on the scale of the change and the terms & conditions of that change.

As the proposed motion revolves around the provision of information and assistance to Campbelltown in the development of their Stage 2 proposal, the only financial and resource implications would be those associated with the provision of assistance and information.

➤ **Customer Service and Community/Cultural Implications**

The results of the Council Boundary Change Survey clearly demonstrate the community preferences in the suburbs of Rostrevor (AHC) and Woodforde in relation to the Boundary Change Proposal.

It should be noted that the entire populations of both councils will be affected if the proposal comes into effect in terms of financial, resource allocation and representation impacts.

As the proposed motion revolves around the provision of information and assistance to Campbelltown in the development of their Stage 2 proposal, there are negligible community/cultural implications.

➤ **Sustainability Implications**

As the proposed motion revolves around the provision of information and assistance to Campbelltown in the development of their Stage 2 proposal, there are no specific sustainability implications.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Manager Communications, Engagement and Events

External Agencies: Not Applicable

Community: Not Applicable

4. ANALYSIS

Information Requests

Campbelltown City Council has made requests on a number of occasions over the last twelve months for information to assist with the preparation of their Stage 2 proposal.

At its 24 September 2019 Ordinary meeting, in consideration of the earlier requests for information, AHC resolved as follows:

Boundary Reform Proposal Engagement

Moved Cr Pauline Gill

S/- Cr John Kemp

245/19

Council resolves to:

1. Continue to engage with the affected residents and ratepayers of Rostrevor and Woodforde to keep them informed on the progress of the Campbelltown City Council Boundary Realignment Proposal
2. Request Campbelltown City Council to provide Adelaide Hills Council with their project plan and their engagement plans (or equivalents) for the development and lodgement of the Stage 2 Boundary Realignment Proposal
3. Defer the provision of further assistance to Campbelltown City Council regarding the Stage 2 Boundary Realignment Proposal pending the receipt of the requested project plan and engagement plan.

The request for a project/engagement plan in part 2 of the above resolution was communicated to Campbelltown and, on 15 October 2019, AHC received correspondence along with a project/engagement plan. The 'plan' consisted of seven tasks commencing with 'gather information from Adelaide Hills Council'. This 'plan' for what should have been a significant project that could have a significant impact on both councils was considered to be manifestly inadequate.

As such the requested information was not provided however, in more recent times, the potential for the information to be provided on a fee-for-service basis has been explored in communications between the councils.

The requested information relates to the contact details of residents and ratepayers; valuation data relating to each of the rateable property assessments in the affected suburbs; and information on the AHC assets in the affected suburbs.

Information for the first two categories is largely available in the public domain at no or relatively minimal cost however the third category is proprietary information held by AHC.

Survey Results and Request to Withdraw

At its 28 January 2020 Ordinary Meeting, AHC received a report on the results of the Council Boundary Change Survey (see Background for further details) and, in consideration of the results, resolved (Resolution 9/20) as follows:

Council resolves:

- 1. That the report be received and noted.**
- 2. To note that electronic copies of the Council Boundary Change Survey Report have been provided to the residents and ratepayers who participated in the survey and to the Mayor of Campbelltown City Council.**
- 3. To provide the Council Boundary Change Proposal Survey Report at Appendix 1 to the Boundaries Commission, the Minister for Local Government, the Shadow Minister for Local Government and the Member for Morialta.**
- 4. To recognise and accept that the majority of Rostrevor (AHC) and Woodforde community respondents in the Council Boundary Change Survey are against the boundary change proposal. As such, Council requests that Campbelltown City Council, in light of these results, consider withdrawing their proposal with the Boundaries Commission.**

Carried Unanimously

AHC's resolution was communicated to Campbelltown City Council on 6 February 2020.

To date (over 4 months later), AHC is not aware of any formal consideration within the Campbelltown Council Chamber of the survey results or AHC's request to consider the withdrawal of the proposal (other than the deputation made by Mayor Wisdom and Deputy Mayor Daniell as described in the Background section).

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item:	12.1
Responsible Officer:	Lachlan Miller Executive Manager Governance & Performance Office of the Chief Executive
Subject:	Adelaide Hills Region Waste Management Authority Charter Review
For:	Decision

SUMMARY

The Adelaide Hills Region Waste Management Authority (AHRWMA) is a regional subsidiary of the Adelaide Hills Council. AHRWMA operates under the provisions of Charter and the current iteration no longer reflects the strategic and operational imperatives of the Authority.

A Charter review process has been underway for an extended period involving both Board members and the Constituent Council CEOs.

The AHRWMA Board has now recommended a revised Charter (**Appendix 1**) for the Constituent Councils to consider. Approval of all of the Constituent Councils is required for the matter to be progressed.

The purpose of this report is for Council to consider the draft AHRWMA Charter and to either indicate approval of the current wording or to propose alternate wording for the AHRWMA Board to consider.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To approve the draft *Adelaide Hills Region Waste Management Authority Charter 2020*, as contained in Appendix 1.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

➤ Legal Implications

The AHRWMA is a regional subsidiary established under Section 43 and Schedule 2 of the *Local Government Act 1999*.

Schedule 2 requires that a regional subsidiary must have a Charter and that Charter (including any revisions) is approved by the Minister for Local Government. Due to this requirement, regional subsidiary Charters often have not kept pace with the evolution of the businesses.

Prior to the Charter being presented to the Minister for approval, it requires approval from all Constituent Councils. As such, any additional suggestions for inclusions from individual Constituent Council will require the Board to reconsider the draft Charter along with all other Constituent Councils.

Council's appointees to the AHRWMA Board are Cr John Kemp and Manager Sustainability, Waste and Emergency Management, John McArthur.

➤ Risk Management Implications

The establishment of legislatively-compliant and fit-for-purpose charters for regional subsidiaries will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note: There are many other controls that assist in managing this risk.

➤ Financial and Resource Implications

As this report relates primarily to approval of the draft Charter and not the provision of services by AHRWMA there are minimal financial and resource implications.

Notwithstanding the above, the draft Charter contains a different methodology for the calculation of equity and liabilities for the Authority and this does impact each of the Constituent Councils.

➤ **Customer Service and Community/Cultural Implications**

Not applicable

➤ **Sustainability Implications**

Not applicable

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: A presentation on the revised Charter was made at the 16 June 2020 Workshop

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Manager Financial Services
Manager Sustainability, Waste and Emergency Management

External Agencies: Adelaide Hills Region Waste Management Authority

Community: Not Applicable

2. BACKGROUND

The AHRWMA is a regional subsidiary established pursuant to s43 the Act. The Constituent Councils are Mount Barker, Alexandrina, Adelaide Hills and Rural City of Murray Bridge.

The AHRWMA Charter has been in place for a considerable period and over time it has become apparent for the need for it to be reviewed to reflect the strategic and operational imperatives of the current Authority. As such, a charter review process has been underway for some time and included several workshops with Constituent Council CEOs and AHRWMA Board members.

The AHRWMA Board resolved at its February 2020 meeting for the final draft charter to be provided to Constituent Council for consideration. At its June 2020 Special Board meeting there was a small change to the draft agreed and this final document is provided at **Appendix 1**.

In the Charter review process, reviews of Board Membership, budget setting processes, equity calculations and exit clauses have been undertaken. The revised Charter includes several amendments addressing current legislative requirements and improving processes. The revisions remove barriers which impact on the Authority's operations under the current Charter, including streamlining budget processes, addressing expenditure limitations and improving timing and reporting to align better with Constituent Council requirements.

3. ANALYSIS

Due to the need for significant and wholesale change to the provisions and structure of the charter it is not possible to display it in track changes format. As such, the proposed Charter is at **Appendix 1** and the current charter at **Appendix 2**.

The key revisions are as follows:

Board Membership

Following CEO consultation and in accordance with a resolution of the AHRWMA Board the revised Charter includes a five member skills-based board.

Each Constituent Council will appoint a Board Member who will possess desired skills. That Board Member may be an employee of the Council, an Elected Member or an Independent Member – at the Constituent Council’s discretion. Council appointed Board Members will not be paid a sitting fee by AHRWMA and therefore it will be a matter for each Constituent Council as to whether they will resolve to compensate their Board Member (subject to legislative provisions).

An Independent Chair will be appointed jointly by the Constituent Councils. The Chair will be paid a sitting fee by the AHRWMA.

It is proposed that the Constituent Council CEOs will form a panel to undertake the selections/nominations process and the AHRWMA Executive Officer will assist with this process.

AHRWMA Audit Committee

The current Charter contains an exemption from the requirement to establish an Audit Committee. The need for an Audit Committee and its composition was considered via the review process. The revised Charter now includes a requirement for an Audit Committee, with the composition to be determined by the Board.

The revised Charter includes a clause stating; The Authority will establish an audit committee as required by Clause 30, Schedule 2 of the Act. This clause aligns with Audit Committee Clauses within other Regional Subsidiary Charters.

Annual Budget

The Charter has been reviewed to streamline budget and expenditure processes and require approval of the budget from Member Councils prior to Board adoption. The revised Charter has been updated to state that an absolute majority approval of Councils is required in relation to the draft budget.

It is envisioned that the AHRWMA would address concerns of the Constituent Councils if they do not approve the draft budget prior to budget adoption. However, an absolute majority enables the budget to be adopted if one Council does not approve it and three do.

Member Council Equity

The review considered Constituent Council equity. The revised Charter includes a calculation of Equity Interests on the basis of cumulative tonnes of waste deposited with the Authority since the 2001/2002 financial year. Under the revised Charter each Member's equity percentage is to be determined based on cumulative tonnes and the net assets of the AHRWMA shared across the Constituent Councils in accordance with this equity percentage.

The revised charter uses tonnes as the default measure for determining each Council's Equity Interest, however it provides flexibility in the definition of 'Annual Contribution' to enable another measure or additional measures to be used by the Authority in the future, if required.

There are five regional waste subsidiaries in South Australia and the way in which Member Council equity in the subsidiaries is determined varies. Equity is determined based on population, agreed percentages outlined within Charter or moving shares based on input into the subsidiary (similar to AHRWMA). In all cases the percentage splits are shared across the total assets of the Subsidiaries and do not vary in accordance with the annual operating result.

Following a review of options, at this point in time, given the services provided by the Authority includes a landfill and all other services are cost neutral to the Authority, cumulative tonnes are recommended as the basis for determining equity shares within the Authority.

The Charter is required to be reviewed every four years and if the Authority were to change its operations and landfill tonnes was no longer an appropriate measure this could be reviewed in the future.

From an AHC perspective, the change in equity calculation methodology was result in a decrease in equity from 41.4% under the current Charter to 37.9% under the revised Charter, noting that this is indicative and will vary based on the actual tonnage at the end of each financial year.

Liabilities

In most circumstances (unless there was a change in the Authorities activities) the liabilities of the AHRWMA would relate to the landfill. For this reason, the tonnes into the site determine the equity share and the liabilities of Constituent Councils are also determined on this basis.

At times there may be liabilities or additional costs that fall outside of the landfill operation and do not relate to tonnes. In this case the Board and Constituent Councils may want to determine an alternative split or contribution in relation to an out of ordinary circumstance.

The standard position on liabilities included within the revised Charter is that liabilities will be determined in accordance with the Member Councils 'Schedule of net Assets' (equity share), however if an alternative position was warranted this would be subject to a report to the Board and agreement by Constituent Councils as a stand-alone item or through the budget process. Flexibility is provided under Clause 5.3 of the reviewed Charter.

Withdrawal from Regional Subsidiary

In accordance with CEO consultation feedback the revised Charter has been updated to state that a withdrawing Constituent Council will remain liable in proportion to the Constituent Council's Equity Interest Percentage calculated at the date of providing the notice.

4. OPTIONS

Council has the following options:

- I. To approve the revised AHRWMA Charter. Doing so will enable the Authority to operate under a modern and practical Charter which supports the strategic and operational imperatives of the Authority (Recommended)
- II. To request the AHRWMA Board to consider changes to the revised Charter. Doing so would then require the Board to consider these matters and to then seek the approval of each Constituent Council to those changes.
- III. Determine not to approve the revised Charter in any form. Doing so would leave the Authority operating under an outdated and impractical Charter (Not Recommended)

5. APPENDICES

- (1) AHRWMA revised draft Charter 2020
- (2) AHRWMA current Charter

Appendix 1

AHRWMA revised draft Charter 2020

LOCAL GOVERNMENT ACT 1999

ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY CHARTER 2020

1. INTRODUCTION

1.1. Definitions

'Absolute Majority' means a majority of the whole number of the Constituent Councils;

'Act' means the *Local Government Act 1999* and includes all regulations made under that Act;

'Annual Contribution' means the volume of rubbish and waste deposited in a financial year by a Constituent Council at landfill operations undertaken by the Authority, unless otherwise determined by the Authority;

'Asset Management Plan' means the asset management plan prepared under clause 5.5.1;

'Authority' means the Adelaide Hills Region Waste Management Authority;

'Board' means the board of management of the Authority as described in clause 3;

'Board Member' means a member of the Board appointed in accordance with clause 3.3 and unless the context requires otherwise includes a Deputy Board Member;

'Budget' means the annual budget adopted by the Authority in accordance with clause 5.2;

'Business Plan' means a business plan adopted by the Authority in accordance with clause 4.2;

'CCI Schedule' means the schedule compiled for the purposes of clause 5.1.1.

'Chairperson' means the member of the Board appointed in accordance with clause 3.3.1.2;

'Constituent Councils' means the constituent councils of the Authority as identified in clause 1.2.2 subject to any adjustment under clauses 8.2 or 8.3;

'Council' means a council constituted under the Act;

'Deputy Board Member' means a deputy member of the Board appointed in accordance with clause 3.3.2;

'Equity Interest' means the interest of a Constituent Council in the Net Assets of the Authority as recorded in the CCI Schedule;

'Equity Interest Percentage' means the Equity Interest of a Constituent Council as a proportion of the Equity Interest of all Constituent Councils expressed as a percentage;

'Executive Officer' means the person appointed in accordance with clause 6.1 as the Executive Officer of the Authority;

'Fees' are fees for services or facilities provided by the Authority.

'Financial Contribution' means a monetary contribution of a Constituent Council to the Authority including under clause 5.3, but excludes Fees paid by the Constituent Council for services or facilities provided by the Authority;

'Financial Statements' has the same meaning as in the *Local Government (Financial Management) Regulations 2011*;

'Financial Year' means 1 July in each year to 30 June in the subsequent year;

'Long Term Financial Plan' means the long term financial plan adopted by the Authority and approved by the Constituent Councils in accordance with clause 5.5;

'Net Assets' means total assets (current and non-current) less total liabilities (current and non-current) as reported in the annual audited financial statements of the Authority;

'Region' means the collective geographical areas of the Constituent Councils;

'Strategic Plan' means a strategic plan adopted by the Authority in accordance with clause 4.

1.2. Establishment

1.2.1. The Authority is a regional subsidiary established under section 43 of the Act by the Constituent Councils and must conduct its affairs in accordance with Parts 2 and 3, Schedule 2 of the Act except as modified by this Charter in a manner permitted by the Act.

1.2.2. The Constituent Councils are:

1.2.2.1. Mount Barker District Council;

1.2.2.2. Adelaide Hills Council;

1.2.2.3. Rural City of Murray Bridge; and

1.2.2.4. Alexandrina Council.

1.3. Purpose of the Authority

The Authority is established to facilitate, co-ordinate and undertake waste management including collection, treatment, disposal and recycling within the Region.

1.4. Common Seal

- 1.4.1. The Authority will have a common seal.
- 1.4.2. The common seal of the Authority must not be affixed to a document except to give effect to a resolution of the Board.
- 1.4.3. The affixing of the common seal of the Authority must be attested by two (2) Board Members.
- 1.4.4. The Executive Officer must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of the persons who attested to the affixing of the seal and the date on which this occurred.
- 1.4.5. The Authority may by instrument under common seal authorise a person to execute documents on behalf of the Authority subject to any limitations specified in the instrument of authority.

2. FUNCTIONS AND POWERS OF THE AUTHORITY

2.1. Functions

- 2.1.1. The Authority has the following functions to:
 - 2.1.1.1. develop and implement policies designed to improve waste management and recycling programmes and practices within the Region;
 - 2.1.1.2. regularly review the Region's waste management and recycling practices and policies;
 - 2.1.1.3. provide and operate a place or places for the treatment, recycling and disposal of waste collected by or in the areas of the Constituent Councils or provided by agreement with any other person;
 - 2.1.1.4. develop further co-operation between the Constituent Councils in the collection, treatment, recycling and disposal of waste for which the Constituent Councils are or may become responsible;
 - 2.1.1.5. minimise the volume of waste collected in the areas of the Constituent Councils which is required to be disposed of to landfill;
 - 2.1.1.6. educate and motivate the community to achieve the practical reduction of waste through reuse and recycling initiatives;
 - 2.1.1.7. undertake activities associated with its purpose outside the areas of the Constituent Councils where that activity has been approved by the Board as being necessary or expedient to the performance by the Authority of its functions.

2.1.2. In carrying out its functions, the Authority must:

2.1.2.1. consider measures to achieve financial sustainability; and

2.1.2.2. give due weight to economic, social and environmental considerations.

2.2. Powers

In addition to those powers specified in the Act, the powers of the Authority are:

2.2.1. subject to clauses 2.2.2 and 2.5, to acquire, deal with and dispose of real or personal property (wherever situated) and rights in relation to real and personal property in accordance with the long-term financial plan, business plan and annual budget;

2.2.2. subject to clause 2.5 to lease, licence, hire or rent any real or personal property;

2.2.3. subject to clause 2.4 to sue in its corporate name provided that any litigation is subject to an immediate information report to the Constituent Councils by the Executive Officer;

2.2.4. subject to the requirements of this Charter to enter into any kind of contract or arrangement;

2.2.5. to establish a reserve fund or funds clearly identified for the upkeep or replacement of fixed assets of the Authority or for meeting any deferred liability of the Authority;

2.2.6. to invest any surplus funds of the Authority in the Local Government Finance Authority of South Australia;

2.2.7. to distribute surplus funds to the Constituent Councils on a basis determined by the Board and included in the Budget.

2.2.8. to enter into arrangements with the Constituent Councils for the purpose of operating and managing sites for the treatment, recycling, disposal and transfer of waste;

2.2.9. to determine the types of refuse and waste which will be received and the method of collection, treatment, recycling and disposal of the waste;

2.2.10. subject to clause 2.4 to undertake projects and to undertake all manner of things relating to and incidental to the collection, treatment, recycling and disposal of waste;

2.2.11. subject to clause 2.4 to commit the Authority to undertake a project in conjunction with any other Council or government agency and in doing so to participate in the formation of a trust, partnership or unincorporated joint venture with the other body to give effect to the project;

- 2.2.12. subject to clause 2.4 to employ, engage, remunerate, remove, suspend or dismiss the Executive Officer of the Authority;
- 2.2.13. to open and operate bank accounts;
- 2.2.14. to make submissions for and accept grants, subsidies and contributions to further its objects and purposes and to invest any funds of the Authority in any securities in which a Council may lawfully invest;
- 2.2.15. to charge fees for services or facilities provided by the Authority;
- 2.2.16. subject to the Act and this Charter to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.

2.3. Delegated Functions and Powers

The Authority may exercise such other functions, powers and duties as are delegated to the Authority by the Constituent Councils from time to time.

2.4. Borrowings and Expenditure

- 2.4.1. The Authority has the power to incur expenditure as follows:
 - 2.4.1.1. in accordance with a Budget and approved by the Constituent Councils as required by the Act or this Charter;
 - 2.4.1.2. with the prior approval of the Constituent Councils; or
 - 2.4.1.3. in accordance with the Act, in respect of expenditure not contained in a Budget for a purpose of genuine emergency or hardship.
- 2.4.2. The Authority has the power to borrow money as follows:
 - 2.4.2.1. in accordance with a Budget and approved by the Constituent Councils as required by the Act or this Charter;
 - 2.4.2.2. in respect of an overdraft facility or facilities up to a maximum amount as determined by the Authority's Treasury Management Policy; or
 - 2.4.2.3. with the prior approval of the Constituent Councils.

2.5. Property

No real property of the Authority may be sold, encumbered or otherwise dealt with without the prior approval of the Constituent Councils and the approval of the Authority by a resolution of the Board.

2.6. National Competition Policy

The Authority will apply the principles of competitive neutrality to any significant business activity of the Authority in accordance with, and to the extent required by, the State of South Australia's *Revised Clause 7 Statement on the Application of Competition Principles to Local Government under the Competition Principles Agreement* (September 2002).

3. THE BOARD OF MANAGEMENT

3.1. Role of the Board

The Board is responsible for the administration of the affairs of the Authority and ensuring that the Authority acts in accordance with this Charter and all relevant legislation including the Act.

3.2. Functions of the Board

In addition to the functions set out in the Act, the functions of the Board are:

- 3.2.1. formulating Strategic Plans and Business Plans in accordance with clauses 4.1 and 4.2 of this Charter and developing strategies aimed at improving the business of the Authority;
- 3.2.2. providing policy direction to the Authority;
- 3.2.3. monitoring, overseeing and measuring the performance of the Executive Officer of the Authority;
- 3.2.4. subject to this Charter, ensuring that the business of the Authority is undertaken in an open and transparent manner;
- 3.2.5. ensuring that ethical behaviour and integrity is established and maintained by the Authority and Board Members in all activities undertaken by the Authority;
- 3.2.6. exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
- 3.2.7. ensuring that the Authority functions in accordance with its purpose and within its approved budget.

3.3. Board Members

- 3.3.1. The Board will be comprised of five (5) members appointed as follows:
 - 3.3.1.1. One (1) person (who may be an elected member, an employee or an Independent Member) appointed by each Constituent Council with skills and/or knowledge in any of the following:
 - a. financial management
 - b. legal / corporate governance

- c. marketing & promotions
- d. waste management
- e. business management

3.3.1.2. One (1) person appointed jointly by Absolute Majority of the Constituent Councils, with relevant professional expertise, who is not a member or officer of a Constituent Council to be the chairperson of the Board.

3.3.1.3. The Chairperson of the Board shall be selected through a process determined by a panel comprising the Chief Executive Officers of the Constituent Councils.

3.3.1.4. A panel comprising each Constituent Council's Chief Executive Officers or nominee will meet collectively to develop a position description/information package for prospective Board Members, outlining the responsibilities and desired skills. The panel will meet to discuss their proposed appointees, prior to final appointment, for the purpose of ensuring that the Board will have an appropriate skill mix.

3.3.2. Each Constituent Council must also appoint one Deputy Board Member.

3.3.3. A Deputy Board Member will be appointed in the same manner as a Board Member.

3.3.4. The Deputy Board Member is entitled to act in place of a Board Member appointed by the same Constituent Council that appointed the Deputy Board Member if the Board Member is absent or unable for any reason to act as a Board Member for the period of the Board Member's absence or inability to act as a Board Member.

3.3.5. The Chairperson of the Board shall preside at all meetings of the Board and in the event of the Chairperson being absent from a meeting the Board shall appoint a Board Member present to be the chairperson for that meeting.

3.3.6. Each Constituent Council must give notice in writing to the Authority of its appointment of Board Members and Deputy Members, the term of appointment if applicable and any termination or revocation of those appointments. A notice in writing signed by the Chief Executive Officer of a Constituent Council will be sufficient evidence of an appointment, termination or revocation of an appointment and will constitute notice as required by this Clause 3.3.6.

3.4. Term of Office

3.4.1. Subject to Clause 3.4.3 the term of office of a Board Member appointed under clause 3.3.1.1 and a Deputy Board Member, shall be for a

term determined by the Constituent Council appointing that Board Member. At the conclusion of a such a Board Member's term of office, the Board Member will be eligible for re-appointment.

- 3.4.2. Subject to Clause 3.4.3, the term of office of the Chairperson of the Board shall be for a period of three (3) years. At the conclusion of the term of office the Chairperson of the Board will be eligible for re-appointment.
- 3.4.3. The office of a Board Member will become vacant if:
 - 3.4.3.1. any of the grounds or circumstances set out in the Act as to when a Board Member's office becomes vacant arise;
 - 3.4.3.2. the Constituent Council which appointed the Board Member terminates or revokes the Board Member's appointment;
 - 3.4.3.3. the Board Member is an elected member of a Constituent Council, upon ceasing to be an elected member of the Constituent Council which appointed him or her; or
 - 3.4.3.4. the Board Member is an employee of a Constituent Council, upon ceasing to be employed by the Council which appointed him or her.
- 3.4.4. The Authority may, by a resolution of the Board supported by at least two-thirds majority of the Board Members currently in office (excluding the Board Member subject to this clause) ignoring any fraction, make a recommendation to a Constituent Council that it terminate the appointment of a Board Member appointed by that Constituent Council in the event of any behaviour of that Board Member which in the opinion of the Authority amounts to:
 - 3.4.4.1. impropriety;
 - 3.4.4.2. serious neglect of duty in attending to the responsibilities as a Board Member;
 - 3.4.4.3. breach of fiduciary duty to the Authority;
 - 3.4.4.4. breach of the duty of confidentiality to the Authority; or
 - 3.4.4.5. any other behaviour which may discredit the Board, the Authority or a Constituent Council.
- 3.4.5. The Independent Chair appointed pursuant to Clause 3.3.1.2 may be removed by a decision being a resolution in the same of similar terms passed by an Absolute Majority of the Constituent Councils.
- 3.4.6. Where any vacancy occurs in the membership of the Board it must be filled in the same manner as the original appointment and the person appointed to fill the vacancy will be appointed for the balance of the term of the original appointment and at the expiry of that term shall be eligible for re-appointment.

3.5. Reimbursement of Expenses of Board Members and Remuneration of Chairperson

- 3.5.1. All Board Members will receive from the Authority reimbursement of expenses properly incurred in performing or discharging official functions and duties as determined by the Authority and set out in a policy adopted by the Authority for the purposes of this clause.
- 3.5.2. The Chairperson will be eligible for a sitting fee from the funds of the Authority as determined by the Constituent Councils.
- 3.5.3. Board Members appointed by Constituent Councils will not be entitled to a sitting fee from the funds of the Authority.

3.6. Propriety of Board Members

- 3.6.1. Subject to the express provisions of Schedule 2 to the Act and this Charter, all provisions governing propriety and duties of members of a Council and public officers under the law of South Australia will be applicable to Board Members.
- 3.6.2. Subject to clauses 20(6) and 20(7) of Schedule 2 to the Act, the provisions regarding conflict of interest prescribed in the Act apply to all Board Members as if they were members of a Council.
- 3.6.3. The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties, including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Part 4, Division 1, Chapter 5 of the Act and clause 23 of Schedule 2, Part 2 of the Act.
- 3.6.4. The Authority must adopt a Code of Conduct for Board Members.
- 3.6.5. Each Board Member is required to submit returns under Chapter 5, Part 4, Division 2 of the Act as if the Board Member was a member of a Council.

3.7. Proceedings of the Board

3.7.1. Board Meetings

- 3.7.1.1. Ordinary meetings of the Board will be held at such time and such place as the Board decides subject only to the requirement that there will be at least one (1) ordinary meeting of the Board every three (3) months.
- 3.7.1.2. An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the Authority at the ordinary meeting.
- 3.7.1.3. Any Constituent Council, the Chairperson or two Board Members may, by delivering a written request to the Executive Officer, require a special meeting of the Board to

be held and any such special meeting shall constitute a special meeting of the Authority. The written request for a special meeting must be accompanied by the agenda for the special meeting or the request will be of no effect.

- 3.7.1.4. On receipt of a written request pursuant to clause 3.7.1.3 the Executive Officer must send a notice to all Board Members at least four hours prior to the commencement of the special meeting.
- 3.7.1.5. For the purposes of this clause 3.7.1, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his or her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his or her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chairperson of the meeting.
- 3.7.1.6. A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Executive Officer. The resolution will be as valid and effective as if it had been passed at a meeting of the Board duly convened and held.
- 3.7.1.7. Ordinary meetings of the Board will be open to the public unless the Board resolves to consider a matter in confidence in accordance with the provisions of Chapter 6, Part 3 of the Act. Chapter 6, Part 3 of the Act extends to the Authority as if the Authority were a Council and the Board Members were members of a Council. Where an order is made under this clause, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 3.7.1.8. Where the Board has considered any information or a matter in confidence under clause 3.7.1.7, it may subsequently resolve to keep minutes and/or documents considered during that part of the meeting relating to that information or matter confidential in accordance with section 91 of the Act as if the Authority were a Council.

3.7.2. Notice of Meetings

- 3.7.2.1. Subject to clause 3.7.2.2, notice to Board Members and the public of all meetings of the Board will be given in accordance with the requirements applicable to a meeting of a Council under the Act as if the Authority were a Council, the Board Members were members of a Council and the Executive Officer a Chief Executive Officer of a Council.
- 3.7.2.2. The Executive Officer must, in relation to a notice of meeting of the Board for the purpose of considering the making of a recommendation to the Constituent Councils to wind up the Authority, provide the notice to all Board Members at least four (4) months before the date of the meeting.

3.7.3. Quorum

No meeting of the Board will commence until a quorum of Board Members is present and no meeting may continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one-half of the Board Members in office, ignoring any fraction, plus one.

3.7.4. Majority Decision-Making

- 3.7.4.1. Unless otherwise required at law or by this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the Board Members present and entitled to vote on the matter.
- 3.7.4.2. All Board Members including the Chairperson present and entitled to vote on the matter are required to cast a vote.
- 3.7.4.3. All Board Members including the Chairperson are entitled to a deliberative vote only and if the votes are equal, the Chairperson (or person acting as the chairperson in accordance with this Charter) only will have a casting vote.

3.7.5. Confidentiality

All Board Members must at all times keep confidential all documents and reports provided to them for their consideration prior to a meeting of the Board that is subject to an indication by the Executive Officer that information or matter contained in or arising from a document or report may, if the Authority determines be considered in confidence or that relates to a matter dealt with by the Board on a confidential basis in accordance with clause 3.7.1.7 and Chapter 6, Part 3 of the Act.

3.7.6. Minutes

- 3.7.6.1. The Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation. Where the Executive Officer is

excluded from attendance at a meeting of the Board pursuant to clause 3.7.1.7 the person presiding at the meeting shall cause the minutes to be kept.

- 3.7.6.2. The Executive Officer must, within five (5) days after a meeting of the Board, provide to each Board Member a copy of the draft minutes of the meeting of the Board.
- 3.7.6.3. A copy of the minutes of a meeting of the Board must be placed on the Authority website within five days after the meeting at which the minutes are confirmed.
- 3.7.6.4. Clause 3.7.6.3 does not apply to the minutes of a meeting of the Board that relates to information or a matter dealt with by the Board on a confidential basis in accordance with clause 3.7.1.7 and Chapter 6, Part 3 of the Act.

3.7.7. Code of Practice

- 3.7.7.1. The Board must adopt a Code of Practice for Meeting Procedures to apply to the proceedings and conduct of meetings of the Board. The Code of Practice for Meeting Procedures must not be inconsistent with the Act or this Charter.
- 3.7.7.2. The Code of Practice for Meeting Procedures may be reviewed by the Board at any time and must be reviewed at least once every four (4) years.
- 3.7.7.3. In the event of any inconsistency between this Charter and the Code of Practice for Meeting Procedures, this Charter shall prevail.

3.7.8. Committees

- 3.7.8.1. The Board may from time to time as it sees fit establish committees, including their associated terms of reference, for the purposes of assisting it in the performance of its functions. A committee established by the Board under this clause may be comprised of such persons that the Board determines.
- 3.7.8.2. Every committee shall operate in accordance with the terms of reference and general procedures applicable to the Board itself subject to any variation prescribed by the Board when establishing the committee.

4. STRATEGIC MANAGEMENT

4.1. Strategic Plan

- 4.1.1. The Authority must:
 - 4.1.1.1. prepare, and subject to clause 4.1.1.2, adopt a ten year Strategic Plan for the conduct of its business which will

identify the Authority's objectives over the period of the Strategic Plan and the principal activities that the Authority intends to undertake to achieve its objectives;

- 4.1.1.2. submit the Strategic Plan to the Constituent Councils for their approval; and
 - 4.1.1.3. in consultation with the Constituent Councils, review the Strategic Plan at least once in every four years.
- 4.1.2. In preparing and when reviewing a Strategic Plan, the Board must at a minimum have regard to the following:
- 4.1.2.1. any State government agency waste plan then in force in relation to the area of a Constituent Council and any proposed changes to such plan;
 - 4.1.2.2. any initiatives proposed by the Commonwealth of Australia or the State Government which may impact upon or affect proper waste management in the area;
 - 4.1.2.3. any plan or policy of a Constituent Council for waste management then in force and any proposed changes to such plan or policy;
 - 4.1.2.4. the current strategic management plans of each Constituent Council; and
 - 4.1.2.5. the current annual business plan and budget of each Constituent Council.

4.2. Business Plan

The Authority:

- 4.2.1. must in consultation with the Constituent Councils prepare and adopt an annual Business Plan linking the core business activities of the Authority to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;
- 4.2.2. must before 31 March of each year submit a draft business plan and draft budget to the Constituent Councils for the ensuing Financial Year in accordance with the Act and obtain approval of the draft budget by an Absolute Majority of the Constituent Councils;
- 4.2.3. following approval of the draft business plan by the Constituent Councils, after 31 May and before 30 June each year, the Authority must adopt the draft business plan as the Business Plan for the ensuing Financial Year;
- 4.2.4. may, after consultation with the Constituent Councils, amend its Business Plan at any time; and

- 4.2.5. must ensure the contents of the Business Plan are in accordance with the Act.

4.3. Annual Report

The Authority must submit to the Constituent Councils by 30 September in each financial year an annual report on the work and operations of the Authority detailing achievement of the objectives described in the Business Plan and incorporating the audited Financial Statements of the Authority for the preceding Financial Year and any other information or reports as required by the Constituent Councils.

4.4. Audit

- 4.4.1. The Authority must cause adequate and proper books of account to be kept in relation to all the affairs of the Authority and must establish and maintain effective auditing of its operations.
- 4.4.2. The Authority must appoint an Auditor in accordance with the Act on such terms and conditions as determined by the Authority.
- 4.4.3. The audited Financial Statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils by 30 September in each year.

4.5. Audit Committee

- 4.5.1. The Authority will establish an audit committee as required by Clause 30, Schedule 2 of the Act.

5. FINANCIAL MANAGEMENT

5.1. Equity Interest

- 5.1.1. The Authority will by the end of every calendar year prepare or update as required a schedule setting out the interest of each Constituent Council in the Net Assets of the Authority (**CCI Schedule**).
- 5.1.2. The CCI Schedule will set out each Constituent Council's Equity Interest in the Authority as at 30 June that year calculated in accordance with clause 5.1.3.
- 5.1.3. The Equity Interest of a Constituent Council as at the end of a Financial Year will be determined by adjusting the Equity Interest of the Constituent Council calculated for the previous Financial Year by the Annual Contribution of the Council.
- 5.1.4. The Equity Interest of a Constituent Council as at the date on which this Charter comes into operation will be equal to the cumulative tonnes of rubbish and waste deposited by the Constituent Council at a landfill operated by the Authority in period commencing 1 July 2001 until 30 June of the financial year immediately preceding the commencement of this Charter.

5.2. Annual Budget

- 5.2.1. The Board will determine annually, and will include within the draft budget submitted to the Constituent Councils for approval, the funds required to enable the Authority to operate and to fulfil its purpose and undertake its functions.
- 5.2.2. The Authority must before 31 March of each year prepare and submit a draft budget (including proposed Fees and Financial Contributions) to the Constituent Councils for the ensuing Financial Year in accordance with the Act and obtain approval of the draft budget by an Absolute Majority of the Constituent Councils.
- 5.2.3. Following approval of the draft budget by the Constituent Councils, after 31 May and before 30 June each year, the Authority must adopt the draft budget as the Budget for the ensuing Financial Year in accordance with the Act.
- 5.2.4. The Authority may in a Financial Year, after consultation with the Constituent Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.
- 5.2.5. The Authority must each Financial Year provide a copy of its Budget to the Constituent Councils within five (5) business days after adoption by the Authority.
- 5.2.6. Reports summarising the financial position and performance of the Authority against the Budget shall be prepared and presented to the Board at each ordinary meeting of the Board and copies provided to the Constituent Councils.
- 5.2.7. The Authority must reconsider its Budget in accordance with the Act in a manner consistent with the Act and may with the approval of the Constituent Councils amend its Budget for a Financial Year at any time before the Financial Year ends.

5.3. Financial Contributions

- 5.3.1. The Authority may include in the Budget submitted to the Constituent Councils for approval Financial Contributions to be paid by the Constituent Councils.
- 5.3.2. The Authority may during any Financial Year for purposes of genuine emergency, extraordinary circumstances or hardship determine that additional Financial Contributions are required by the Authority for the continuing functioning of the Authority and request these funds from the Constituent Councils.
- 5.3.3. Any additional financial contributions to be paid by the Constituent Councils will be submitted to the Constituent Councils for approval.

5.4. Financial Standards and Reporting

- 5.4.1. The Authority must ensure that the Financial Statements of the Authority for each Financial Year are audited by the Authority's auditor.
- 5.4.2. The Financial Statements must be finalised and audited by 31 August each year.

5.5. Long Term Financial Plan

- 5.5.1. The Board must prepare a Long Term Financial Plan covering a period of at least ten (10) years and an asset management plan in a form and including such matters which, as relevant, is consistent with section 122 of the Act and the *Local Government (Financial Management) Regulations 2011* as if the Authority were a Council.
- 5.5.2. The Authority must undertake:
 - 5.5.2.1. a comprehensive review of its Long Term Financial Plan every four (4) years;
 - 5.5.2.2. a review of the Long Term Financial Plan as soon as practicable after the annual review of its Business Plan and concurrently with any review of its Strategic Plan and may undertake a review of the Long Term Financial Plan at any other time.
- 5.5.3. The Long Term Financial Plan and the Asset Management Plan will be taken to form part of the Strategic Plan.

5.6. Banking

- 5.6.1. The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Authority. The Authority will appoint no less than two (2) authorised operators of the bank accounts at any one time. The authorised officers must be Board Members, Authority staff or Constituent Council staff.
- 5.6.2. All payments made by the Authority must be authorised by an authorised officer appointed under clause 5.6.1 and be in accordance with a finance management policy adopted by the Board.

6. ADMINISTRATIVE MATTERS

6.1. Executive Officer and Staff

- 6.1.1. The Authority may employ staff and the Board must appoint an Executive Officer on a fixed term performance based employment contract, which does not exceed five (5) years in duration and on such other terms as determined by the Board. The Board may at the end of the contract term enter into a new contract not exceeding five (5) years in duration with the same person.

- 6.1.2. The Executive Officer is responsible for appointing, managing, suspending and dismissing the other employees of the Authority on behalf of the Authority.
- 6.1.3. In the absence of the Executive Officer for any period exceeding three (3) weeks, the Executive Officer must after consultation appoint a suitable person as Acting Executive Officer. If the Executive Officer does not make or is incapable of making such an appointment, a suitable person must be appointed by the Board.
- 6.1.4. The functions of the Executive Officer include:
 - 6.1.4.1. ensuring the decisions of the Authority are implemented in a timely and efficient manner;
 - 6.1.4.2. carrying out such duties as the Authority may direct;
 - 6.1.4.3. attending at all meetings of the Board unless excluded by resolution of the Board;
 - 6.1.4.4. providing information to assist the Authority to assess the Authority's performance against the Strategic Plan and Business Plan;
 - 6.1.4.5. appointing, managing, suspending and dismissing all other employees of the Authority;
 - 6.1.4.6. determining the conditions of employment of all other employees of the Authority, within budgetary constraints set by the Board;
 - 6.1.4.7. providing advice and reports to the Authority on the exercise and performance of its powers and functions under this Charter or any Act;
 - 6.1.4.8. ensuring that the assets and resources of the Authority are properly managed and maintained;
 - 6.1.4.9. ensuring that records required under the Act or any other legislation are properly kept and maintained;
 - 6.1.4.10. achieving financial and other outcomes in accordance with adopted plans and budgets of the Authority;
 - 6.1.4.11. ensuring the efficient and effective management of the operations and affairs of the Authority; and
 - 6.1.4.12. exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the Act or any other Act or this Charter.

- 6.1.5. The Authority must undertake an annual performance review of the Executive Officer.
- 6.1.6. The Executive Officer and other senior staff of the Authority as determined by the Authority, are required to submit returns under Chapter 7, Part 4, Division 2 of the Act, as if the Executive Officer and other staff of the Authority were employees of a Council and the Authority was a Council.
- 6.1.7. The Executive Officer must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Board and the Constituent Councils.

6.2. Engagement of Consultants and Advisers

The Authority may engage consultants and advisers to provide services to the Authority to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the Authority and for giving effect to the general management objectives and principals of personnel management prescribed by the Charter.

7. DISPUTES BETWEEN CONSTITUENT COUNCILS

7.1. General

Where a dispute arises between the Constituent Councils or between a Constituent Council and the Authority (the parties to this Charter) which relates to this Charter or the Authority, ('the Dispute'), the parties will use their best endeavours to resolve the Dispute and to act at all times in good faith.

7.2. Mediation

- 7.2.1. A party is not entitled to initiate arbitration or court proceedings (except proceedings seeking urgent equitable or injunctive relief) in respect of a Dispute unless it has complied with this clause 7.2.
- 7.2.2. If the parties are unable to resolve the Dispute within thirty (30) days, the parties must refer the Dispute for mediation in accordance with the Mediation Rules of the Resolution Institute within seven (7) days of a written request by any party to the other party that the Dispute be referred for mediation, to:
 - 7.2.2.1. a mediator agreed by the parties; or
 - 7.2.2.2. if the parties are unable to agree on a mediator at the time the Dispute is to be referred for mediation, a mediator nominated by the President of the Law Society.
- 7.2.3. In the event the parties fail to refer the matter for mediation in accordance with clause 7.2.2, one or more of the parties may refer the matter for mediation in accordance with the Mediation Rules of the Resolution Institute to a mediator nominated by the President of the Law Society.

- 7.2.4. The role of any mediator is to assist in negotiating a resolution of the dispute. A mediator may not make a decision that is binding on a party unless that party has so agreed in writing.
- 7.2.5. If mediation does not resolve the Dispute within twenty-eight (28) days of referral of the Dispute for mediation or such longer period agreed unanimously by the parties as evidenced by resolutions of each of the parties, any party may then refer the Dispute to Arbitration in accordance with clause 7.3.

7.3. Arbitration

- 7.3.1. An arbitrator may be appointed by agreement between the parties.
- 7.3.2. Failing agreement as to an arbitrator, the Chief Executive Officer of the Resolution Institute or his or her successor shall nominate an arbitrator pursuant to these conditions.
- 7.3.3. A submission to arbitration shall be deemed to be a submission to arbitration within the meaning of the *Commercial Arbitration Act 2011*.
- 7.3.4. Upon serving a notice of arbitration, the party serving the notice shall lodge with the arbitrator a deposit by way of security for the cost of the arbitration proceedings.
- 7.3.5. Upon each submission to arbitration, the costs of and incidental to the submission and award shall be at the discretion of the arbitrator who may in his or her sole discretion determine the amount of costs, how costs are to be proportioned and by whom they are to be paid.
- 7.3.6. Whenever reasonably possible, performance of the obligations of the parties pursuant to this Charter shall continue during the mediation or arbitration proceedings and no payment by or to a party shall be withheld on account of the mediation and arbitration proceedings.

8. MISCELLANEOUS MATTERS

8.1. Alteration to Charter

- 8.1.1. Subject to the Act this Charter may be amended at any time by the agreement of all Constituent Councils after taking into account the recommendations of the Authority.
- 8.1.2. This Charter will be reviewed by the Constituent Councils acting in concurrence at least once in every four (4) years.
- 8.1.3. The Executive Officer must ensure that the amended Charter is published in the Gazette and a copy of the amended Charter provided to the Minister.

8.2. Withdrawal of a Constituent Council

- 8.2.1. Subject to ministerial approval and clause 8.2.2, a Constituent Council may withdraw from the Authority by giving not less than twenty-four (24)

months' notice of its intention to do so to the Board and to the Executive Officer, unless a shorter withdrawal period is agreed by the Constituent Councils and approved by the Board.

- 8.2.2. On receipt of a notice under clause 8.2.1, the Authority will undertake an assessment of the impact of the withdrawal on the Authority for the purposes of determining the ongoing viability of the Authority. Should the Authority resolve following a consideration of the assessment that the Authority will no longer be financially viable then the Constituent Councils (including the Constituent Council which has notified its intention to withdraw) will work together to determine an orderly winding up of the Authority under clause 8.4 and a notice provided under clause 8.2.1 will be of no further effect.
- 8.2.3. Subject to clause 8.2.2, a withdrawal becomes effective from 30 June (or such later date as agreed by the Constituent Councils) following the expiry of the twenty-four (24) month notice period. Until the date on which the withdrawal becomes effective (**Withdrawal Date**), the withdrawing Constituent Council:
 - 8.2.3.1. must continue to pay Financial Contributions to the Authority as required by this Charter; and
 - 8.2.3.2. through its Board Members and Deputy Board Members, retains responsibility for ensuring the continued proper conduct of the affairs of the Authority.
- 8.2.4. A withdrawing Constituent Council will remain liable in proportion to the Constituent Council's Equity Interest Percentage calculated at the date of providing the notice under clause 8.2.1 for:
 - 8.2.4.1. liabilities of the Authority up to the Withdrawal Date;
 - 8.2.4.2. Financial Contributions towards any actual or contingent deficiency in the Net Assets of the Authority at the end of the financial year in which the Withdrawal Date occurs; and
 - 8.2.4.3. any ongoing or newly arising liability of the Authority existing or arising after the Withdrawal Date which relates to circumstances existing or acts, omissions or decisions of the Authority prior to the Withdrawal Date.
- 8.2.5. Upon withdrawal taking effect and subject to clause 8.2.7, a Constituent Council will be entitled at the discretion of the Board to be paid not more than 50% of the Constituent Council's Equity Interest (**Equity Payment**).
- 8.2.6. The withdrawing Constituent Council will be entitled to receive the Equity Payment by quarterly instalments to be paid over a period of two (2) years with the first instalment being due on 1 January following the Withdrawal Date.
- 8.2.7. A withdrawing Constituent Council will not be entitled to be paid any amount in respect of any reserve fund established by the Authority.

8.3. Addition of New Member

- 8.3.1. Subject to the provisions of the Act and in particular ministerial approval to the admission of a new Constituent Council or Councils, this Charter may be amended by agreement of all of the Constituent Councils to provide for the admission of a new Constituent Council or Councils.
- 8.3.2. An incoming Constituent Council's Equity Interest will be calculated from the date on which the Constituent Council becomes a member of the Authority, subject to clause 8.3.3.
- 8.3.3. For the purposes of determining an incoming council's Equity Interest, profits or liabilities of the Authority which relate to circumstances or acts, omissions or decisions of the Authority which existed or occurred prior to the incoming council becoming a Constituent Council will be excluded in accordance with any applicable resolution of the Board.

8.4. Winding Up

- 8.4.1. Subject to the Act, the Authority may be wound up by the Constituent Councils.
- 8.4.2. In the event that there is a proposal to wind up the Authority, initiated by the Authority, a Constituent Council or the Minister, the Authority will recommend to the Constituent Councils a process and timeframe for the orderly winding up of the Authority.
- 8.4.3. In the event of there being Net Assets upon dissolution and after realisation of all assets and meeting all liabilities, the Net Assets will be distributed to the Constituent Councils on the basis of their Equity Interest Percentage.
- 8.4.4. In the event of there being any unfunded liabilities of the Authority at the time of a winding up or otherwise, each Constituent Council will be responsible (as between the Constituent Councils) to fund a proportion of the unfunded liabilities calculated on the basis of the Equity Interest Percentage of that Constituent Council

8.5. Insurance

- 8.5.1. The Authority must obtain and maintain a prudent level of insurance to cover its anticipated risks and civil liabilities (including workers' compensation) and assets.
- 8.5.2. The Authority must take out a suitable policy of insurance insuring Board Members and their spouses or another person who may be accompanying a Board Member against risks associated with the performance or discharge of their official functions and duties or on official business of the Authority.

8.6. Non-Derogation and Direction by Constituent Councils

- 8.6.1. The establishment of the Authority does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of the Authority.
- 8.6.2. Provided that the Constituent Councils have all first agreed as to the action to be taken, the Constituent Councils may jointly direct and control the Authority by resolution passed by each Constituent Council expressed in the same or similar terms.
- 8.6.3. For the purpose of clause 8.6.2, any direction given by the Constituent Councils must be given in writing to the Executive Officer of the Authority together with a copy of the relevant resolutions of the Constituent Councils.
- 8.6.4. Where the Authority is required pursuant to the Act or this Charter to obtain the consent or approval of one or more of the Constituent Councils, that approval must only be granted and must be evidenced by a resolution passed by each of the Constituent Councils granting such approval.
- 8.6.5. Unless otherwise stated in this Charter, where the Authority is required to obtain the consent or approval of the Constituent Councils, this means the consent and approval of all the Constituent Councils expressed in the same or similar terms.

8.7. Circumstances not provided for

- 8.7.1. If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chairperson may decide the action to be taken to ensure achievement of the objects and purposes of the Authority and its effective administration.
- 8.7.2. The Chairperson shall report any such decision at the next ordinary meeting of the Authority.

Appendix 2

AHRWMA current Charter

LOCAL GOVERNMENT ACT 1999

ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY

Amendments to the Rules

1. INTRODUCTION

1.1 Definitions

‘the Act’ means the Local Government Act 1999;

‘administration costs’ means as defined by LGA Accounting Regulations and AAS27 accounting standards;

‘annual asset percentage’ means the percentage that the Council’s annual mass bears to the combined annual masses of all Constituent Councils;

‘annual mass’ means the mass of rubbish and waste collected or disposed of from the area of a Constituent Council in the 12 months preceding 1 July in each calendar year;

‘the Authority’ means the Adelaide Hills Region Waste Management Authority;

‘Constituent Council’ has the same meaning as in section 43 of the Act and more particular refers to the:

1.1.1 District Council of Mount Barker;

1.1.2 Adelaide Hills Council;

1.1.3 Rural City of Murray Bridge; and

1.1.4 Alexandrina Council,

‘the Board’, ‘Board Members’ or ‘Board of Management’ means those Members appointed in accordance with Clause 3.2.1 of this Charter and acting collectively or singularly as the context requires;

‘Financial Year’ means 1 July in each year to 30 June in the subsequent year;

‘Hartley Landfill’ means that land which is held under certificate of title volume 5500, folio 460, by Robin Angas Harvey, Darrell Drew Harvey and Ian Brownhill Harvey comprising the southern portion of Section 299, Hundred of Freeling in the area of the Alexandrina Council which land is subject to a licence agreement with the Authority for purposes of bulk waste disposal and backfill and also a licence agreement with the District Council of Mount Barker for mining purposes (the latter licence to the Council prevailing in the event of any conflict between the licences);

‘net assets’ means total assets (current and non-current) less total liabilities (current and non-current) as reported in the annual audited financial statements of the Authority together with the net present value of the projected future cash inflows net of cash outflows of the remaining useable airspace over the Hartley Landfill as licensed by the Environment Protection Authority;

‘operating costs’ means expenses incurred in the delivery of the Authority’s services excluding administration costs;

‘Region’ means the collective areas of the Constituent Councils.

1.2 Establishment

The Authority is a regional subsidiary established under section 43 of the Act by the Constituent Councils and conducts its affairs in accordance with Schedule 2, Parts 2 and 3 of the Act except as modified by this Charter in a manner permitted by the Act.

1.3 National Competition Policy

The Authority does not undertake any commercial activities which constitute a significant business activity of the Authority to which the principles of competitive neutrality must be applied.

1.4 **Objects and Purposes**

The Authority is established for the following objects and purposes:

- 1.4.1 to facilitate and co-ordinate waste management including collection, treatment, disposal and recycling within the Region;
- 1.4.2 to develop and implement policies designed to improve waste management and recycling programmes and practices within the Region;
- 1.4.3 to regularly review the Region's waste management and recycling practices and policies;
- 1.4.4 to provide and operate a place or places for the treatment, recycling and disposal of waste collected by or in the areas of the Constituent Councils;
- 1.4.5 to develop further co-operation between the Constituent Councils in the collection, treatment, recycling and disposal of waste for which the Constituent Councils are or may become responsible;
- 1.4.6 to minimise the volume of waste collected in the areas of the Constituent Councils which is required to be disposed of by landfill;
- 1.4.7 to educate and motivate the community to achieve the practical reduction of waste through reuse and recycling initiatives;
- 1.4.8 to be financially self sufficient,

and in so doing will give due weight to economic, social and environmental considerations.

1.5 **Powers**

The powers, functions and duties of the Authority are to be exercised in the performance of the Authority's objects and purposes. The Authority shall have those powers, functions and duties delegated to it by the Constituent Councils from time to time which include but are not limited to the following:

- 1.5.1 to acquire, deal with and dispose of real and personal property (wherever situated) and rights in relation to real and personal property provided that it shall be a condition precedent that any such transaction may not incur a singular or a total liability of \$250 000 or more without the prior approval of all of the Constituent Councils;
- 1.5.2 to sue and be sued in its corporate name provided that any litigation is subject to an immediate urgent report to the Constituent Councils by the Executive Officer;
- 1.5.3 subject to Clauses 1.5.1, 1.5.12 and 1.6 of this Charter to enter into any kind of contract or arrangement;
- 1.5.4 to borrow funds and incur expenditure in accordance with Clauses 1.5.1, 1.5.2 and 1.6 of this Charter;
- 1.5.5 to establish a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Authority or for meeting any deferred liability of the Authority;
- 1.5.6 to invest any surplus funds of the Authority in any investment authorised by the Trustee Act 1936, or with the Local Government Finance Authority provided that:
 - 1.5.6.1 in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - 1.5.6.2 the Authority must avoid investments that are speculative or hazardous in nature;
- 1.5.7 to distribute profit to the Constituent Councils and where this power of distribution is exercised to do so on a proportionate basis in accordance with the Schedule of Constituent Council's Interests in Net Assets as provided at Clause 7.2 of this Charter;

- 1.5.8 to enter into agreements with the Constituent Councils for the purpose of operating and managing sites for the treatment, recycling and disposal of waste;
- 1.5.9 to raise finance for all purposes relating to the collection, treatment, recycling and disposal of waste;
- 1.5.10 to determine the types of refuse and waste which will be received and the method of collection, treatment, recycling and disposal of the waste;
- 1.5.11 to enter into any kind of contract or arrangement to undertake projects and to undertake all manner of things relating to and incidental to the collection, treatment, recycling and disposal of waste, provided that any project with a value of \$500 000 or more requires the prior approval of all the Constituent Councils;
- 1.5.12 to commit the Authority to undertake a project in conjunction with any other Council or government agency and in doing so to participate in the formation of a trust, partnership or joint venture with the other body to give effect to the project provided that any project with a value of \$500 000 or more requires the prior approval of all of the Constituent Councils;
- 1.5.13 to employ, engage, remunerate, remove, suspend or dismiss the Executive Officer of the Authority;
- 1.5.14 to open and operate bank accounts;
- 1.5.15 to make submissions for and accept grants, subsidies and contributions to further its objects and purposes and to invest any funds of the Authority in any securities in which a Council may lawfully invest;
- 1.5.16 to charge whatever fees the Authority considers appropriate for services rendered to any person, body or Council (other than a Constituent Council) provided that such fees charged by the Authority shall be sufficient to cover the cost to the Authority of providing the service;
- 1.5.17 to charge the Constituent Councils fees for services that cover the cost to the Authority of providing the services;
- 1.5.18 to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.

1.6 **Borrowings and Expenditure**

- 1.6.1 The Authority has the power to borrow and/or to incur expenditure in accordance with this Clause or Clauses 1.5.1 or 1.5.12 of this Charter or in accordance with its approved budget or otherwise as expressly authorised by resolutions (expressed in the same terms) passed by the Constituent Councils.
- 1.6.2 If the Authority intends to borrow money for the purposes of a project with expenditure of a capital nature in excess of \$500 000, the Authority must make a proposal in writing to all Constituent Councils outlining the amount of money proposed to be borrowed, the terms and conditions of the borrowing and the purpose to which the money will be put. The consent of all of the Constituent Councils is required for the Authority to proceed with the proposed borrowing.
- 1.6.3 For the purposes of Clause 1.6.2 such borrowings must:
 - 1.6.3.1 not be used for the purpose of funding operational costs;
 - 1.6.3.2 be from the Local Government Financial Authority or a registered bank or financial institution within Australia; and
 - 1.6.3.3 must be drawn down within a period of 24 months from the date of approval.
- 1.6.4 The Authority may operate an overdraft facility or facilities as required provided that it must not exceed \$100 000 in total without the approval of all of the Constituent Councils.

1.7 **Property**

- 1.7.1 All property held by the Authority is held by it on behalf of the Constituent Councils.
- 1.7.2 No person may sell, encumber or otherwise deal with any property of the Authority without the approval of the Board by way of a Board resolution.

1.8 **Delegation by the Authority**

The Board may by resolution delegate to the Executive Officer or to any officer of the Authority any of its powers, functions and duties under this Charter but may **not** delegate:

- 1.8.1 the power to impose charges;
- 1.8.2 the power to enter into transactions in excess of \$50 000;
- 1.8.3 the power to borrow money or obtain any other form of financial accommodation;
- 1.8.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a budget approved by the Authority or where required by this Charter approved by the Constituent Councils;
- 1.8.5 the power to approve the reimbursement of expenses or payment of allowances to Members of the Board of Management;
- 1.8.6 the power to adopt budgets;
- 1.8.7 the power to adopt or revise financial estimates and reports; and
- 1.8.8 the power to make any application or recommendation to the Minister.

A delegation is revocable at will and does not prevent the Board from acting in a matter.

2. **STRUCTURE**

- 2.1 The Authority is a body corporate and is governed by its Board, which has the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with this Charter.
- 2.2 All meetings of the Authority shall be meetings of the Board.
- 2.3 The Board will be entitled to make decisions in accordance with the powers and functions of the Authority established in this Charter.

3. **THE BOARD OF MANAGEMENT**

The Board shall have the responsibility to manage all of the activities of the Authority ensuring that the Authority acts in accordance with this Charter.

3.1 **Functions of the Board**

- 3.1.1 The formulation of strategic and business plans in accordance with Clause 5 of this Charter and the development of strategies aimed at improving the business of the Authority.
- 3.1.2 To provide policy direction to the Authority.
- 3.1.3 Monitoring, overseeing and measuring the performance of the Executive Officer of the Authority.
- 3.1.4 Subject to this Charter ensuring that the business of the Authority is undertaken in an open and transparent manner.
- 3.1.5 Ensuring that ethical behaviour and integrity is established and maintained by the Authority and its Board Members in all activities undertaken by the Authority.
- 3.1.6 Assisting in the development of strategic and business plans.
- 3.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.
- 3.1.8 Developing and giving effect to policies that reflect the Authority's responsibilities under the National Competition Policy (if applicable) and the Trade Practices Act.

3.1.9 Ensuring that the Authority functions in accordance with its objects and purposes and within its approved budget.

3.2 **Membership**

3.2.1 The Board shall consist of eight Members (appointed by the Constituent Councils) as follows:

(a) one elected Member appointed by each Constituent Council; and

(b) one employee appointed by each Constituent Council.

3.2.2 Each Constituent Council will also appoint a deputy Board Member. The deputy Board Member is entitled to act in place of a Board Member appointed by the same Constituent Council if the Board Member is unable for any reason to be present at a Board meeting.

3.2.3 In the absence of the Board Member, a deputy Board Member will be deemed to be the Board Member and can exercise all rights, privileges and obligations of the Board Member during the absence of that Board Member.

3.2.4 A certificate signed by the Chief Executive Officer of a Constituent Council will be sufficient evidence of the appointment of a Board Member and deputy Board Member of the Board of Management.

3.2.5 There will be a Chairperson and a Deputy Chairperson of the Board elected by ballot of the whole Board from those Board Members who are appointed under Clause 3.2.1 (a) of this Charter.

3.2.6 The term of office for the Chairperson and Deputy Chairperson will expire at the annual general meeting of the Authority. The outgoing Chairperson and Deputy Chairperson will be eligible for re-election as well as all Authority Members.

3.2.7 The Chairperson shall preside at all meetings of the Board and in the absence of the Chairperson, the Deputy Chairperson will act in the office of Chairperson. In the absence of the Chairperson and the Deputy Chairperson the Board will elect an Acting Chairperson from amongst those Board Members present who have been appointed under Clause 3.2.1 (a) of this Charter.

3.2.8 Board Members are not required to submit returns under Chapter 5, Part 4, Division 2 of the Act.

3.3 **Term of Office**

3.3.1 The term of office of each Board Member shall be for a term determined by the Constituent Council appointing the Board Member. At the conclusion of this term all Board Members are eligible for re-appointment.

3.3.2 The office of a Board Member will become vacant upon:

3.3.2.1 the death of the Board Member; or

3.3.2.2 the appointing Constituent Council providing written notice of termination to the Board Member and the Board; or

3.3.2.3 if the Board Member is an elected Member of a Constituent Council upon ceasing to be an elected Member; or

3.3.2.4 if the Board Member is an officer of a Constituent Council, upon ceasing to be employed by the Council which appointed him/her; or

3.3.2.5 upon the Board Member providing his/her resignation in writing to one or more of the Constituent Councils; or

3.3.2.6 upon the happening of any other event through which the Board Member would be ineligible to remain as a Member of the Board; or

3.3.2.7 upon the Board Member becoming a bankrupt or applying for the benefit of a law for the relief of insolvent debtors.

- 3.3.3 The Board may by a two-thirds majority vote of the Members present (excluding the Board Member subject to this Clause) make a recommendation to a Constituent Council requesting it to terminate the appointment of a Board Member appointed by it in the event of any behaviour which in the opinion of the Board amounts to:
 - 3.3.3.1 impropriety;
 - 3.3.3.2 serious neglect of duty in attending to the responsibilities as a Member of the Board;
 - 3.3.3.3 breach of fiduciary duty to the Board or a Constituent Council;
 - 3.3.3.4 breach of the duty of confidentiality to the Board and/or the Constituent Councils; or
 - 3.3.3.5 any other behaviour which may discredit the Board.
- 3.3.4 Where, for any reason, the office of a Board Member becomes vacant the Constituent Council which appointed the Board Member will be responsible for appointing a replacement Board Member.

3.4 **Proceedings of the Board**

- 3.4.1 Subject only to the extent that they are modified by this Clause, the proceedings of the Board of Management will be those under Part 2 of the Local Government (Procedures at Meetings) Regulations 2000.
- 3.4.2 Subject only to the special provisions of this Clause, no meeting of the Board will commence until a quorum of Members is present and no meeting may continue if there is not a quorum of Members present. A quorum of Members will comprise one half of the Members in office, ignoring any fraction, plus one.
- 3.4.3 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chairperson of the meeting.
- 3.4.4 A proposed resolution in writing and given to all Board Members in accordance with proceedings determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- 3.4.5 Meetings of the Board will be open to the public unless the Board resolves to consider a matter in confidence in accordance with the provisions of Chapter 6, Part 3 of the Act. Where an order is made under this Clause, a note must be made in the minutes of the making of the order and of the grounds on which it was made.
- 3.4.6 Where the Board has considered any information or a matter in confidence under Clause 3.4.5 it may subsequently resolve to keep minutes and/or documents considered during that part of the meeting confidential in accordance with section 91 of the Act.
- 3.4.7 All matters for decision at a meeting of the Board will be decided by a simple majority of the Members present and entitled to vote on the matter. All Members including the Chairperson present and entitled to vote on the matter are required to cast a vote. All Members including the Chairperson are entitled only to a deliberative vote.

- 3.4.8 In the case of an equality of votes, the Chairperson does not have a casting vote and the matter is deemed to have elapsed.
- 3.4.9 Ordinary meetings of the Board will be held at such time and such place as the Board decides subject only to the requirement that (disregarding the annual general meeting) there will be at least one ordinary meeting of the Board in every four months.
- 3.4.10 Special meetings of the Board may be held at any time and may be called at the request of the Chairperson or the written request of at least three Members of the Board. A request for a special meeting must be accompanied by the proposed agenda for the meeting or the request will be of no effect.
- 3.4.11 Notice of all meetings will be given in accordance with the requirements applicable to a Council meeting under the Act, which apply to the Board as if it were a Council.
- 3.4.12 The Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation and adoption. Where the Executive Officer is excluded from attendance at a meeting of the Board pursuant to Clause 3.4.5, the person presiding at the meeting shall cause the minutes to be kept.
- 3.4.13 All Members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board.

3.5 Propriety of Members of the Board

- 3.5.1 All provisions governing propriety of Members of a Council and public officers under the law of South Australia will be applicable to Board Members.
- 3.5.2 The provisions regarding conflict of interest prescribed in the Act apply to all Board Members as if they were elected Members of a Council.
- 3.5.3 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties, including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Schedule 2, Part 2 of the Act.

3.6 Committees

- 3.6.1 The Board may from time to time as it sees fit establish committees for the purposes of assisting it in the performance of its functions. A committee established by the Board under this provision may be comprised of such persons that the Board determines.
- 3.6.2 Every committee shall operate in accordance with the general procedure applicable to the Board itself subject to any variation prescribed by the Board in establishing the committee.

3.7 Annual General Meeting

- 3.7.1 An annual general meeting of the Board shall be held prior to 30 June in each year at a place and time determined by a resolution of the Board.
- 3.7.2 The annual general meeting shall conduct business of a general nature aimed at reviewing the progress and direction of the Authority and shall include the following:
 - 3.7.2.1 Chairperson's report;
 - 3.7.2.2 election of the Chairperson until the next annual general meeting; and
 - 3.7.2.3 adoption of the annual budget for the ensuing financial year.

4. BUDGETS AND CONTRIBUTIONS

4.1 Annual Budget

- 4.1.1 The Authority shall, prepare and after 31 May of each year adopt an annual budget for the ensuing financial year in accordance with the Act.

4.1.2 The Authority must provide a copy of its annual budget to the Chief Executive Officer of each Constituent Council within five business days after adoption.

4.1.3 Reports summarising the financial position and performance of the Authority shall be prepared and presented to the Board at each ordinary meeting and copies provided to the Chief Executive Officer of each Constituent Council.

4.1.4 The Authority will reconsider the budget at least three times at intervals of not less than three months between 30 September and 31 May in the relevant financial year.

(See Clause 25, Part 2, Schedule 2 to the Act for the contents of the budget)

4.2 **Financial Contributions**

4.2.1 The Board will determine annually and will include within the budget submitted to the Constituent Councils for approval the funds required to enable the Authority to operate and to fulfil its objects and purposes.

4.2.2 The accounting and audit requirements of the Act and the Local Government (Financial Management) Regulations 1999, will apply to the Authority.

4.3 **Administration Contributions**

4.3.1 The Board will determine annually and will include within the budget submitted to the Constituent Councils for approval the administrative funds required by the Authority to enable it to function ('administration costs').

4.3.2 Each of the Constituent Councils will contribute equally to the administration costs required by the Authority as set out in the approved budget.

4.3.3 The annual administration costs will be paid by each Constituent Council in advance by monthly instalments.

4.3.4 The Board may during any Financial Year for purposes of genuine emergency or hardship determine that additional administration costs are required for the continuing function of the Authority.

4.3.5 Any additional administration costs will be paid in equal proportions by each Constituent Council in the manner and at the time determined by the Board.

4.4 **Operating Contributions**

4.4.1 The Board may from time to time fix all fees, charges, imposts and levies and prices payable for the collection, receipt or purchase of waste.

4.4.2 Each Constituent Council shall contribute contributions to the amount required in proportion to that Council's current annual asset percentage at the date the income requirement is approved by the Board. The Board will determine annually and will include within the budget submitted to the Constituent Councils for approval the operating contributions required by the Authority to enable it to function ('operating costs').

4.4.3 The Board may during any year for purposes of genuine emergency or hardship determine that additional operating costs contributions are required for the continuing function of the Authority.

4.4.4 Any contribution to operating costs shall be made by each Constituent Council within 60 days of notice in writing being given by the Board to the Chief Executive Officer of the Constituent Council, provided that if the Board so decides such payments may be made in advance by monthly instalments.

5. **MANAGEMENT**

5.1 **Strategic Plans**

The Authority shall:

5.1.1 prepare and adopt a ten year Strategic Plan for the conduct of its business which will identify its objectives over the period of the Plan and the principal activities that the Authority intends to undertake to achieve its objectives;

- 5.1.2 in consultation with the Constituent Councils review the Strategic Plan at any time but subject to a comprehensive review being undertaken at least once in every four years; and
- 5.1.3 submit the Strategic Plan to the Constituent Councils for their approval.

5.2 **Business Plans**

The Authority shall:

- 5.2.1 prepare a three year Business Plan linking the core business activities of the Authority to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;
- 5.2.2 in consultation with the Constituent Councils review the Business Plan annually; and
- 5.2.3 submit the Business Plan to the Constituent Councils for their approval.
(See Clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)

5.3 **Reporting**

- 5.3.1 The Authority must submit to the Constituent Councils, by 30 September in each financial year a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of the Authority and any other information or reports as required by the Constituent Councils.
- 5.3.2 On or before the second Friday in September of each year the Board shall present to the Constituent Councils a balance sheet and full financial report in respect of the previous Financial Year.

6. **ADMINISTRATIVE MATTERS**

6.1 **Executive Officer and Staff**

- 6.1.1 The Board may appoint an Executive Officer and/or other staff of the Authority on terms and conditions to be determined by the Board.
- 6.1.2 The Board shall delegate responsibility for the day-to-day management of the Authority to the Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Authority.
- 6.1.3 The Executive Officer will be responsible to the Board:
 - 6.1.3.1 for the implementation of its decisions in a timely and efficient manner;
 - 6.1.3.2 to carry out such duties as the Board may direct;
 - 6.1.3.3 attending at all meetings of the Board unless excluded by resolution of the Board;
 - 6.1.3.4 providing information to assist the Board to assess the Authority's performance against its Strategic and Business Plans;
 - 6.1.3.5 appointing, managing, suspending and dismissing all other employees of the Authority;
 - 6.1.3.6 determining the conditions of employment of all other employees of the Authority, within budgetary constraints set by the Board;
 - 6.1.3.7 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 6.1.3.8 ensuring that the assets and resources of the Authority are properly managed and maintained;
 - 6.1.3.9 ensuring that records required under the Act or any other legislation are properly kept and maintained;

- 6.1.3.10 exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the Act or any other Act or this Charter, and performing other functions lawfully directed by the Board;
- 6.1.3.11 achieving financial and other outcomes in accordance with adopted plans and budgets of the Authority; and
- 6.1.3.12 for the efficient and effective management of the operations and affairs of the Authority.
- 6.1.4 In the absence of the Executive Officer for any period exceeding three weeks the Executive Officer can after consultation with the Board appoint a suitable person to act in the position of Executive Officer.
- 6.1.5 The Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Executive Officer.
- 6.1.6 Where a power or function is delegated to an employee, the employee is responsible to the Executive Officer for the efficient and effective exercise or performance of that power or function.
- 6.1.7 A written record of all delegations and sub-delegations must be kept by the Executive Officer at all times.
- 6.2 **Auditor and Other Professionals**
 - 6.2.1 The Board must annually appoint an Auditor in accordance with the Local Government (Financial Management) Regulations 1999.
 - 6.2.2 The Board may engage professional consultants and it may authorise the Executive Officer to so engage professional consultants to provide services to the Authority to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the Authority, and forgoing effect to the general management objectives and principals of personnel management prescribed by the Charter.
 - 6.2.3 The Authority is exempt from establishing an audit committee as required by Clause 30, Schedule 2 of the Act.
- 6.3 **Common Seal**
 - 6.3.1 There will be a common seal of the Authority which may be affixed to documents and must be attested by the Chairperson and the Executive Officer of the Authority.
 - 6.3.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board. The Executive Officer will maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of the persons who attested the fixing of the seal and the date thereof.

7. FINANCE

7.1 Banking

- 7.1.1 The Board will establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board. The Board will appoint no less than two Board Members as jointly authorised operators of the bank accounts at any one time.
- 7.1.2 All payments must be authorised by resolution of the Board or at least two persons delegated by a resolution of the Board.
- 7.1.3 The Executive Officer must act prudently in the handling of all financial transactions for the Board and must provide quarterly financial and corporate reports to the Board, and the Constituent Councils.

7.2 Schedule of Net Assets

- 7.2.1 The Board will at the end of every Financial Year prepare a schedule of assets and liabilities. In addition it will maintain a record to be known as the 'Schedule of Constituent Councils Interest in Net Assets'.
- 7.2.2 The 'Schedule of Constituent Councils Interest in Net Assets' will reflect the proportionate contribution each Constituent Council has made to the growth of the net assets of the Authority having regard to the proportion of contributions to the Authority's assets in proportion to each Constituent Council's asset percentage and subscriptions. The Schedule when updated at the end of each Financial Year will reflect the proportionate contribution of each Constituent Council since the commencement of the Authority and once accepted by the Board will be evidence of the agreed proportion of a Constituent Council's interest in the net asset percentage as at 30 June in that year. The Constituent Councils agree to be bound by the annual decision of the Board on this issue.

8. MISCELLANEOUS MATTERS

8.1 Alteration to Charter

- 8.1.1 Subject to the Act, this Charter may be amended at the request of a Constituent Council, a Board Member, or on the recommendation of the Executive Officer by the giving of not less than two month's notice of the proposed changes to the Constituent Councils and the Board.
- 8.1.2 Before the Constituent Councils vote on a proposal to alter the Charter they must take into account the recommendations of the Board.
- 8.1.3 This Charter can only be altered with the agreement of all of the Constituent Councils.

8.2 Withdrawal of a Constituent Council

- 8.2.1 Subject to Ministerial consent, a Constituent Council may withdraw from the Authority by giving not less than six months notice of its intention to do so to the Board and to the Executive Officer.
- 8.2.2 In any event, a withdrawal cannot become effective until 30 June following the expiry of the six months notice period. Until withdrawal becomes effective the Constituent Council proposing withdrawal from the Authority will remain liable for all financial contributions in the remaining period and through its Board Members and deputy Board Members retains responsibility of ensuring the continued proper conduct of the affairs of the Authority during that time.
- 8.2.3 Upon withdrawal taking effect and subject to Clause 8.2.4 a Constituent Council will be entitled at the discretion of the Board to be paid not more than 20% of the Constituent Council's interest in the net asset percentage of the Authority as determined and agreed in accordance with Clause 7.2.2. The withdrawing Constituent Council will be entitled to receive that sum by quarterly instalments to be paid over a period of two years with the first instalment being due on the 1st day of January following the actual date of withdrawal.
- 8.2.4 A Constituent Council will not be entitled to be paid any amount in respect of any reserve fund established under Clause 1.5.5 of this Charter.
- 8.2.5 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of the Financial Year in which such withdrawal occurs.
- 8.2.6 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Authority at any time before or after such withdrawal in respect of any act or omission by the Authority prior to such withdrawal.

8.3 Addition of New Member

Subject to the provisions of the Act and in particular Ministerial approval to the admission of a new Constituent Council or Councils, this Charter may be amended by agreement of all of the Constituent Councils to provide for the admission of a new Constituent Council or Councils.

8.4 **Winding Up**

- 8.4.1 Subject to the Act, the Authority may be wound up by the Constituent Councils.
- 8.4.2 In the event of there being net assets upon dissolution and after realisation of all assets and meeting all liabilities, the net assets will be distributed to the then Constituent Councils on the basis of their current interest in the net assets of the Authority as agreed in accordance with Rule 7.2.2.
- 8.4.3 In the event of there being any unfunded liabilities of the Authority at the time of a winding up or otherwise the Constituent Councils acting in accordance with their obligations under the statutory guarantee will be responsible to meet those liabilities on the basis of their current interest in the net assets of the Authority as agreed in accordance with Rule 7.2.2.

8.5 **Insurance and Superannuation Requirements**

- 8.5.1 The Authority shall register with the Local Government Mutual Liability Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of those Schemes.
- 8.5.2 The Authority shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.
- 8.5.3 The Authority shall register with the Local Government Superannuation Scheme and comply with the Rules of the Scheme (where applicable).

8.6 **Non-Derogation and Direction by Constituent Councils**

- 8.6.1 The establishment of the Authority does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of the Authority.
- 8.6.2 Provided that the Constituent Councils have all first agreed as to the action to be taken, the Constituent Councils may direct and control the Authority.
- 8.6.3 For the purpose of subclause 8.6.2, any direction given by the Constituent Councils must be given in writing to the Executive Officer of the Authority.

8.7 **Review of Charter**

- 8.7.1 This Charter will be reviewed by the Constituent Councils acting in concurrence at least once in every three years.
- 8.7.2 This Charter may be amended by a resolution passed by each of the Constituent Councils.
- 8.7.3 The Executive Officer must ensure that the amended Charter is published in the *Gazette* and a copy of the amended Charter provided to the Minister.
- 8.7.4 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendation of the Board.

8.8 **Disputes Between Constituent Councils**

- 8.8.1 The Constituent Councils agree to work together in good faith to resolve any matter requiring their direction or resolution.
- 8.8.2 Where the Constituent Councils are unable to resolve a matter within 21 days of the matter being presented to them, the matter will be referred for arbitration by the President (or his/her nominee) of the Institute of Arbitrations and Mediators Australia.
- 8.8.3 Notwithstanding subclause 8.8.2 the Constituent Councils agree to be bound by the decision of the Arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.
- 8.8.4 The costs of arbitration shall be borne equally by the Constituent Councils.

8.9 Circumstances Not Provided For

8.9.1 If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chairperson may decide the action to be taken to ensure achievement of the objects and purposes of the Authority and its effective administration.

8.9.2 The Chairperson shall report any such decision at the next ordinary meeting of the Authority.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Jennifer Blake
Manager Communication, Engagement and Events
Community Capacity

Subject: Support for Road Closures - 2020 Adelaide Hills Rally

For: Decision

SUMMARY

The purpose of this report is to seek Council consent to road closure orders proposed for the conduct of the 2020 Adelaide Hills Rally organised by Ultimate Motorsport Events (UME).

The 2020 Adelaide Hills Rally is proposed to run in four stages on unsealed roads within the Adelaide Hills Council district on Saturday 17 October 2020. This will be the third iteration of the event. Three of the four proposed stages have been used previously; only one stage has not been used before. For the first time the event headquarters will be set up at the National Motor Museum in Birdwood for public activities over the weekend, from Friday 16 to Sunday 18 October. It had previously been headquartered at Mt Barker Oval.

For these events to run successfully throughout the Adelaide Hills, a number of full road closures are required. Before a road closure order can be issued by the Commissioner of Police, consent must be obtained from the applicable local council(s). The full list of proposed closures is included under Section 3 of this report (Analysis).

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
- 2. That, in relation to the 2020 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:**
 - a. Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event**
 - b. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event**
 - c. Providing confirmation that the affected business owners are aware of the road closures**
 - d. Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and ingress for those properties can be managed within the event where possible**

- e. **Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.**

 - 3. **That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the event, to be held on Saturday 17 October 2020 as follows:**
 - a. **Saturday 17 October 2020**
 - i. **Retreat Valley Stage**
Closure 8:00am – 1:30pm
Retreat Valley Road, Odea Road, Berry Hill Road and Langley Road closed – from Gorge Road to Cudlee Creek Road

 - ii. **Kenton Valley Stage**
Closure 8:20am – 1:50pm
Turner Road, Maidment Road, Lihou Road and Schocroft Road closed – from Burfords Hill Road to Schuberts Road

 - iii. **Charligate Short Stage**
Closure 11:40am – 5:10pm
Harrison Road, Pfeiffer Road, Teakle Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Black Heath Road

 - iv. **Blumberg Creek Stage**
Closure 12:00pm – 5:30pm
Hicks Road, Hanham Road, McVitties Road, Number Four Road and Burton Road closed – from Terlinga Road to Onkapinga Valley Road

 - 4. **That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C6 Celebrate our community’s unique culture through arts, heritage and events

Priority C6.2 Develop, support and bring events to our district that have social, cultural, environmental or economic benefits.

Council’s Strategic Plan recognises that events play a key role in connecting our community and are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, promote the unique culture of the Hills and build community spirit.

The Council's current *Festivals & Events Policy* contains a specific appendix with guidelines for Competitive Motoring Events wherein road closures are considered by Council on a case by case basis.

Consideration of road closures is a matter of good governance. Some events rely on road closures to proceed. It follows that the Council needs to consider the impact of the road closures on the community and balance that against the benefits of the event going ahead.

➤ **Legal Implications**

Section 33 of the *Road Traffic Act 1961* (the Act) allows the Minister to declare events to be events to which the Section applies, and then to declare road closures, part closures and exemptions to the Road Rules for that event.

Section 33 (1):

On the application of any person interested, the Minister may declare an event to be an event to which this section applies and may make an order directing—

- a. that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Minister, should be closed for the purposes of the event) be closed to traffic for a specified period; and*
- b. that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe an enactment, regulation or by-law prescribing a rule to be observed on roads by pedestrians or drivers of vehicles.*

The Minister has delegated this power to the Commissioner of Police (as well as to Council for local roads).

In the case of both events, SA Police will issue the applicable road orders, including exemptions to the observance of certain road rules (including speed limits), for the vehicles involved in the event within the closed sections of road.

However, and importantly, subsection 33(2) of the Act states:

An order to close a road under subsection (1) can only be made with the consent of every Council within whose area a road intended to be closed by the order is situated.

While the Chief Executive Officer has delegation to act under subsection 33(2), the Chief Executive Officer's practice is to only use that delegation for regular and non-controversial events.

➤ **Risk Management Implications**

Consent to full road closures for the 2020 Adelaide Hills Rally will assist in mitigating the risk of:

Conflicts between event participants, residents, business owners and road users leading to injuries and/or property/vehicle damage and/or financial loss to those affected parties.

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	High (4C)	Medium (4E)

The residual risk rating takes into consideration the provision of organisers' risk management plans, public liability insurance and on-site traffic marshals and action taken to mitigate resident and business concerns following public consultation. The target risk rating is with full road closures as requested and the event run as intended.

➤ **Financial and Resource Implications**

There is no direct financial cost to the Adelaide Hills Council for the delivery of these events.

An amount of staff time has been dedicated to working with the event organiser in the interests of achieving good outcomes for the community. This has been accommodated within normal operational resourcing.

➤ **Customer Service and Community/Cultural Implications**

The Adelaide Hills Rally will have a direct effect on some residents through the closure of several roads. In line with the Council's *Festivals and Events Policy*, people on roads that are closed, or on roads that have no other access but onto closed roads, were given the opportunity to comment on the proposal. Their feedback on the road closures is detailed in the Analysis section of this report and in **Appendix 2**.

Some negative feedback has been received regarding the road closures and organisers have responded to the concerned parties to attempt to mitigate their concerns as detailed in Section 3 Analysis and **Appendix 2**.

The business community has potential to benefit from increased tourists to the area during the event, especially Birdwood where the organisers will be setting up the public event headquarters at the National Motor Museum and have included some local businesses in planning to ensure they receive maximum benefit from this influx. The event falls outside of fruit picking season and the Administration is not aware of any businesses on the closed roads. As the event makes use of unsealed side roads, closures do not cause significant disruptions to commuters, tourists and through traffic.

➤ **Sustainability Implications**

There is potential for the event to impact the environment of residents and businesses as follows:

- Noise nuisance;
- Litter from spectators; and
- Damage or adverse impact to roads, trees, livestock and other flora and fauna.

The cars involved in the event are required to meet certain noise standards and, while there will be some level of noise associated with the event; it will be capped according to standard road rules and Motorsport Australia (MA) guidelines. Additionally, MA scrutineers will be auditing the event for compliance before, during and post-event including decibel readings.

The majority of the routes are within the fire scar area. AHC Arborists have reviewed the routes and have advised that all necessary tree works will be completed ahead of the event in October.

➤ **Engagement/Consultation conducted in the development of the report**

Event organisers have been in contact with Adelaide Hills Council staff about the 2020 Adelaide Hills Rally since the conclusion of the event in 2019.

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Coordinator Civil Operations
Horticultural Officer
Economic Development Manager
Events Officer

External Agencies: National Motor Museum

Community: The organisers have undertaken consultation with affected residents which, for the purposes of the *Festivals and Events Policy*, are those properties that lie directly along the proposed rally routes, or along roads that exit exclusively onto a proposed race route. A staff approved consultation letter as contained in **Appendix 4**, was sent in May to the ratepayers of these properties by event organisers and encouraged feedback about the proposed road closures to be submitted before 27 May 2020. The consultation report is attached in **Appendix 2**. SA Police will be engaged should the event be approved by Council to approve the road closure orders. Organisers have also advised that a Police Officer attends the event and travels in a vehicle with race officials during the event.

2. **BACKGROUND**

The Adelaide Hills Rally first ran in September 2018, followed by a second event in September 2019. In both of these years the event was based out of headquarters at the Mount Barker Showgrounds, with only one of the four days of racing within the Adelaide Hills Council district.

In 2020 Adelaide Hills Rally will set up event headquarters in Birdwood at the National Motor Museum for a weekend of public activities. Racing in the Adelaide Hills district will be limited to Saturday 17 October. This event will decide the winner of the South Australian Rally Championship (SARC) and be an important round in the Australia Rally Championship (ARC). The event will bring the best rally teams from the State and Country, along with fans and club members.

This event will be a run under the jurisdiction and rules of the Motorsport Australia (MA) (previously Confederation of Australian Motor Sport [CAMS]) and carry the appropriate insurances and permits.

The Council's *Festivals & Events Policy* contains a specific appendix with guidelines for Competitive Motoring Events. These guidelines provide for road closures to be considered by Council on a case-by-case basis. The Policy requires six months' notice of the event followed by a Motoring Event Application with proposed road closures and a Consultation Report a minimum of three months prior to the event (**Appendix 2**). If road closures are approved by Council, written notification is required to be sent to affected businesses and residents and Council-approved advanced warning signage must be installed along routes at least three weeks before the event. Provision of reasonable traffic detour information including online maps must be made available to Council and the community at least two weeks before the event is conducted.

3. ANALYSIS

Council's *Festivals and Events Policy* provides criteria for Council staff in assessing the level of support for events. In this instance the organiser is seeking support for road closures as the event will not be able to run without Adelaide Hills Council approval.

The *Festival and Events Policy*, Guideline No.1 for Competitive Motoring Events outlines considerations to help determine whether the benefits of the event outweigh the detriments around community impact, economic impact and environmental impact. A Consultation Report (**Appendix 2**) provided by the event organiser is required by the Policy to inform Council Assessment and decision-making.

The organisers sent Council-approved consultation letters to 151 directly affected residents and received 6 responses. The following results are as per the Report:

- 2 – Supportive of the closures (1 Blumberg Creek stage, 1 location not disclosed)
- 2 – Object to the closures (1 Charligate stage, 1 Retreat Valley stage)
- 2 – Raised concerns (1 Blumberg Creek stage, 1 Kenton Valley stage)

All responses are available in the Consultation Report **Appendix 2**. Organisers have responded to each submission to answer questions, acknowledge receipt and where possible successfully mitigate concerns.

Road closures

For motorsport events covering a number of roads across multiple council areas, the road closure order is normally made by a sub-delegate of the Commissioner of Police, who acts under ministerial delegation. The Council's role, albeit a critical one, is limited to providing or withholding consent to the road closure. The actual order is not made by the Council.

Council operational staff have advised that they have no general objections to the route proposed, but that some wear or damage is expected to the unsealed roads. This will be determined via dilapidation reports completed by Council staff and event organisers before and after the event. Any significant, accidental damage to the roads, boundaries, public or private property will be covered by the event's insurance with Motorsport Australia (MA).

Temporary closure of roads during the rally is requested to ensure the safety of event participants and the public in the area at the time. The event organiser has copied Council staff into communications with residents including offers to mitigate issues with affected residents as detailed in the Consultation Report (**Appendix 2**).

The organiser has undertaken to place reminder signage out at least three weeks prior to the event. Staff will recommend that the name of the event is included in the roadside signage to notify land and stock owners who were not included in the consultation area, of the event.

The full list of proposed road closures is as follows:

- a. Saturday 17 October
 - i. Retreat Valley Stage
Closure 8:00am – 1:30pm
Retreat Valley Road, Odea Road, Berry Hill Road and Langley Road closed – from Gorge Road to Cudlee Creek Road
 - ii. Kenton Valley Stage
Closure 8:20am – 1:50pm
Turner Road, Maidment Road, Lihou Road and Schocroft Road closed – from Burfords Hill Road to Schuberts Road
 - iii. Charligate Short Stage
Closure 11:40am – 5:10pm
Harrison Road, Pfeiffer Road, Teakle Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Black Heath Road
 - iv. Blumberg Creek Stage
Closure 12:00pm – 5:30pm
Hicks Road, Hanham Road, McVitties Road, Number Four Road and Burton Road closed – from Terlinga Road to Onkaparinga Valley Road

Timing of other road closures

The event organisers have focussed on stages that have low resident impact, and have tried to use routes that have not received a high amount of feedback in recent years. One new route is being introduced in 2020 and another has been modified from previous uses. The Policy guidelines requires consideration of any other planned road closures within 6 months either side of the event however there is no expected use of these same road closures; other rally events operate on sealed roads, as does the Tour Down Under cycling event in January 2021.

Economic Impact

Organisers are working with the National Motor Museum to set up event headquarters on their Birdwood Grounds which will host activities and presentations for public enjoyment across the event weekend. This will bring a number of tourists into the township to view the museum, competitor cars and associated presentations and activities, with overflow

positive effects expected for local businesses over the weekend. The Birdwood Motel has been completely booked out by Rally organisers for officials and staff over the weekend.

The organisers have advised their intentions to make contact with businesses in townships as the COVID-19 restrictions lift and smaller businesses reopen. Participants and spectators are expected to spend time and money in nearby townships of Woodside, Balhannah, Lobethal and Gumeracha on breakfast and lunch stops primarily on the Saturday. Routes in Lenswood which have been used for the past two years impacting wineries and a pet boarding facility have been deliberately not used this year to give businesses a reprieve.

Environmental Impact

Minor vehicle incidents have occurred over the past two years that were managed by the event response team and did not result in any vegetation damage. In 2019 event organisers worked quickly with a homeowner to repair a damaged fence on Croft Road Lenswood, a route which is not being used in 2020. A fence on Maidment Road, Mt Torrens was also damaged in 2019 and organisers quickly entered into discussions with the property owners regarding repairs. Unfortunately this property was affected by the Cudlee Creek bushfire and the conversation with owners has since been reopened, see Consultation Report.

Post Event Report 2019

The organisers provide a post-event report each year with the 2019 report attached as **Appendix 3**. No complaints were received direct to Council on event day. On the Monday following the event council staff completed an initial inspection of one section of the route and found no evident damage to roads or roadside vegetation. Civil Operations staff reported no additional repairs required to routes post-event.

4. OPTIONS

Council has the following options:

- I. Receive the report and resolve to consent to the road closures contemplated in this report (Recommended).
- II. Resolve not to provide consent for the road closures contemplated in this report. Should the Council not consent to some or all road closures proposed for this event, significant parts of the event, or the event in its entirety, would be unable to proceed as intended (Not Recommended).

5. APPENDICES

- (1) 2020 Adelaide Hills Rally Application Information
- (2) 2020 Adelaide Hills Rally Consultation Report
- (3) 2019 Adelaide Hills Rally Post-Event Report
- (4) 2020 Adelaide Hills Rally Consultation Letter to Residents

Appendix 1

2020 Adelaide Hills Rally Application Information



ADELAIDE
HILLS
RALLY

Partnering with



Adelaide Hills
COUNCIL

The Adelaide Hills Council

63 Mt Barker Road

Stirling

Dear Council

A Request to The Adelaide Hills Council

THE EVENT: **AGI Sport AGI Sport Adelaide Hills Rally**

The 2020 AGI Sport Adelaide Hills Rally will explode into life at Birdwood from October 16th to 18th. The event headquarters will be based at the National Motor Museum and will be traversing the greater Adelaide Hills Region.

The event brings two days of Rallying Heaven to some of the best gravel rally roads Australia has to offer.

The 2020 AGI Sport Adelaide Hills Rally will host round 2 of the Australian Rally Championship (ARC) and will be the final round of the South Australian Rally Championship. No doubt the competition is going to be tense, tight, bringing a great spectacle to the region for all that come to watch. The best rally teams Australia and SA have to offer will be on show, and thrillingly they will also be fighting hard for event honours. The event is vital for the ARC teams as it will be the decider of who will be the championship leader in a shortened 2020 Championship. The competition will be hot for the SA component as this event will determine the 2020 South Australian Rally Champion!

The 2020 AGI Sport Adelaide Hills Rally (AGI AHR) will also present opportunities for those that have the wherewithal to take part in the AGI AHR Introductory Rally competition. This experience will allow those that wish, the unrivalled opportunity to traverse a selection of the closed road stages in road going cars. Those embracing the opportunity will be accompanied by an AGI AHR Intro Team who will expertly guide participants and provide them all the information and advice they need to get started in gravel Special Stage Rallying.

Day 1 of the event's competition will commence in the Adelaide Hills and finish with a Super Special Stage (SSS) at The Bend Motorsport Park in the evening of Saturday the 17th as part of the Motorsport Australia Shannon's Nationals Championship. The format of the SSS will allow the competitors to go head to head, as there will be two cars on the track at a time. This will be a thrilling spectacle and spectators will be able to see firsthand the power of the rally cars and an exhibition of the incredibly skilled teams. Once the SSS is complete, all competitors will transport back to the AGI Sport Adelaide Hills Rally Service Park and Headquarters at the Birdwood National Motor Museum. This is where the public will take part in the country fair atmosphere melded within a motorsport festival.

The National Motor Museum, situated in the heart of the Birdwood, will be a hive of activity over the weekend of the event. The National Motor Museum will be the base of operations for the 2020 AGI AHR and the location for team servicing and regroup. Adding to the excitement at the National Motor Museum there will be a myriad of AGI Sport Adelaide Hills Rally partner displays.

Due to the immense popularity, the AGI Sport Adelaide Hills Virtual Rally Experience; open to all ages and skill levels, will allow punters to test their skills on state of the art equipment, whilst also competing against each other and the skilful competitors of the event. Added to all that, The National Motor Museum itself is a labyrinth of car lover heaven, ready for a wander through, in between all the exciting competition.

Day 2 of competition on Sunday will see competitors taking part in stages throughout Mid Murray and Crawford Forest regions, with several returns to the AGI Sport Adelaide Hills Rally Service Park for vehicle checks, refreshments and some time with the public.

The event will conclude with a podium presentation on Sunday afternoon. Following the presentations, all competitors and event officials will have the opportunity to mingle and chat and enjoy a well-deserved post event celebration.

We look forward to meeting with you to further explore the benefits to the region, and to discuss the request for 2020.

We are very excited at the opportunity for the Adelaide Hills Council to align with UME at the 2020 AGI Sport Adelaide Hills Rally and future events.

Yours sincerely

Andrew Admiraal
Director
andrew@ume.cool
0403 116 400

Michael Clements
Director
michael@ume.cool
0418 804 105

THE TEAM: Ultimate Motorsport Events

The team at Ultimate Motorsport Events (UME) are a professional, dynamic and diverse group committed to delivering a quality service in the provision of closed road and circuit rallying and racing fixtures. The UME team have won many awards for the overall events that we've run, and personally won awards as members of the organising team, it is a tried and tested, successful management group.

UME provides a total fixture solution with the most comprehensive range of equipment and experience necessary to run a safe and successful motorsport event. We will provide motorsport clients, whether they are clubs, companies or groups, the complete solution in event management from the initiation and implementation through to completion and finalisation. We provide the support of compliance management, liaising with various bodies throughout the required administrative steps and processes through to the successful and safe management of the actual competition.

UME facilitates access to experienced motorsport officials including:

- Clerks of Course, Secretaries, Safety Officers
- Incident Controllers
- Rally Control Personnel
- Compliance Checkers
- Communicators / Observers
- Stage Commanders
- Spectator Officials
- Course Cars

UME supplies an extensive range of resources, equipment and infrastructure for events including:

- Current generation Tag Heuer timing equipment
- CAMS documentation - such as permits, medical & safety plans, compliance checking etc.
- Liaising with Government and Regulatory Bodies
- Incident Response Vehicles
- Specialist Medical Teams with motorsport and trauma experience
- Fire Extinguishers
- Oil / Liquid spill clean-up materials
- Radios
- Fully equipped mobile rally headquarters

Promoters and event organisers can customise an individual package created using one or all services provided by UME to perfectly match particular event needs.

The UME management team has over 180 years of combined experience in motorsport at all levels from local club through to international events. As Australian rallying moves to a more professional level, the team at UME is embracing the changes and challenges in the provision of medical and trackside services, integrating the following elements in its operations:

- Corporate image
- Competitor focus
- Teamwork
- Training & Rigorous Quality Review
- Multi-tasking of officials in different roles

Whether the involvement in the event is small or large, UME is committed to providing an exceptional level of service that seeks to maximise competitor satisfaction in the safest environment.

Event Deliverables: 2020 AGI Sport Adelaide Hills Rally

Please note the below list of the key deliverables that are indicative of what we would bring with a round of the 2020 CAMS Australian Rally Championship (ARC).

These figures are consistent with what was achieved at the 2019 Adelaide Hills Rally Australian Rally Championship round.

We would expect to achieve similar results for the 2020 Adelaide Hills Rally.

A round of the ARC would consist of approximately 55 teams;

20 Teams consist of a team of 12 people

35 Teams consist of a team of 7 people

Each team stays 5 nights

This equates to **2380 Bed Nights**

On average, each Team would spend \$3000 of food and beverage totaling **\$160,000 in** revenue in

20 Senior Officials require accommodation for 4 nights totaling an additional **80 Bed Nights**

10 Motorsport Australia officials require accommodation for 4 night totaling an additional **40 Bed Nights.**

Motorsport Australia (MA) - (formally CAMS – Confederation of Australian Motorsport) will provide (via its own media team) media messaging through all media channels (digital, social, print, daily VNR's);

ARC Facebook – 16,000 Followers

Motorsport Australia Facebook – 24,000 Followers

Motorsport Australia Twitter – 7,843 Followers

These media numbers would be supplemented by the AGI Sport Adelaide Hills Rally events' social media channels as well as the Ultimate Motorsport Events (and subsidiaries) media channel and the SA Rally social media channel.

The numbers stated below have genuine follower base with high ongoing engagement that has grown organically as UME events mature. As the AGI Sport Adelaide Hills Rally is a wholly new event, these numbers will grow dramatically, as will the engagement.

AGI Sport Adelaide Hills Rally Facebook – 1,800 Followers

Ultimate Motorsport Events (and subsidiaries) Facebook – 11,060 Followers

SA Rally Facebook – 1,500 Followers (currently SA centric)

DirtFish Facebook – 75,696 Followers (Worldwide Rallying Page)

FIA Asia Pacific Rally Championship – 98,698 Followers (FIA – Worldwide Motorsport Governing Body0029

The request:

We are requesting the following roads be closed for the Event.

Saturday 17th of October 2020:

We are requesting the following roads be closed for the Event.

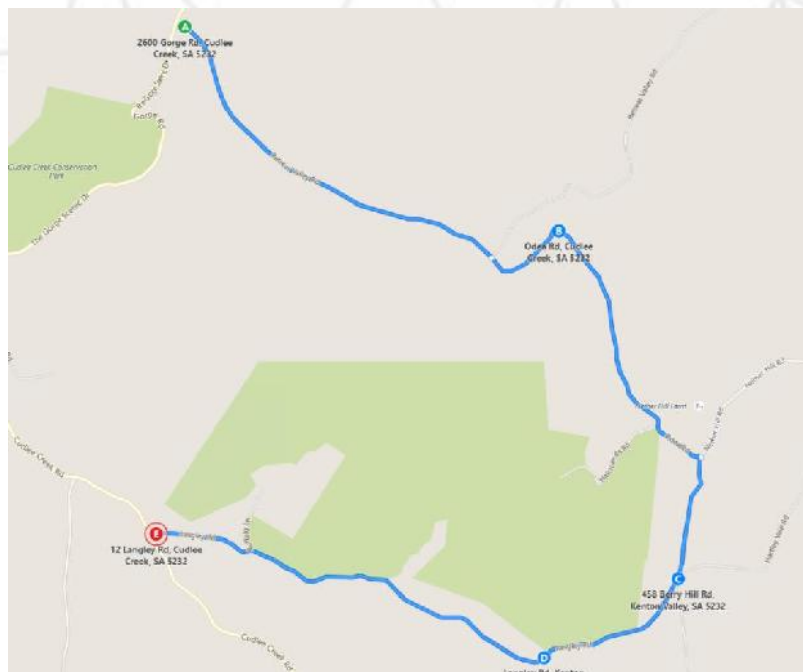
Retreat Valley – 0800hrs – 1330hrs

Retreat Valley Road - from Gorge Rd to Odea Rd

Odea Road - from Retreat Valley Rd to Berry Hill Rd

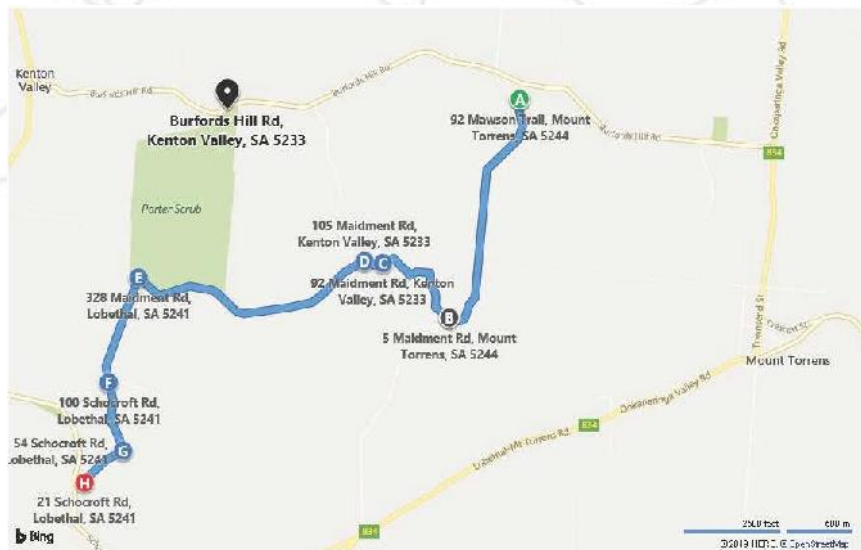
Berry Hill Road - from Odea Rd to Langley Rd

Langley Road - from Berry Hill Rd to Cudlee Creek Rd



Kenton valley – 0820hrs – 1350hrs

- Turner Road - from Burfords Hill Road to Old Mount Road
- Turner Road - from Old Mount Road to Hirthes Road
- Then Maidment Road - from Hirthes Road to Woodlands Road
- Maidment Road - from Woodlands Road to Lihou Road
- Then Lihou Road - from Maidment Road to Schocroft Road
- Then Schocroft Road - from Lihou Road to Rosin Road
- Schocroft Road - from Rosin Road to Schuberts Road



Charligate Short – 1140hrs – 1710hrs

Harrison Road - from Quarry Road – Pfeiffer Road

Pfeiffer Road - from Harrison Road to Teakle Road

Teakle Road - Pfeiffer Road to Lewis Road

Lewis Road - Teakle Road to Bell Springs Road

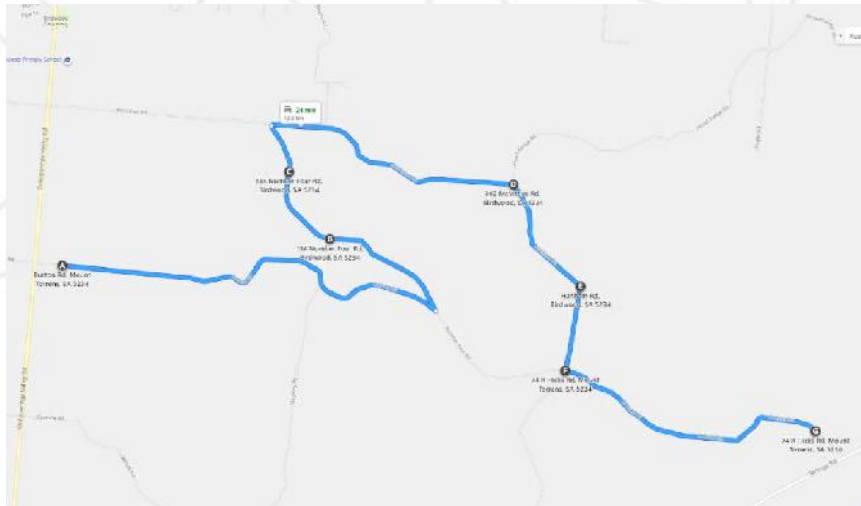
Bell Springs Road - Lewis Road to Warmington Road

Warmington Road - Bell Springs Road to Black Heath Road



Blumberg Creek – 1200hrs – 1730hrs

- Hicks Road - from Terlinga Road to Hanham Road
- Hanham Road - from Hicks Road to McVitties Road
- McVitties Road - from Hanahm Road to Number Four Road
- Number Four Road - from McVitties Road to Burton Road
- Burton Road - from Number Four Road to Onkaparinga Valley Road





ULTIMATE 
MOTORSPORT EVENTS

PO BOX 10213 ADELAIDE BC SA 5000 | WWW.UME.COOL

Appendix 2

2020 Adelaide Hills Rally Consultation Report

The consultation process:

We are accepting written feedback in relation to the proposed road closures via email and post prior to 29/05/2020. If you do not reside on the affected property and have a tenant on site, please forward this information to them.

The results of this consultation will be provided to the Adelaide Hills Council as part of the road closure approval process.

Please send feedback to:

Email: secretary@ume.cool or

Post: PO Box 10213, Adelaide BC, SA, 5000

WE WILL KEEP YOU INFORMED OF THE PROPOSED TEMPORARY ROAD CLOSURES VIA POST PRIOR TO THE EVENT

The CFS regions directly affected will be advised to CFS HQ by the Ultimate Motorsport Events team and we will have continued communication with CFS HQ, and by default, the CFS regions so that all are aware of the areas directly impacted by the events route.

The remediation process:

The Ultimate Motorsport Events team will:

Liaise with the engineering team from the Adelaide Hills Council to evaluate the route before and immediately after the event to determine if any remediation is required.

The event course vehicles, Course Closer (000) & Course Checker (00), will have front mounted cameras to provide footage of the route immediately prior to competition. Course Opener (Sweep) will also have a front mounted camera to provide footage of the route immediately after competition. This footage will be made available to the engineering team.

It is requested that any scheduled road engineering works on the route that are part of standard council practise, and within the council budget, be held until after the running of the event. This will allow any required repairs on the route caused by the event to be amortised into the scheduled ongoing maintenance.

It is requested that if the route requires remediation that is greater than that performed via scheduled maintenance, that the Adelaide Hills Council and Ultimate Motorsport Events possibly companion in the cost.

To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

Notify adjoining landowners in writing at least 2 months beforehand

Compile a Traffic Management Plan

Employ a Traffic Management company to undertake the Traffic Management Plan

Leave all control areas in a clean and tidy state

Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act

Notify the emergency services in the area

Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes \$100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).

Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure

Advertise the road closures in the local papers the week before the event

During the event, man the access points to these roads to advise users of the temporary restrictions

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a landowner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.

I will forward to you a current copy of the Motorsport Australia Public Liability Cover if we receive permission to run the event.



APPENDIX:

2020 AGI Sport Adelaide Hills Rally – Press Release

28/05/2020

New look AGI Sport Adelaide Hills Rally in October

A new date and a new naming rights sponsor will see the 2020 edition of the AGI Sport Adelaide Hills Rally reach new heights in October this year.

Originally scheduled for the first weekend in October, the AGI Sport Adelaide Hills Rally will now be held a fortnight later on 17-18 October as part of a revised RSEA Safety Motorsport Australia Rally Championship (ARC) calendar.

With the Coronavirus pandemic forcing a reshuffle of the ARC calendar, South Australia will host the second round of the national Championship.

The AGI Sport Adelaide Hills Rally will also double as a round of the Motorsport Australia South Australian Rally Championship (SARC).

Event organiser Andrew Admiraal said the AGI Sport Adelaide Hills Rally team were excited about the 2020 edition of the event.

“As we’ve always been planning our event to run in October, the Coronavirus pandemic hasn’t had as significant an impact on our overall plans as it has to some of the other ARC rounds,” Admiraal said.

“However, we are fully aware of the way it has impacted on many of those involved in rallying and we of course are supporting each other as the rally family always does.

“We are looking forward to putting on the best edition of this rally later this year, which will showcase everything South Australia has to offer, from both a tourism point of view, as well as highlighting some of the best roads in Australian rallying.

“Given the recent bushfires in the area over summer, as well as the pause in tourism during recent months, we’re hopeful that by welcoming people to the region for this event we can help kickstart the local economy and slowly work to get things back to ‘normal’.

“We’re particularly excited to welcome a new naming rights partner for this year’s event, with AGI Sport coming on board as our major sponsor. We thank everyone who has made this possible, obviously AGI Sport in joining with us, however the RSEA Safety Motorsport Australia Rally Championship team and Motorsport Australia have done a huge amount of work to get this championship back on track and deserve credit for their strong planning and support.”

Adam Gotch, Managing Director of AGI Sport, said he was looking forward to being part of the event.

“AGI are Australia’s leading manufacturer of Roll Over Protection Systems for Motorsport, Mining, Highway and Emergency Response vehicles.

"We design and manufacture our range of Bolt-in style Roll Cage kits for 200+ different makes and models from our Sydney based facility.

"We're now exporting our Roll Cage kits around the world with a new manufacturing facility in Virginia (USA) opening soon to service the North American market.

"Sponsoring round two of the 2020 RSEA Safety Motorsport Australia Rally Championship in the Adelaide Hills is a great fit for the AGI brand and we also look forward to supporting Luke Anear in the AGI Sport Ford Fiesta R5 rally car."

Admiraal said with the event still several months away, event organisers will work with Motorsport Australia and both state and local governments on how the rally can run in a safe and responsible manner, in line with Motorsport Australia's Return To Race strategy. Any decision on whether spectators will be allowed to attend will be made as soon as is practical.

Total competitive distances and stages to be run will also be unveiled over the coming months.

The AGI Sport Adelaide Hills Rally, round three of the RSEA Safety Motorsport Australia Championship, will be held on 17-18 October 2020.

Consultation Responses and Feedback:

153 letters were sent to affected residents. The following is all the correspondence that we have had to date as at 31/05/2020.

-----Original Message-----

From: Redacted
Sent: Sunday, 31 May 2020 11:56 AM
To: UME Secretary <secretary@ume.cool>
Subject: Adelaide hills rally

Hi Adelaide Hills Rally organisers,
Thank you for the preliminary notice of the event in October.
Our property is located on the Redacted at Burtons Rd, Mt Torrens.

From your letter I take it this is on Sunday 18th. This is not the first time the event has been on our road or past my fathers property on Redacted, so we have had dealings with the rally before.

A concern has been the lack of communication by the organisers with SAPOL in regards to what roads are closed and for what time, as most SAPOL staff will be from out of the area and have no idea on what is what. Last time the rally was by our property, I had volunteers parking in my paddock who were part of the finish line crew. I was never asked if it is ok for people to be on my property as Bio security as well as stock location and trafficking on my property are all concerns as a property owner. If this is planned, I would appreciate some notice and discussion beforehand.

The time of the year for the event is when we are doing hay/silage. The event impacts us on being able to leave the property. Previously we had been told we could access our property as the finish line was further up the road. When the events been on suddenly my family cant access the road from Onkaparinga Valley Rd onto Burton's Rd, and we get out driveway taped off at other times. There is a lack of clear understanding between organisers, volunteers and SAPOL and land owners on what is the protocol as this becomes very frustrating to us as land owners.

According to your map our road will be closed for the whole afternoon (12.00-17.30), this is a long time for a closure, I am hoping that this is an estimation and that it will not be for as long. I do want to see the rally proceed and showcase our great area of S.A., and that the organisers appreciate that this can be frustrating to people like myself who are primary producers who need to carry on their business and work around the road closures.

Kind regards

Redacted

-----Reply-----

Sun 31/05/2020 2:00 PM

Hi Redacted

Thank you for your email regarding the Adelaide Hills Rally. We are hoping to close your road on the Saturday October 17th from 1200hrs to 1730hrs.

It concerns me that there is a perception of a lack of communication within SAPOL. We are in constant communication with SAPOL before and during the event. We have to apply to SAPOL for approval to close the roads before the event and we have a police officer travelling with the Course Opening vehicle. We are told that SAPOL has its own internal communication process to let the local Police know what is happening.

Our event has never used your road (Burton Rd) before, but we have used Warmington road the past 2 years, and part of it again this year. Depending on what side of the road your property is on Warmington Road might depend on the notices you may or may not have received in the past 2 years. We have always been given a data base by the Adelaide Hills Council and Mt Barker District Council to send out letters of the event to residents, but the Adelaide Hills Council has always done it themselves as they do not allow us access to their database so we never know if the residents receive them or not.

With our official's, we do ask them to park in gateways, driveways or behind trees to keep off the road and safe, but we always insist that they never enter anyone's properties without their approval. If this happens please let us know and I will get them shifted as that's not acceptable from our officials. We always ask them to respect every landowner and their property.

With access to your property during the event, there will be times when we can let you in and out, but that will need to be organised with us so we can ensure your safety. It's always hard to have someone travel against the direction of rally traffic so it needs to be carefully co-ordinated. If a time can be arranged before the event that would help us out a lot in running the event, but if it's on the day you can ring Andrew on 0403 116 400 and we can arrange to get you in or out. If we know your actual address we can have a look prior to the rally so we have an understanding in Rally Control during the event exactly where it is and how hard or easy it will be to get you in and out. Getting out to Onkaparinga Road in the same direction as rally traffic will be much easier than getting you in. The road closure time is an good estimate, but we hope to finished well before the 1730hrs. It all depends on how many hold ups we get and how many entries we have for the rally.

I am a farmer as well (what I do for a living) and I do understand the impact when it comes to harvest, so I will do my very best to give you as much access as I can during the event.

Many thanks

Michael Clements

Clerk of Course

-----Original Message-----

From: Redacted

Sent: Tuesday, 26 May 2020 10:57 PM

To: UME Secretary <secretary@ume.cool>

Subject: 2020 AH Rally

Dear Sir/Madam

I am writing to object to the proposed rally passed our property on October 17 during the 'Charligate' sector. It is not actually clear from the paperwork you sent out which day the rally is in the area.

We have myriad concerns.

1. The noise of high-revving vehicles distresses livestock within earshot, which can be quite a distance away due to the topography of the area.
2. Road degradation, especially if wet, makes it difficult for locals to travel
3. Extra traffic for weeks before as crews undertake reconnaissance runs
4. Extra traffic during the rally by observers and fans
5. Fence & paddock damage from crashed cars - and from the general public following the stages
6. Makes access difficult for any emergency vehicles
7. Makes access difficult for our tenant who is a vet and may have emergencies to attend

Thank you

Redacted

-----Reply-----

Wed 27/05/2020 1:45 PM

Hi Redacted

Thank you for your email, we do appreciate it and your point of view.

I will answer your concerns below. Though you may not agree, they are based on our experience and/or the processes that we have in place.

1. The noise of high-revving vehicles distresses livestock within earshot, which can be quite a distance away due to the topography of the area.

AA – based on our experience in years of working in and on rally events, livestock does not get stressed. In fact we have seen on many many occasions where livestock will congregate near a point, or the start line of a stage to see what's going on.

2. Road degradation, especially if wet, makes it difficult for locals to travel

AA – to date, we have participated in pre/post event road assessments and there has been no discernible degradation caused by the running of the stages.

3. Extra traffic for weeks before as crews undertake reconnaissance runs

AA - reconnaissance is only allowed on one day, in a designate window of time consisting of a few hours, with event officials on hand to observe and manage. Any competitors that are seen to do extra reconnaissance on other days will be excluded from the event and possibly lose their competition license.

4. Extra traffic during the rally by observers and fans

AA – yes, that will occur, however that extra traffic is extra revenue to the region as this is a national event. Further, the event will hopefully then help raise more awareness of the Adelaide Hills region, which will create even further flow-on benefits.

5. Fence & paddock damage from crashed cars - and from the general public following the stages

AA – yes that does occur from time to time. To date, this event has had the fence secured immediately once the stage has been completed, with a contractor then employed in the next few days to repair properly, with all costs borne by the event. To date, we have had no issues with general public causing any damage.

6. Makes access difficult for any emergency vehicles

AA – in actual fact it makes access far far far quicker as we have them on the start line of all stages. Last year a young boy fell off his bike on his parent's property. One of our event course vehicles found him, raised the alarm, shut down the stage and our event medical team then attended and transferred him. His mother was very appreciative of what we did. So, if there is a need, any resident on a stage can contact event HQ for help and they will get it immediately. Actually be far quicker than any other time of the year.

7. Makes access difficult for our tenant who is a vet and may have emergencies to attend

AA – if your tenant needs exiting due to needing to attend to an emergency, they can contact event HQ, we will stop the stage, wait for the all clear and send in an event vehicle to safely guide them out. This is part of our standard processes for those types of requirements. It would be advisable to have some dialogue with the tenant pre event so that they are aware of the process and we are aware of who they are and where they reside and what their requirements would be so that we could make it totally seamless.

If you wish to chat further, you are more than welcome to call at any time.

Rgds & Thks

AA

Andrew Admiraal



-----Original Message-----

From: Redacted

Sent: Tuesday, 26 May 2020 3:42 PM

To: UME Secretary <secretary@ume.cool>

Subject: Adelaide hills Rally

Hello,

After last years rally and car no. 32 drove through 2 of our fences and our paddock I have some concerns. If a car drives through a fence they should have to notify someone at rally headquarters because stock could get out onto the road and the next car coming through could hit livestock. It was lucky our cows and horses weren't in that paddock and lucky we were home, if we weren't there and they had gotten out no one would have known, very unsafe.

I understand a car could hit or drive through our fence accidentally but I don't think it's very good that he chose to drive through our fence in the first place, and then through our paddock, then another fence, maybe some driver education is needed, if our animals had been in there they might have started running and that's a danger. It was only that we were home and could alert someone that our fence was damaged.

Redacted

Maidment Road

-----Reply-----

Wed 27/05/2020 1:16 PM

Hi Redacted

Hope all is okay in your world after the devastation that you had to/are dealing with.

Re your email, you are absolutely correct and the drivers will be advised moving forward.

I am sorry as, after chats with Redacted, I forgot to follow up the driver involved due to Redacted advising that you guys were not seeking recompense for the damaged fence. However I now will.

If you wish to chat further, you are more than welcome to call at any time.

Rgds & Thks

AA

Andrew Admiraal

-----Reply-----

From: Redacted

Sent: Friday, 29 May 2020 12:29 PM

To: UME Secretary <secretary@ume.cool>

Subject: Adelaide hills Rally

Hi Andrew, thanks for your reply. It is a worry if stock were on the road and the next cars coming through didn't know. Redacted said he couldn't remember the car number but I did so I included it.

We are slowly getting things done at our place, the house and sheds etc were cleared about 4 weeks ago and Insurance finally came through. Trees being cut down now, it's all going to take a long time but we will get there eventually. Sounds like you've done well getting that major sponsor, hope it goes well for you all.

Redacted

Maidment Road

-----Original Message-----

From: Redacted

Sent: Monday, 25 May 2020 7:03 PM

To: UME Secretary <secretary@ume.cool>

Subject: Adelaide Hills Rally

Good evening

We live at McVitties Road Birdwood and understand that the rally will be passing our property.

We support this event and look forward to enjoying the spectacle. We think that this is a great event, especially after the trauma of the bushfires on our road in December 2019 and the recent Covid-19 restrictions.

Thankyou

Redacted

-----Reply-----

Mon 25/05/2020 7:13 PM

Thank you for your support Redacted – it is very much appreciated.

Hope you enjoy what we bring to the hills.

Rgds & Thks again

AA

Andrew Admiraal

-----Original Message-----

From: Redacted

Sent: Monday, 25 May 2020 11:46 AM

To: UME Secretary <secretary@ume.cool>

Cc: Redacted

Subject: Adelaide Hills Rally

To Whom It May Concern,

As residents Of Langley Road Cudlee Creek we are opposed to the rally taking place.

I am sure there are far more suitable places.

Redacted

-----Reply-----

Mon 25/05/2020 12:26 PM

Hi Redacted

Thank you for your feedback, it is appreciated.

If you wish to discuss your opposition further, you are more than welcome to give me a call for a chat

Rgds & Thks

AA

Andrew Admiraal

-----Original Message-----

From: Redacted

Sent: Monday, 25 May 2020 11:52 AM

To: Andrew Admiraal <andrew@ume.cool>

Subject: Race

Dear Andrew,

Thank you for your letter re the Adelaide Hills Rally,

Once again I look forward to this event and wish you the best.

If I can help in any way please let me know.

-----Reply-----

Mon 25/05/2020 12:32 PM

Thank you so much Redacted we really appreciate it.

Rgds

AA

Andrew Admiraal

Answers to Commonly Asked Questions:

Q – What if I need to get out for work during road closure time?

A – Yes you can if you pre-organise it with the rally organisers so they can schedule a course car to escort you out and maintain the safety and security of the closed road.

Q - I'm unwell and may need emergency help during the event.

A – If there is an emergency during the event, we stop the stage immediately and send in our own Medical team that is stationed at the start of every stage to assist in any medical emergency there is while we call an Ambulance to assist you.

Q – Will Emergency Services be notified that the event is on?

A – The Safety Officer for the Rally, corresponds the events Safety Plan with the Regional Emergency Services Offices. This Safety Plan has any information that they may need in regard to when and where the rally is at any specific time and who to contact in the case of an emergency so we can stop the event for them to respond to any incidents.

Q – Can I invite friends over for a party to watch the rally?

A – Yes you can providing they are into your property before road closure time and wait to the road is open before leaving.

Q - The rally will scare my animals with the noise.

A - The majority of animals don't even know the rally is on as they are used to vehicles driving down the road every day. The vehicles are scrutineered to meet a 96 decibel noise limit before the event. We have noticed a lot of animals like to come to the fence to watch as they are inquisitive as to what is happening especially if they are near people on road closures or start and finish lines.

Q – Why should we have the rally, what does the rally bring to the community?

A – The rally brings a large financial benefit to the community by bringing teams from all over Australia to the local area where they need accommodation, food, drinks, fuel and spare parts. Family members usually go to local tourist spots which can be promoted through the event. This normally means between 500-1000 extra people plus spectators to the local area.

Q – Who pays for the damage to the roads?

A - The event does its best to choose roads with a hard road base that will not be damaged in any weather conditions. The cars are light and there is little or no extra damage to normal road use by cars and heavy vehicles. If the road is damaged, then the event pays the council to fix and damages. There is a road survey done by event with council before and after the event to assess the roads condition.

Q- Are these events legal?

A – Yes, these events are legal. The event is approved by the local councils before going to SA Police for approval. There is a large amount of regulations and approval process for the events to pass before they can happen. The senior officials need to be licenced by Motorsport Australia with adequate experience for each individual part of the event they are responsible for. The vehicles need to be road registered and pass scrutineering before being allowed to compete. They must also maintain their road worthiness for the entirety of the event.

Q – Who pays for any damages to fences or properties?

A – The event pays for any expense incurred by the vehicles to fences and properties. Any fences that are damaged are temporary repaired by the recovery vehicles before a permanent fix is done by the contractor of choice by the local landowner. Motorsport Australia as the regulator and insurer of the event, covers any large expense through the insurance that is taken out by the event.

Q – Will officials come onto my property?

A – We tell our officials at their briefings that they are not to trespass on anyone's property unless it is to help someone. Some officials might ask you if it's alright to park in your driveway if it is the safest place for their vehicle.

Q – Will there be extra traffic for weeks before as crews undertake reconnaissance runs?

A - Reconnaissance is only allowed on one day for this event, in a designate window of time consisting of a few hours, with event officials on hand to observe and manage. Any competitors that are seen to do extra reconnaissance on other days will be excluded from the event and possibly lose their competition license.

Current Tangible Benefits:

National Motor Museum:

We have secured the site for the event, and the National Motor Museum will still be open to public. Further, the event will be providing to all officials and competitors complimentary entry to the National Motor Museum proper. This will give the National Motor Museum a stream of income from the event site hire, the complimentary tickets as well as, due to the event's media coverage, an upturn of patrons for the weekend. This upturn will flow onto the Birdwood township.

Birdwood Motel:

All rooms in the motel have been booked out by us for the entirety of the event to accommodate all Motorsport Australia staff and management as well as any FIA delegates that may be attending the event.

Birdwood and surrounding townships:

At this juncture we have not directly engaged with the township's businesses due to the COVID 19 restrictions, however, now that they are lifting and some semblance of normality is returning, we will start communication with them and offering opportunities to align with the event.

COVID 19:

COVID 19 will continue to impact moving forward and we will adhere to all State Government, Federal Government and Motorsport Australia advice and directives in managing and controlling events. The Motorsport Australia guidelines have been released and it is a requirement of the event to follow them.

Appendix 3

2019 Adelaide Hills Rally Post-Event Report

EVENT EVALUATION



Name of Event:	2019 Adelaide Hills Rally – Round 5 CAMS Australian Rally Championship
Date held	19/09/2019 – 22/09/2019
Name of person completing this evaluation	Andrew Admiraal
Contact Number:	0403116400
Estimate - Number of participants – organisers, helpers, traders, stall holders taking part in the delivery of the event	800+
Estimate - Number of attendees – spectators paying or otherwise <i>How did you get this number?</i>	3000+ Assessment of Event Special Stages by event officials as we as assessment of Ceremonial Start, Service Park, Remote Service Park and Super Special Stage by the events' Management Team
Were the attendees at your event: a) nearly all local residents, b) a mix of local and regional residents, c) a mix of local, regional and tourists from South Australia d) a mix of local, regional and tourists from South Australia AND interstate	a mix of local, regional and tourists from South Australia and interstate as well as events' competitors and their teams from local, regional and interstate
List any Environmental Initiatives you achieved/ introduced at this year's event	All event officials and personnel had rubbish bags on hand for immediate clean up
Please comment on the social benefit of your event to the local community	
<p>We brought a national motorsport event with all the relevant compliance, personnel and coverage, to the Adelaide Hills and it stayed in the Adelaide Hills. It was an event for the hills region and designed to promote the area and benefit the area.</p> <p>We had a major presence in Mount Barker, Murray Bridge with our service parks that brought all the teams, their supporters and the event officials directly to the area for a large amount of time.</p>	
The three most positive aspects of your event are:	
<ol style="list-style-type: none"> 1. Compared by event participants and CAMS staffers to a World Rally Championship event 2. Brought national level competition to the hills regional area – not to the Adelaide square mile 3. It was such exciting and spectacular competition – was great to watch and follow. 	
Are there any aspects of your event that caused concern or would benefit from assistance in the future? Yes – we need some further sponsorship support so that we can promote better and just add some more polish and depth to the event.	
Were there any accidents or injuries associated with the running of your event? Please provide details. Yes – just me – had a small altercation on the Friday with a go kart	
Did anything arising from your event require a change to / or modification of your risk assessment? Please provide details. No	
Were any complaints received from community members or SA Police in relation to your event. Please provide details. No	

Gross Income derived by the event organisers <i>(include all entry fees, sponsorships, site fees, and other income)</i>	\$83,110.00
Total cost of running the event <i>(include all amounts where a physical payment has been made)</i>	\$97,663.00
Total profit / loss derived from the event	-\$14,553.00
If a profit has been made – how will this amount be used by your group?	
Number of Stall Holders at your event	2 – both at the Mt Barker based service park
Did you have a cash facility at your event (ATM) what was the total amount drawn from the machine?	\$ N/A
IN-KIND SUPPORT	
Please list all in-kind support with estimated \$ amount received for this event	
<i>ie. Any donations you received (what would their dollar value be should you have to purchase or hire)</i>	
<i>Any discounts (ie butcher gave you 50% off sausages so you saved \$100)</i>	
<i>Volunteer Hours</i>	
<i>Council infrastructure-</i>	
<i>ie. 3mx3m marque = \$150ea(if you had to hire)</i>	
Volunteer Hours- in the preparation of your event (how many hours did you/ committee do in the lead up x \$30 per Hour) 5 management at 40 hours per week for 3 weeks	Total Hrs= 600 \$18,000.00
Volunteer Hours- During the event (how many hours did you/ committee do in the lead up x \$30 per Hour) 250 rally officials for 8 hours over the event period	Total Hrs= 2000 \$60,000.00
Volunteer Hours- in the event (how many hours did you/ committee do during the event x \$30 per Hour) 10 management at 16 hours per day for 4 days	Total Hrs= 640 \$19,200.00

Appendix 4

*2020 Adelaide Hills Rally Consultation Letter to
Residents*

2020 ADELAIDE HILLS RALLY

October 17th & 18th, 2020

COMMUNICATION TO RESIDENTS WITHIN THE VICINITY OF

PROPOSED ADELAIDE HILLS ROAD CLOSURES

Monday, 4 May 2020

Dear Owner/Occupier

Re: Proposed Motoring Event

We are writing to inform you that Ultimate Motorsport Events wish to run an event named the 2020 Adelaide Hills Rally in the Adelaide Hills Region during the period of Saturday 17th and Sunday 18th of October 2020.

A road within your vicinity has been selected to host a closed road section within the proposed rally route (see proposed closed road maps enclosed) and we are seeking your feedback as a resident who may be impacted.

Consultation Process:

We are accepting written feedback in relation to the proposed road closures via email and post prior to 27/05/2020. If you do not reside on the affected property and have a tenant on site please forward this information to them.

The results of this consultation will be provided to the Adelaide Hills Council as part of the road closure approval process.

Please send feedback to:

Email: secretary@ume.cool or Post: PO Box 10213, Adelaide BC, SA, 5000

WE WILL KEEP YOU INFORMED OF THE PROPOSED TEMPORARY ROAD CLOSURES VIA POST PRIOR TO THE EVENT

Yours sincerely

Andrew Admiraal

Director

andrew@ume.cool

0403 116 400

Michael Clements

Director

michael@ume.cool

0418 804 105



The Event:

The 2020 Adelaide Hills Rally will burst into life in Birdwood at the National Motor Museum on the Saturday 17 and the Sunday 18 October 2020. The event headquarters will be based at the National Motor Museum and will be traversing the greater Adelaide Hills Region. These plans are dependent on directives from Federal and State government in relation to COVID-19 and if the event proceeds it will operate within these guidelines.

The event brings four days of National Rally Competition to some of the best and most technical roads Australia has to offer. The 2020 Adelaide Hills Rally will host round 3 of the Australian Rally Championship (ARC) and the only round of the 2020 South Australian Rally Championship. No doubt the competition is going to be tense and tight, bringing a great spectacle to the region for all that come to watch. The best rally teams Australia and SA have to offer will be on show, and thrillingly they will also be battling hard for event honours. The event is vital for the ARC teams as it will be the decider of who will be the championship leader heading into the final rounds. The competition will be extremely important for the SA component as this event will determine the 2020 South Australian Rally Champion!

The 2020 Adelaide Hills Rally (AHR) will also present opportunities for those that have the desire to take part in the AHR in the Introductory Rally competition. The introductory rally is designed for novice competitors to learn what rallying is all about.

In a first we will be hosting the Toyota Gazoo Racing Tour experience, where spectators will be bused to key spectator areas/corporate dinner, along with a tour of the Toyota Gazoo Service area with 2 time Australian Rally Champions', Neal Bates and Coral Taylor. You will also have the opportunity to have a chat with the drivers and co-drivers from the team. The team took out 1st and 2nd in the 2019 Australian Rally Championship.

The National Motor Museum, Birdwood, the central hub for the event, will be a hive of activity over the weekend. It will be the base of operations for the 2020 AHR and the location for team servicing and regrouping. Adding to the excitement at the showgrounds, there will be a myriad of Adelaide Hills Rally partner displays. Hills radio 88.9FM will be broadcasting from the event epicentre giving updates on what is happening out on the roads, and interviews with leading competitors throughout the duration of the event.

The Adelaide Hills Virtual Rally Experience: open to all ages and skill levels, will allow punters to test their skills on state of the art equipment, whilst also competing against each other and the skilful competitors of the event.

Day 1 of competition will commence on the Saturday evening with two Super Special Stages (SSS) at The Bend Motorsport Park. The format of the SSS will allow the competitors to compete head to head, as there will be two cars on the track at a time. This will be a thrilling spectacle and spectators will be able to see firsthand the professionalism of the rally teams and an exhibition of the incredibly skilled crews. Once the SSS is complete, all competitors will transport back to the Adelaide Hills Rally Service Park and Headquarters at the Mount Barker Showgrounds. This is where the public will take part in the country fair atmosphere melded within a motorsport festival

Day 2 of competition on Sunday will find the crews heading out to the northern areas of the Adelaide Hills and Mt Crawford Forest, again returning to the Adelaide Hills Rally Service Park. The day will host our corporate lunch at Anderson Hill Winery where spectators will be able to watch the cars compete past the winery from the balcony. The event will conclude with a podium presentation on Sunday afternoon. Following the presentations, all competitors and event officials will have the opportunity to mingle and chat and enjoy a well-deserved post event celebration.

The Compliance:

To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

- Notify adjoining landowners in writing at least 4-6 weeks beforehand
- Compile a Traffic Management Plan
- Employ a Traffic Management company to undertake the Traffic Management Plan
- Leave all control areas in a clean and tidy state and repair any damage caused
- Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act
- Notify the emergency services in the area
- Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes \$100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).
- Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure
- Advertise the road closures in the local papers the week before the event
- During the event, man the access points to these roads to advise users of the temporary restrictions

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a land owner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.

The Community:

The event will be utilising and supporting many sporting, volunteer emergency service and social groups through the region to aid in the running of the event. From an event perspective, all these groups will be getting both financial and social benefits.

With the national focus on the Adelaide Hills Region through the fact that it is a true Motorsport National Championship, the media coverage that the event will bring as well as all the teams that will be competing will highlight and showcase all the wonderful benefits that we know we have here. This will have positive financial flow on to businesses in the region.

The Request:

We would like to apply for the following roads to be closed by the Event.

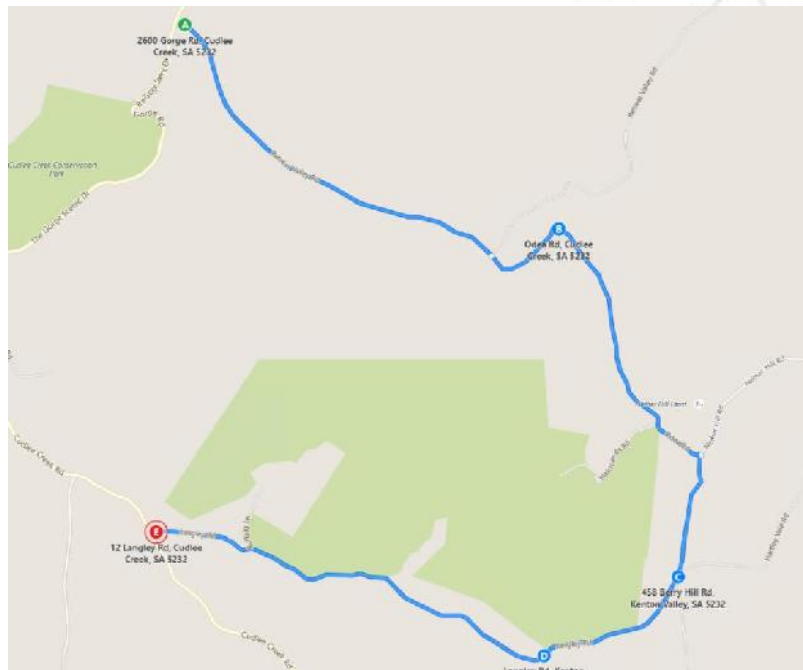
The roads, the day & date and the times are:

Saturday 17th of October 2020:

We are requesting the following roads be closed for the Event.

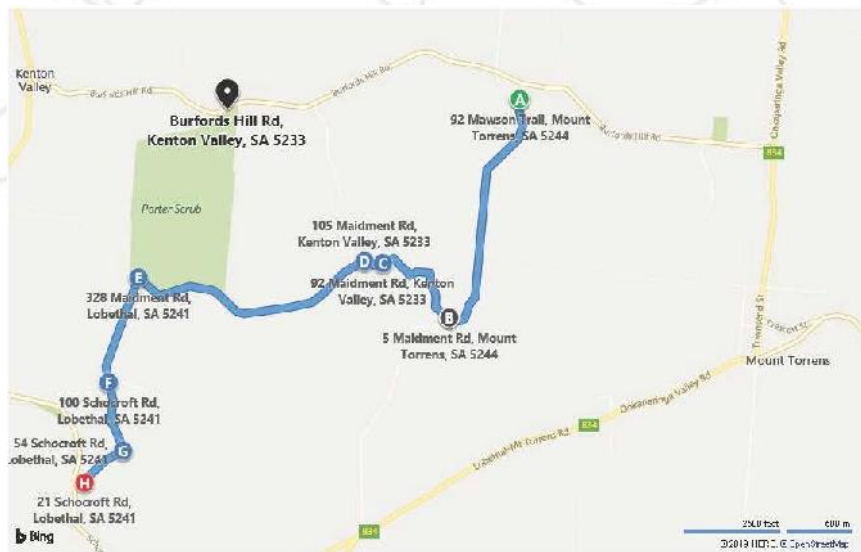
Retreat Valley – 0800hrs – 1330hrs

- Retreat Valley Road - from Gorge Rd to Odea Rd
- Odea Road - from Retreat Valley Rd to Berry Hill Rd
- Berry Hill Road - from Odea Rd to Langley Rd
- Langley Road - from Berry Hill Rd to Cudlee Creek Rd



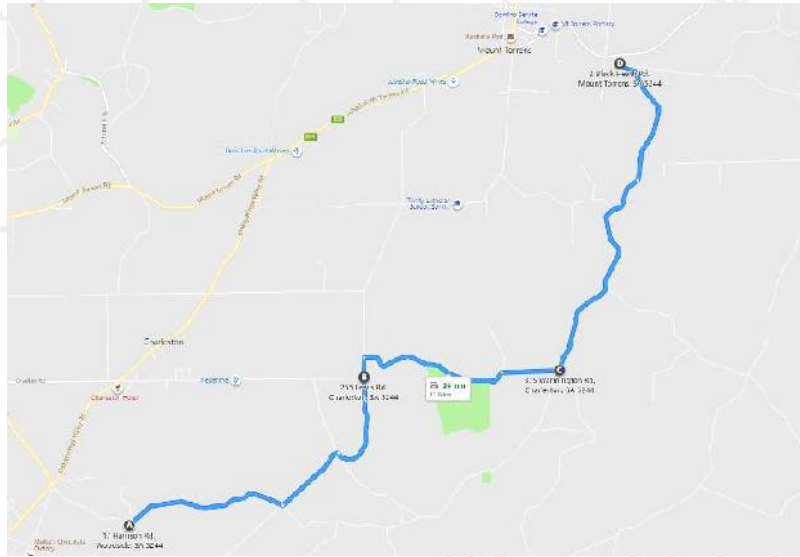
Kenton valley – 0820hrs – 1350hrs

- Turner Road - from Burfords Hill Road to Old Mount Road
- Turner Road - from Old Mount Road to Hirthes Road
- Then Maidment Road - from Hirthes Road to Woodlands Road
- Maidment Road - from Woodlands Road to Lihou Road
- Then Lihou Road - from Maidment Road to Schocroft Road
- Then Schocroft Road - from Lihou Road to Rosin Road
- Schocroft Road - from Rosin Road to Schuberts Road



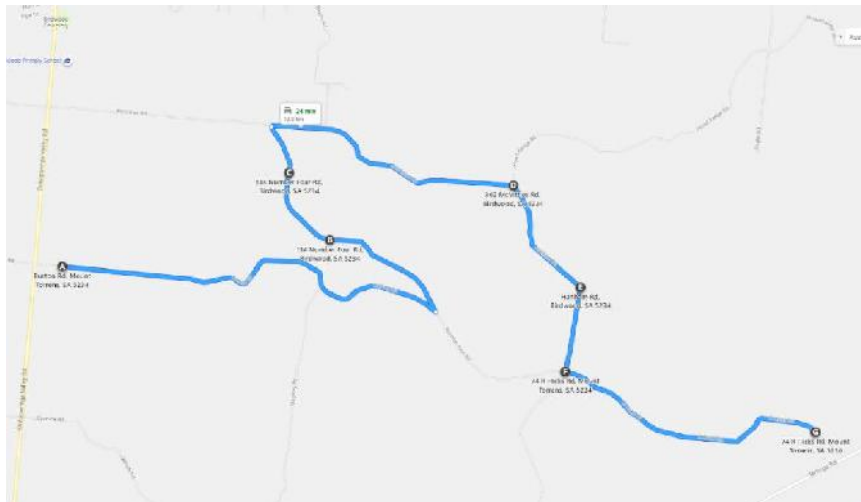
Charligate Short – 1140hrs – 1710hrs

- Harrison Road - from Quarry Road – Pfeiffer Road
- Pfeiffer Road - from Harrison Road to Teakle Road
- Teakle Road - Pfeiffer Road to Lewis Road
- Lewis Road - Teakle Road to Bell Springs Road
- Bell Springs Road - Lewis Road to Warrington Road
- Warrington Road - Bell Springs Road to Black Heath Road



Blumberg Creek – 1200hrs – 1730hrs

- Hicks Road - from Terlinga Road to Hanham Road
- Hanham Road - from Hicks Road to McVitties Road
- McVitties Road - from Hanahm Road to Number Four Road
- Number Four Road - from McVitties Road to Burton Road
- Burton Road - from Number Four Road to Onkaparinga Valley Road



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Renee O'Connor
Sport & Recreation Planner
Infrastructure & Operations

Subject: Community & Recreation Facilities Framework – Project Update & Community Consultation Implementation Plan

For: Decision

SUMMARY

Council developed a new *Sport & Recreation Strategy* in 2016. The document acknowledged that there is a significant amount of review and subsequent improvements to be made in the near future in regards to community, sport and recreation asset provision and management in the region. An equitable and sustainable position that encourages a new way of working with clubs should be developed.

At its meeting of 23 July 2019, Council adopted a CEO Performance Target for 2019-2020 to address actions from the Sport & Recreation Strategy. To deliver the best possible project outcomes for both the community and Council, an internal working group was formed.

As this initiative has progressed, the level of complexity associated with each element of the Community and Recreation Facilities Framework (CRFF) document is considerably greater than originally anticipated; and as a result, a modified Performance Target was considered and adopted by Council for this financial year.

Consistent with this new target, the Community and Recreation Facility Framework Internal Working Group (CRFFIWG) has developed a draft community consultation implementation plan for the delivery of key actions in the development CRFF and the association Play Space Framework (PSF). This report outlines the plan.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. That Council endorses the Community & Recreation Facilities Framework - Community Consultation Implementation Plan, contained in *Appendix 1*.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal	A functional built environment
Objective B4	Sustainable management of our built assets ensures a safe, functional and well serviced community.
Priority B4.3	Ensure Council owned or managed assets, including staff accommodation, are functional and adaptive to meet service requirements. Also, where appropriate and endorsed by Council, equitably assist community owned site (halls and recreation sites) to ensure their facilities are functional and meet service standards.
Goal	Community Wellbeing
Objective C4	An active, healthy, thriving and resilient community.
Priority C4.4	Support clubs and groups to continue to provide sport & recreation activities to the community.

The CRFF and PSF projects are an action from Council’s *Sport & Recreation Strategy*; and it is anticipated that the CRFF will replace Council’s *Sport & Recreation Policy* once endorsed. The current *Play Space Policy* will form part of the PSF.

➤ Legal Implications

At this point in time, there are no legal implications from the CFRRIWG and the development of the CRFF and PSF.

Principles from applicable leasing legislation will be applied at the time of final draft development.

➤ Risk Management Implications

Undertaking the development of the CRFF and PSF documents will assist in mitigating the risk of:

- *Inequitable distribution of Council funds that is unsustainable for Council and community groups.*
- *Inadequately planned and managed community and recreation sites that don’t meet user needs, or require significant, unplanned asset management.*
- *Unclear WHS obligations that put Council, community groups and volunteers at risk.*

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	Medium (3D)	Low

➤ Financial and Resource Implications

At this point in time, other than staff resources, there are no financial implications from the CFRRIWG and the development of the CRFF and PSF.

Once finalised, these guiding documents will help prioritise investments in community, sport and recreation assets throughout the region. They will form the basis for both

operating and capital contributions to be factored into Council’s Long Term Financial Plan or Annual Business Plan and Budgeting processes.

➤ **Customer Service and Community/Cultural Implications**

At this point in time, there are no customer service and community/cultural implications from the CFRRIWG and the development of the CRFF and PSF.

However, implications from the potential future endorsement of the Framework documents could be significant for some community clubs and associations. This report outlines the consultation and engagement approach that will be undertaken with those impacted.

➤ **Sustainability Implications**

At this point in time, there are no customer service and community/cultural implications from the CFRRIWG and the development of the CRFF and PSF.

However, it is intended that the adoption of these Framework documents will have positive economic sustainability impacts for Council.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Community & Recreation Facilities Framework Internal Working Group
<i>Administration:</i>	Manager Property Services Manager Communications, Engagement & Events Community Engagement Coordinator Director Infrastructure & Operations Chief Executive Officer
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

2. **BACKGROUND**

Council developed a new *Sport & Recreation Strategy* in 2016. The document acknowledges that there is a significant amount of review and subsequent improvements to be made in the near future in regards to sport and recreation asset provision and management in the region. The document notes that there should be a particular focus on understanding priorities, allocating resources equitably and encouraging a new way of working to ensure increased transparency, accountability and sustainability for the future. It was envisaged that the improved process would result in better and more effective relationships between site users and Council.

Consultation carried out as part of the strategy documents development found that clubs that utilise our facilities wanted equity in funding and support received from Council. They also shared that they need assistance with facility maintenance, safety, drainage, lighting,

parking, playing surfaces, associated facilities like change rooms, and ultimately more space for increased participation. Those sites that are not Council owned shared similar requests, like assistance with obtaining grant funding and retaining their volunteers.

The following actions were included in the Strategy document:

- Review all payments made to all clubs and groups, including but not limited to: grant funding, bore electricity reimbursements, other reimbursements, maintenance grants, insurance payments.
- Develop and implement service levels for buildings, sport playing surfaces, buildings utilised by sport and recreation providers and their associated facilities. Ensure standards are reflected in lease/licence/management documents.
- Develop and implement a process and guidelines for clubs and Council to work together to obtain facility upgrade funding.

Council commenced a leasing review in late 2016. Council has approximately 55 leases with sporting clubs and community associations; at this point in time, 35 have expired and remain in holding over arrangements on the same terms and conditions. The review has recognised that a new policy position (to be included as part of the CRFF) must be established, before any new leases are entered into, as inconsistency between sites and obligations is significant, and obligations are unclear. A new policy position will ensure a consistent approach to leasing, maintenance and upgrade across all asset classes, and also address risk and WHS considerations.

In addition, the following target, in relation to the CRFF was adopted as a CEO performance target:

“Develop a draft Community & Recreation Facilities Framework (including financial implications) for consideration by Council based on an approach that has consistency, equity and shared responsibility.”

At its meeting of 23 July 2019, the following was also adopted by Council:

12.7 Establishment of Community & Recreation Facility Framework Internal Working Group

Moved Cr Mark Osterstock
S/- Cr Pauline Gill

193/19

Council resolves:

1. That the report be received and noted
2. To create the Community & Recreation Facility Framework Internal Working Group (“CRFFIWG”) and adopt the draft Terms of Reference contained in *Appendix 1*.
3. That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary to finalise the draft Community & Recreation Facility Framework Internal Working Group Terms of Reference document contained in *Appendix 1*.
4. To determine that the method of selecting the Council Members (up to 4 Council Members) for the CRFFIWG be by an indicative vote to determine the preferred person(s) utilising the process set out in this Agenda report.
5. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person(s) for the CRFFIWG Council Member roles and for the meeting to resume once the results of the indicative votes have been declared.

Carried Unanimously

The CRFFIWG met for the first time in August 2019, and began to define the group's scope. Key considerations for defining this scope included:

- Establishing a clear understanding as to how the Council best supports, maintains and upgrades the community and recreation assets that service our community, and how that is funded.
- What is Council's role in the delivery of sport and recreation spaces and community hall facilities?
- How does Council best support its sport and recreation clubs and community associations?
- Should support be different for Council and Community owned sites?
- How does the Council manage risk and WHS concerns on the Council owned sites and support the clubs and associations more generally in respect to higher risk activities?
- Clarity around maintenance and upgrade obligations for both Council and clubs/associations.
- Standard of assets (ovals, pitches, courts, buildings, driveways, drainage, etc.), what is acceptable and how to improve (if necessary).
- How to encourage better governance in and of community clubs and associations (volunteer management, financial sustainability, insurance, risk management, strategic planning).

To assist with defining the scope, the following information was reviewed:

- Community Land Management Plans.
- Current lease arrangements, and how a change may impact Council and site users.
- Council's current contributions and responsibility, and how a change would impact Council and site users.
- Current obligations of the community owned spaces, and their future capacity.
- Ownership of assets, and Council's role in upgrade or construction of a building that is not under their ownership.
- Numbers of courts, ovals, halls, public toilets and other sport and recreational facilities.
- Oval and courts audit findings, including end of useful life data and the anticipated cost to upgrade and maintain to an appropriate service level.
- General community access to spaces.
- Council's capacity, both resources and financial.
- Insurance and other operational expenses.
- Current WHS practices.
- Project Management options, and the risk associated with Clubs undertaking capital projects on Council land.
- Toilets available to the public, location and utilisation and Council's role in the provision/support of these.
- Best practice and what are other Council's doing in regards to lease, licences and management agreements.

The CRFFIWG then defined the scope of the project as determining a clear responsibility for the following items at both Council and Community owned assets:

- General Maintenance
- Structural Maintenance
- Capital Upgrade
- Asset Ownership
- Asset Management
- Insurance
- Work Health & Safety

The following list is a summary of assets that the CRFF will cover:

- Halls
- Other community buildings and structures
- Club rooms
- Change rooms
- Public toilets
- Ovals (surface, drainage and irrigation)
- Courts
- Other recreational surfaces (bowling greens, petanque, pony club, etc.)
- Carparks, driveways and drainage
- Sport amenity (goals, nets, player benches)

In addition to the obligations outlined above, service levels for each aspect will be considered in the document. It is also anticipated that governance models and management structures that facilitate both organised and recreational activity at sites will be considered in the document. All these factors will contribute to making upgrade and maintenance and other obligations for clubs and associations clear. These factors will be considered and then reflected in a new approach to leasing Council facilities in our region.

Members of the CRFFIWG have spent a considerable amount of time reviewing our current leasing practices and researching what other Local Government entities do in this space. Leasing community facilities is complex, and there is a lack of consistency across the board, but the CRFFIWG's aim is to ensure that community facilities are made available for use by the community in an equitable, sustainable and straight forward manner.

Clubs and associations that are not located on Council land are also being considered, and the document will aim to achieve that Council support for these groups is equitable and sustainable.

To address the scope, the CRFFIWG determined that the CRFF document would be structured as:

Community and Recreation Facility Policy Position

A Policy position for Council's support of community and recreation facilities. Including, but not limited to obligations for managing, maintaining and upgrading buildings, playing surfaces, community buildings, sport amenity, carparks, driveways, drainage and public toilets. Community access to facilities like tennis courts would also be addressed in this Policy.

Lease and Licencing Policy Position

A Policy position that considers ownership, WHS obligations, insurance responsibilities, upgrade and maintenance responsibilities and land owner consent for works. The policy position will identify the importance of community space, but also consider property management activities that support Council's risk profile, and that are sustainable with available resources. The policy position may include an equitable fee model for utilising Council land, resources and services.

Service Levels

Outlines Council's agreed level of service for community, sport and recreation facilities. Service levels should be based on facility classifications and Policy requirements. Many facilities in the Adelaide Hills Council region are smaller and older buildings that may not service the current community's needs, resulting in an increasing expectation for a higher standard of facility. To ensure that these expectations are met, and facilities are sustainable, Council's level of service will be thoroughly considered in the development of the CRFF.

Project Methodology and Upgrade Approach

Council's approach to upgrades and maintenance of community, sport and recreation facilities. It will outline linkages with Council's Long Term Final Plan and Annual Business Plan processes; and how Council will engage and consult when upgrades are planned. Land owner consent and project management responsibilities will also be considered in this section.

Maintenance Approach

Working documents that contain maintenance principals and obligations. Council staff will utilise these documents to carry out any maintenance that we are obligated to undertake. Maintenance will be planned in accordance with relevant service levels.

In addition to reviewing Council's operations and obligations in regards to community, sport and recreation provision and assets, the CRFFIWG has reviewed and contributed to a draft Play Space Framework (PSF) document. Considering that the majority of play spaces in the region reside on community, sport or recreation sites, the two documents, and their financial implications must be considered concurrently.

The CRFFIWG have reviewed the updated Australian Standard for playground maintenance. The group has a clear understanding of our obligations in regards to playground maintenance, and the cost implications associated with meeting these standards that assist in minimising our risk.

Audit data, play space classifications, proposed service levels, and the ongoing costs associated with both maintenance and upgrade of these facilities have also been reviewed by the group.

It is proposed that the PSF document would take in the following assets and amenities:

- Playgrounds
- Exercise equipment
- Skate parks
- BMX tracks
- Pump tracks
- Half-court basketball / netball rings

It is important to note that Council currently has a Play Space Policy in place. It is anticipated that, that Policy would form part of the Play Space Framework.

The CRFFIWG met on a monthly basis from August 2019. From these meetings, research and review of current practices, it is clearly evident that as this initiative has progressed, the level of complexity associated with each element of the Framework is considerably greater than originally anticipated.

As such, it was recommended that the original CEO Performance Target be modified to reflect this complexity; and for delivery of an implementation plan to be presented by 30 June 2020 instead of a draft document as was originally intended.

At its meeting of 28 April 2020, Council approved an update to the 2019-2020 CEO Performance Targets, that reflects the complexity of the project.

12.8 CEO Performance Target Update

Moved Cr John Kemp
S/- Cr Kirsty Parkin

74/20

Council resolves:

1. That the report be received and noted
2. That the Community Perception Survey performance target be deferred until the impact of the COVID-19 restrictions has sufficiently abated.
3. That the Boundary Reform performance target be modified for the final stage of consultation to be deferred until the social distancing restrictions associated with COVID-19 are sufficiently reduced/removed, and once the consultation is complete, the final report will be brought to Council for consideration.
4. That the Community and Recreation Facilities Framework performance target be modified to reflect the overall complexity of this target; and for delivery of a community consultation implementation plan to be presented by 30 June 2020 instead.

Carried Unanimously

3. ANALYSIS

Sport and recreation participation and involvement in community activities contribute to our community and residents in many ways, and the benefits for participants are significant. Improved health and wellbeing, through physical activity and social connections are just some ways that sport, recreation and community participation have a positive effect on the community.

The CRFFIWG has acknowledged that current processes do not make it as easy for community clubs and associations to work with Council, and vice versa. It is hoped that the implementation of the Framework will facilitate a new way of working, that contributes to transparency, accountability and sustainability for clubs, associations and Council into the future; and also ensures that we are providing a good standard of facility for the community.

The CRRFIWG hopes that this Framework will:

- Make it easier for clubs and associations on Council owned land and in Council owned facilities to understand their obligations and responsibilities.
- Help Council allocate our available resources with equity.
- Assist Council to determine priorities for maintenance and upgrade.
- Define processes for clubs and associations to work with Council, apply for grant funding, and upgrade their facility.
- Outline Council's approach to facility upgrades and developments.
- Reduce WHS obligations and risks to clubs and associations who use a Council owned facility.
- Provide timelines for the upgrade program for Council owned assets.
- Provide timelines for the maintenance program for Council owned assets.
- Ensure that facilities on land owned by the community are of an appropriate standard for community use.
- Allocate Council resources to facilities on land owned by the community with equity.
- Provide a better standard of facilities for our community throughout the Adelaide Hills Council region.

It is important to note that despite the substantial review being undertaken, projects and upgrades in line with Council's Annual Business Plan and Budget have still been progressing during this time, as have various masterplanning processes and club lead projects

The CRFFIWG acknowledges that the community are the experts in delivering their sport or activity, or that they understand their community clubs, association or facility best, and that appropriate community engagement for this project must be undertaken.

The Community Consultation Implementation Plan (*Appendix 1*) outlines that engagement will be undertaken in three stages:

- **Stage 1** – Targeted consultation and engagement with clubs and associations who utilise community facilities. Information gathered will help inform the draft Framework document.
- **Stage 2** – Consultation with the wider community about their use of sport, recreation and play space facilities in the region. Information gathered will help inform the two draft Framework documents.
- **Stage 3** – Consultation and engagement with both the clubs and associations and the wider community on a draft CRFF and PSF documents. Information gathered will inform the final documents to be presented to Council for adoption.

Stage 1

A link to an online survey will be sent via email to a selected person in each relevant club or association in the Council region. The survey will include questions regarding the club or association's priorities for their facility, and how they currently operate their facility. Clubs and associations will be asked about facility obligations that they currently undertake, what they have the capacity to undertake in the future, and where they think Council resources are best spent.

Data gathered from the survey will allow Council to understand club and association priorities, what their capacities are, and what they may need Council assistance with in the future. The survey also intends to gain an understanding of what these groups think Council's role in the management of facilities is. The data will be used to develop service levels in a draft Framework document.

The survey will not be 'open' to the general community, or even to wider club members. Each club or association will be issued with one survey link; and we encourage the recipient of that link to consult with their committee prior to submitting their answers.

Stage 1 will be carried out in early July 2020. Clubs and associations will have four weeks to answer the survey. Council staff will be available to answer questions and provide assistance throughout the consultation period.

Stage 2

A link to an online survey will be available on Council's website for the general community to provide feedback. The survey will include questions regarding the community's use of facilities in the region such as halls, courts, ovals, public toilets and play spaces; and how they see themselves utilising these facilities into the future. The survey will also seek information about any gaps that the community think we have in our sport and recreation asset provision.

Data gathered from the survey will provide Council with a better understanding of the community's priorities in regards to sport and recreation amenity. The data will be used to develop service levels in a draft Framework document.

Stage 2 will be carried out at the same time as Stage 1. The survey will be open for four weeks, and will be promoted via our website, social media and online newsletter.

Next Steps

In between the first stages of consultation and Stage 3, CRFFIWG members will analyse and use data to develop draft policy positions and service levels, in line with the intended scope of the PSF and CRFF documents. Costings for each element will also be developed.

It is intend that draft PSF and CRFF documents will be available by early 2021.

During this time, a Council Member workshop will be scheduled to provide Members with outcomes of the consultation, and for an opportunity to review and provide comment on the draft documents.

Following the workshop, it is intended that the draft documents will be taken to a General Council Meeting, for endorsement by Council to enter into Stage 3 of the community engagement and consultation process.

Stage 3

Draft CRFF and PSF documents will be made available for public consultation. Various consultation activities will take place during this stage including the following:

Similar to Stage 1, a link to an online survey will be sent via email to a selected person in each relevant club or association in the Council region. The survey will include questions regarding their thoughts on the draft Framework document, and how they think it may impact their club.

Targeted, face-to-face, workshop style consultation with selected representatives from clubs and associations who will be impacted by the introduction of the CRFF. It is envisaged that these workshops will be conducted at various sites throughout the Council region, and clubs and associations would be invited to a session with similar groups (e.g. community owned, Council owned, halls, court sports). Club and association representatives would be given an opportunity to speak with staff and other representatives about implications and their new way of working. Feedback provided will be considered for inclusion in a final draft of the document.

Similar to Stage 2, a link to an online survey will be available on Council's website for the general community to provide feedback on the draft PSF and CRFF documents. The survey will include questions regarding impacts that the document may have on community access to sport and recreation sites, play space upgrades, and if they feel like the document supports their sport and recreational pursuits.

Stage 3 of the consultation is intended to be carried out over a period of 6 weeks, from April 2021.

It is important to note, that depending on the outcomes of Stage 1 and Stage 2, Property Services and Sport and Recreation staff in partnership with the Communications and Engagement staff may decide to alter our approach for Stage 3 of the engagement and consultation process.

At the completion of Stage 3, feedback will be considered by the CRFFIWG, and any necessary changes will be made to the PSF and CRFF documents. Final documents will be presented to a General Council Meeting for adoption in approximately September / October 2021. This will also coincide with the revocation of Council's Sport and Recreation Policy.

The timing outlined in the Community Consultation Implementation Plan will allow relevant funding to be considered in the 2022/2023 Annual Business Plan process, and in Long Term Financial Plan discussions.

Following adoption, it is anticipated that all leases currently in a 'holding over' period would have their leases renewed with principles outlined in the Framework. Clubs and associations that still hold a valid lease will be able to continue with its conditions if they wish to do so, however they will be encouraged to take up the new conditions.

4. OPTIONS

Council has the following options:

- I. To resolve to endorse the Community & Recreation Facilities Framework – Community Consultation Implementation Plan. Doing so will enable the CRFF and PSF projects to progress. (Recommended)
- II. To determine not to endorse the Community & Recreation Facilities Framework – Community Consultation Implementation Plan. Doing so may result in the CRFF and PSF taking longer to develop and implement. (Not Recommended)

5. APPENDIX

- (1) Community & Recreation Facilities Framework – Community Consultation Implementation Plan

Appendix 1

Community Consultation Implementation Plan

Adelaide Hills Council - Community & Recreation Facilities Framework & Play Space Framework

Draft Community Consultation Implementation Plan

Action	Description	Purpose	Timeframe	Responsibility
<p>Stage 1 Consultation</p> <p><i>Targeted consultation and engagement with clubs and associations who utilise community facilities.</i></p>	<p>A link to an online survey will be sent via email to a selected person in each relevant club or association in the Council region.</p> <p>The survey will include questions regarding the club or association's priorities for their facility, and how they currently operate their facility.</p> <p>Clubs and associations will be asked about facility obligations that they currently undertake, what they have the capacity to undertake in the future, and where they think Council resources are best spent.</p>	<p>Data gathered from the survey will allow Council to understand club and association priorities, what their capacities are, and what they may need Council assistance with in the future. The survey also intends to gain an understanding of what these groups think Council's role in the management of facilities is.</p> <p>The data will be used to develop service levels in a draft Framework document.</p>	<p>Start: Early July 2020</p> <p>End: Early August 2020</p>	<p>Sport & Recreation Planner & Manager Property Services, with support from the Community Engagement Coordinator</p>
<p>Stage 2 Consultation</p> <p><i>Consultation with the wider community about their use of sport, recreation and play space facilities in the region.</i></p>	<p>A link to an online survey will be available on Council's website for the general community to provide feedback.</p> <p>The survey will include questions regarding the community's use of facilities in the region such as halls, courts, ovals, public toilets and play spaces; and how they see themselves utilising these facilities into the future.</p> <p>The survey will also seek information about any gaps that the community think we have in our sport and recreation asset provision.</p>	<p>Data gathered from the survey will provide Council with a better understanding of the community's priorities in regards to sport and recreation amenity.</p> <p>The data will be used to develop service levels in a draft Framework document.</p>	<p>Start: Early July 2020</p> <p>End: Early August 2020</p>	<p>Sport & Recreation Planner & Manager Property Services, with support from the Community Engagement Coordinator</p>
<p>Review Consultation Data</p>	<p>In between the first two stages of consultation and Stage 3, CRFFIWG members will analyse and use data to develop draft policy positions and service levels, in line with the intended scope of the PSF and CRFF documents. Costings for each element will also be developed.</p>	<p>Data will be used to develop draft policy positions and service levels, in line with the intended scope of the PSF and CRFF documents.</p>	<p>Start: August 2020</p> <p>End: October 2020</p>	<p>CRFFIWG</p>
<p>Draft CRFF & PSF</p>	<p>Draft documents will be developed, based upon review of consultation data & CRFFIWG research.</p>		<p>November 2020 - January 2021</p>	<p>Sport & Recreation Planner & Manager Property Services</p>

Council Member Workshop	Council Members will be provided with the outcomes of Stage 1 & 2 of the consultation. They will also have an opportunity to review and provide comment on the draft documents.		February 2021	Manager Property Services Sport & Recreation Planner
General Council Meeting	Draft documents will be taken to a General Council Meeting, for endorsement by Council to enter into Stage 3 of the community engagement and consultation process.		March / April 2021	Sport & Recreation Planner & Manager Property Services
Stage 3 Consultation <i>Consultation and engagement with both the clubs and association and the wider community on draft CRFF and PSF documents.</i>	<p>A link to an online survey will be sent via email to a selected person in each relevant club or association in the Council region. The survey will include questions regarding their thoughts on the draft Framework document, and how they think it may impact their club.</p> <p>Targeted, face-to-face, workshop style consultation with selected representatives from clubs and associations who will be impacted by the introduction of the CRFF. It is envisaged that these workshops will be conducted at various sites throughout the Council region, and clubs and associations would be invited to a session with similar groups (e.g. community owned, Council owned, halls, court sports). Club and association representatives would be given an opportunity to speak with staff and other representatives about implications and their new way of working.</p> <p>A link to an online survey will be available on Council's website for the general community to provide feedback on the draft PSF and CRFF documents. The survey will include questions regarding impacts that the document may have on community access to sport and recreation sites, play space upgrades, and if they feel like the document supports their sport and recreational pursuits.</p>	Feedback provided will be considered for inclusion in a final draft of the document.	From April 2021, consultation will be carried out over approximately 6 weeks.	Sport & Recreation Planner & Manager Property Services, with support from the Community Engagement Coordinator
Review Consultation Data	At the completion of Stage 3, feedback will be considered by the CRFFIWG, and any necessary changes will be made to the PSF and CRFF documents.		June / July 2021	CRFFIWG
Final CRFF & PSF	The final documents will be developed based upon review of Stage 3 consultation data.		August / September 2021	Sport & Recreation Planner & Manager Property Services
General Council Meeting	The final draft documents will be taken to a General Council Meeting, for adoption by Council.		September / October 2021	Sport & Recreation Planner & Manager Property Services
CRFF & PSF Implementation	Elements from the CFRR & the PSF will be included in the 2022/2023 Annual Business Plan & Budget process.		From 2022	Sport & Recreation Planner & Manager Property Services

It is important to note, that depending on the outcomes of Stage 1 and Stage 2, Property Services and Sport and Recreation staff in partnership with the Communications and Engagement staff may decide to alter our approach for Stage 3 of the engagement and consultation process.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 12.4

Responsible Officer: Peter Bice
Director Infrastructure & Operations
Infrastructure & Operations

Subject: Local Roads and Community Infrastructure Program Projects

For: Decision

SUMMARY

As the closest tier of government to the community, local governments have a critical role in delivering vital services and ensuring the quality of life for communities across Australia. Local governments are now also playing a key role in protecting the community from the impacts of COVID-19.

In line with this, the Australian Government has committed \$500 million to the Local Road and Community Infrastructure Program (LRCI Program) to support jobs, businesses and the resilience of local economies, as per the fact sheet in **Appendix 1**.

Each council's share of funding has been calculated in a similar way as the Roads to Recovery Program and the road component of the Financial Assistance Grants. This formula takes into consideration road length and population and is based on recommendations of Local Government Grants Commissions. For Adelaide Hills Council this equates to \$781,415.

Council staff have assessed the eligibility criteria and considered a range of factors to determine what we see as the most appropriate projects to maximise the benefit from this funding opportunity. The outcome of these considerations determined the projects that have been recommended in this report.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To authorise the applications for the following projects to be submitted as the Adelaide Hills Council Local Roads and Infrastructure Program Projects for delivery in 2020/21 and the estimated associated expenditure to undertake those works:**
 - a) New Toilets – Woodside Institute (\$200,000)**
 - b) Lobethal Centennial Hall Toilet Upgrade (\$80,000)**
 - c) Fabrik – Building upgrades(\$230,000)**
 - d) Mill Road Corner Community Pocket Forest (\$40,000)**

- e) **Stirling to Crafers Bikeway (\$125,000)**
- f) **Footpath – Crafers (\$66,415)**
- g) **Footpath – Cudlee Creek, Redden Drive (\$40,000)**

3. **Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to commit expenditure to undertake the above works with any adjustments to income and expenditure be incorporated in an upcoming budget review.**
 4. **That should any projects be unsuccessful, or significant savings achieved, alternative projects will be recommended to Council for consideration.**
 5. **That the CEO be authorised to write a letter of acknowledgement to the Hon Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development thanking the Federal Government for this additional funding program.**
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1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Goal	A functional Built Environment
Objective B4	Sustainable management of our built assets ensures a safe, functional and well serviced community
Goal	A prosperous Economy
Objective E2	Provide local infrastructure to drive growth and productivity
Priority E 2.1	Work with all levels of Government to ensure the region's infrastructure needs are understood and prioritised
Goal	A progressive Organisation
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community

In selecting proposed, alignment has been sought with the draft *Annual Business Plan 2020/21, Strategic Plan 2020-24* and *Asset Management Plans*.

➤ Legal Implications

Not Applicable.

➤ Risk Management Implications

Seeking Council endorsement for the projects to be included in the Adelaide Hills Council application for the Local Roads and Community Infrastructure Program helps mitigate the risk of:

Council expending funds on projects which do not benefit the community or align with our Strategic Management Plans leading to unfavourable financial operating impacts and Community outcomes

Inherent Risk	Residual Risk	Target Risk
Medium (1A)	Low (1C)	Low (1C)

➤ **Financial and Resource Implications**

Project costs are outlined in this report, as well as ongoing implications for any maintenance aspects to understand whole of life asset and Long Term Financial Plan LTFP implications. Capital expenditure which is undertaken in the 2020/21 year will have subsequent maintenance and allowances for depreciation which will be ongoing for the useful life of the asset.

Projects already identified in the draft ABP & Budget for 2020/21 are not able to be considered, as this funding is to provide local economic stimulus and benefit over and above intended council expenditure for next year.

➤ **Customer Service and Community/Cultural Implications**

The projects selected have been included due to the community benefit they will provide, and the stimulus to the local economy derived from their completion.

➤ **Sustainability Implications**

The Council's sustainability (financial, social and environmental) is a key consideration in the project considerations, and where feasible, ecologically sustainable approaches and practices will be utilised in the selected projects, with recycled materials used where suitable in construction elements.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Workshop 09 June 2020
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Chief Executive Officer Director Community Capacity Director Corporate Services Director Development & Regulatory Services Executive Manager Governance and Risk Management Executive Manager Organisational Development Manager Property Services Manager Strategic Assets Manager Civil Services Manager Open Space
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

2. BACKGROUND

Councils are able to select the projects to be funded in their community according to priorities at the local level. Similar to the Roads to Recovery Program, councils will need to submit a Work Schedule that outlines the project(s) they plan to undertake.

As long as these projects are eligible local road or community infrastructure projects and fall within the total amount of funds allocated, they will receive funding.

Funding is available for local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects will need to deliver benefits to the community, such as improved accessibility, visual amenity and safety benefits.

Eligible local road projects could include works involving any of the following associated with a road:

- traffic signs
- traffic control equipment
- street lighting equipment
- a bridge or tunnel
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station)
- facilities off the road that support the visitor economy, and
- Road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible community infrastructure projects could include works involving:

- Closed Circuit TV (CCTV)
- bicycle and walking paths
- painting or improvements to community facilities
- repairing and replacing fencing
- improved accessibility of community facilities and areas
- landscaping improvements, such as tree planting and beautification of roundabouts
- picnic shelters or barbeque facilities at community parks
- playgrounds and skate parks (including all ability playgrounds)
- noise and vibration mitigation measures, and
- Off-road car parks (such as those at sporting grounds or parks).

The Local Roads and Community Infrastructure Program fact sheet can be viewed in **Appendix 1** to this report.

A Workshop with Council Members was held on Tuesday 9th June 2020 to discuss the program and some potential project inclusions, and a number of additional proposed projects were noted for investigation.

The preferred project options have been collated and included in this report seeking Council endorsement so that staff can develop the Work Plans and submit for funding as soon as practicable.

3. ANALYSIS

Council staff have assessed the eligibility criteria and considered a range of factors to determine what we see as the most appropriate projects to maximise the benefit from this funding opportunity.

These factors included:

- Community benefit
- Supporting the 4 Pillars of recovery
- Alignment with our Strategic Management Plans
- Ability to meet the delivery deadline of 30 June 2021
- Level of complexity and design requirements
- Level of consultation and engagement required
- Likelihood of project being considered in the near future regardless of this funding opportunity

There were a number of suggestions received which whilst delivered favourable outcomes in some areas, were problematic in regard to one or more of the factors listed above. In many cases this was due to the likely delivery timeframes, extensive consultation required, or were not actually eligible for the funding due to the program funding criteria.

Should there be any savings achieved in delivering the selected projects, which offset any higher than forecast expenditure, we will look to have in readiness additional 'shovel ready' projects for potential inclusion. These could be to an Ordinary Council Meeting or Special Council Meeting if required.

The proposed projects are listed below, and if they are resolved by Council to be included in the application a work plan outlining delivery stages, timeframes and cost will be developed in the coming weeks.

NEW TOILETS – WOODSIDE INSTITUTE



The project involves the construction of a toilet block to the side of Woodside Institute. This will include new service connections, and construction works to hall to integrate. All works will be undertaken in such a way as to maintain heritage features and requirements.

The Woodside Institute is a State Heritage listed Site, and the proposed project consists of a small building addition to the side of the Heritage listed hall (with access from the main hall) to provide Universal Access compliant facilities for the Hall users.

This funding includes an allowance for heritage approval requirements and will be a full build process from design through building and completion/handover of approximately an additional 40-50m² of building area.

The existing Infrastructure may be an issue, so there may be a need to include a new connection to CWMS system with new septic solids tank that will be of correct capacity to handle the waste water, should this not be required there may be a saving.

COST ESTIMATE: \$200,000

ONGOING: Depreciation as per estimated Asset useful life - \$ 2,500

LOBETHAL CENTENNIAL HALL TOILET UPGRADE:



The Lobethal Centennial Hall is a State Heritage listed site, with Universal Access listed as available at this site.

The proposed funding for these works allows for a full refurbishment of the internal areas of this toilet block, which includes:

- Completely stripping back internal areas back to the base of the building (i.e. removal fixtures, tiles, electrical and plumbing).
- Re fitting new fixtures, fitting, partitions and plumbing apparatus.
- Upgrading lighting to energy efficient lighting.
- Ensuring three separate toilet areas are compliant with current building code.
- Some change to pathways and doorways and internal circulation space may be required.

These works have been identified as a priority by Community members, staff and the assessments as part of the Amenities Review which is currently underway.

COST ESTIMATE: \$80,000

ONGOING: Depreciation as per Asset useful life- \$ 2,000

FABRIK – BUILDING UPGRADES



Fabrik is a State Heritage Listed Site, and there are three key building upgrades required to meet current and potential future use of the buildings.

The first component is to design and construct a new lift well to the heritage listed building 20 (this may be to the external side of the building), and install a new People and Goods Lift with a 630kg rated capacity and is costed at approximately \$130,000.

Secondly, the existing stairs at the front and rear of building 20 (heritage) need to be removed and retro fitted with a compliant stair access. Changes will be required to the width of the stairway; riser and going dimensions and slope relationship, and installation of a new railing will ensure three points of contact are available. Design and construction is estimated at \$40,000.

The third component of works is to Install / construct adequate in-building toilet facilities to allow use of Building 21 (former market area) as a Gallery and artist studio space. Universal Access toilets will need to be made available in this building, and we have a cost estimate of \$60,000.

COST ESTIMATE: \$230,000

ONGOING: Depreciation as per Asset useful life- \$ 2,900

MILL ROAD CORNER COMMUNITY POCKET FOREST



The Mill Road Pocket Forest Project is a multi-faceted bushfire recovery project to establish an innovative demonstration site modelling how home gardeners/property owners (including *those who have been fire affected*) can create a fire safer/fire retardant garden through:

- (a) Combining ornamental, exotic, native and local native plants and
- (b) Using 'fire safer design' principles. The site will feature interpretive signage and plants available to view 'in situ'.

In addition, the project aims to:

- Create a visually attractive, impactful entrance statement on the main tourism route between Lenswood and Lobethal.
- Build social capital and resilience through engaging volunteers with planting and maintaining the 'Pocket Forest'.
- Recognise and acknowledge the work of CFS volunteers in saving the Mill and the town of Lobethal during the 2019 Cudlee Creek Fires.
- Incorporate artworks which tell the story of community experience of the 2019 Cudlee Creek Fires and encourage reflection and healing.

The group is seeking installation of a mains water connection, irrigation and footpath connection from Adelaide Hills Council, which is estimated to cost \$40,000.

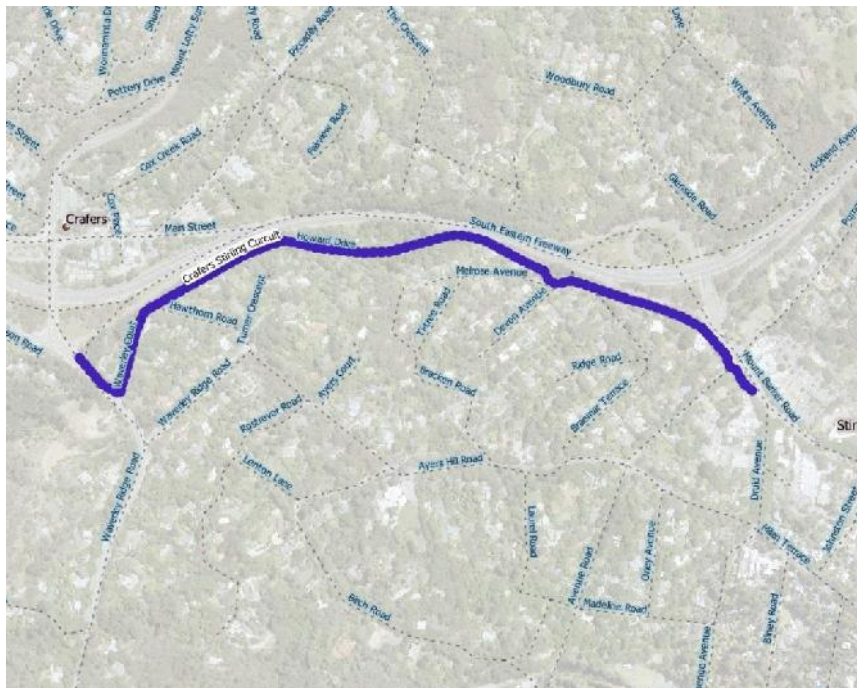
Outcomes related to community building, fire recovery, community education, visitation and place making are envisaged.

COST ESTIMATE: \$40,000

ONGOING: The group will act as guardians of the site, and would engage similar to a 'friends of' group in looking to look after and train others to look after the site. Watering will be \$500 per year, with maintenance and plant replacement (if the group were to not continue with it) would be around \$2,500 per year.

Additionally there may be a small allocation for depreciation required in the vicinity of \$500 per year.

STIRLING TO CRAFERS BIKEWAY (Indicative only)



Sealing the off-road sections of the Pioneer Women’s Trail from the roundabout in Stirling through to Waverley Ridge Road in Crafers provides significantly improved connectivity and safety for cyclists travelling between Crafers and Stirling. Chevron markers for the road indicating the bike route will also be installed.

These works supplement the \$125,000 included in the 2020/21 Annual Business Plan, which includes \$50,000 from a previous State Bicycle Fund contribution. (This already scheduled work achieves part of the connection; however this additional allocation will enable the full completion of the connection, and thus enable it to be functional).

There is strong support from Bike SA, Residents and user groups for this connection to be completed, with a number of these having also met with AHC staff to discuss its potential.

DPTI is also strongly supportive of completing this integral connection to the cycle network, with DPTI staff having walked the site with Adelaide Hills Council staff, and Minister Knoll having also written a letter demonstrating support for this project to Bicycle SA in June 2019.

COST ESTIMATE: \$125,000

ONGOING: Depreciation as per Asset useful life – 3,000

FOOTPATH – CRAFERS

There are a number of other works planned near the roundabout at the Crafers on-ramp which will build on the connectivity improvements from the Stirling to Crafers path upgrade, as well as the roundabout upgrade, both planned for 2020/21.

It is proposed to bring forward the works planned for Waverley Ridge Road in 22/23 (marked in light blue below), as well as parts of the crossing and connection to the heavily utilised bus stop (orange).

COST ESTIMATE: **\$66,415**

ONGOING: Depreciation as per Asset useful life – 1,500



FOOTPATH CUDLEE CREEK – Redden Drive

Sealing the footpath on Redden Drive from Gorge Road to will provide connectivity for School children catching the bus by the Cudlee Creek hall, tourists and visitors moving to and from the Gorge Wildlife Park (which sees 95,000 visitors per annum), as well as residents using the public bus stop, as well as visiting the post office and Cudlee Creek tavern.

COST ESTIMATE: **\$40,000**

ONGOING: Depreciation as per Asset useful life – 1,000



TOTAL PROPOSED PROJECTS SUMMARY

PROJECT	COST ESTIMATE \$
New Toilets – Woodside Institute	200,000
Lobethal Centennial Hall Toilet Upgrade	80,000
Fabrik – Building upgrades	230,000
Mill Road Corner Community Pocket Forest	40,000
Stirling to Crafers Bikeway	125,000
Additional Footpaths – Crafers	66,415
Additional Footpath – Cudlee Creek	40,000
TOTAL	781,415

4. OPTIONS

Council has the following options:

- I. Adopt the list of projects outlined for submission to the Local Roads and Community Infrastructure Program following consideration as to the most appropriate investments to be made with the available funding (Recommended).
- II. To adopt an alternative selection of projects for submission to the Local Roads and Community Infrastructure Program (Not Recommended).
- III. Not submit applications for funding (Not Recommended).

5. APPENDIX

- (1) Local Roads and Community Infrastructure Program factsheet

Appendix 1

*Local Roads and Community Infrastructure Program
factsheet*



Local Roads and Community Infrastructure Program

As the closest tier of government to the community, local governments have a critical role in delivering vital services and ensuring the quality of life for communities across Australia. Local governments are now also playing a key role in protecting the community from the impacts of COVID-19.

The Australian Government has committed \$500 million to the Local Road and Community Infrastructure Program (LRCI Program) to support jobs, businesses and the resilience of local economies.

From 1 July 2020, councils will be able to access funding to support delivery of priority local road and community infrastructure projects.

Who will receive funding?

All local councils will be eligible for funding under the LRCI Program.

State governments and the shires of Christmas Island, Cocos (Keeling) Islands and Norfolk Island and the Lord Howe Island Board that deliver council services to unincorporated areas in their jurisdiction will also be eligible for funding.

In addition, the Northern Territory Government will be eligible for funding for roads in areas which until 2008 were unincorporated and for which responsibility has not been transferred to relevant councils.

How much funding will each council receive?

Each council will receive a share of funding under the Local Roads and Community Infrastructure Program (see *Local Roads and Community Infrastructure Program: Funding Allocations*).

A council's share of funding has been calculated in a similar way to how the Roads to Recovery Program and the road component of the Financial Assistance Grants works. This formula takes into consideration road length and population and is based on recommendations of Local Government Grants Commissions.

How can councils apply for funding?

Councils will be able to select the projects to be funded in their community according to priorities at the local level.

Similar to the Roads to Recovery Program, councils will need to submit a Work Schedule that outlines the project(s) they plan to undertake.

As long as these projects are eligible local road or community infrastructure projects, they will receive funding.

What projects will be eligible for funding?

Funding is available for local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects will need to deliver benefits to the community, such as improved accessibility, visual amenity and safety benefits.

Eligible local road projects could include works involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible community infrastructure projects could include works involving:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;
- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;
- picnic shelters or barbeque facilities at community parks;
- playgrounds and skateparks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

When will funding be available?

Funding will be available from 1 July 2020.

Are there any conditions that apply to funding?

Councils will need to complete all project works by 30 June 2021 to receive their full nominal share of funding.

Councils will also need to demonstrate that projects are additional to their pre-COVID-19 work program for 2020-21. If a project has been brought forward from a future work program it will be eligible for funding.

Additional conditions, such as signage requirements, will be outlined in program guidelines, which are currently being finalised.

What are the next steps?

The Department of Infrastructure, Transport, Regional Development and Communications will be consulting with local government organisations to finalise implementation arrangements for the LRCI Program.

Councils will then be asked to agree to the program arrangements and identify local projects in their area.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item:	12.5
Responsible Officer:	Jennifer Blake Manager Communication, Engagement and Events Community Capacity
Subject:	Stirling Market Road Closure Permit Renewal
For:	Decision

SUMMARY

The purpose of this report is to seek Council consent to the issue of a Section 222 permit for business use of a public road to the Stirling Market Incorporated (the Market). This permit would allow the Market to continue operating a monthly market day on Druid Avenue. The Market use of Druid Avenue is considered business use of a road and a permit is required pursuant with Section 222 of the *Local Government Act 1999* (the Act). A duration of five years (2020 – 2025) is recommended, as per the expiring permit (2015-2020) to allow the Market a degree of certainty and the ability to plan strategically long term. A draft permit is attached in **Appendix 1**.

The power to issue a permit under Section 222 of the Act has been delegated by Council to the Chief Executive Officer (CEO), however, at the CEO's request this matter is being put to Council for consideration. The Administration will issue the permit should it be approved. In accordance with requirements of the Act, public consultation was undertaken between 6 and 29 May 2020 and a Consultation Report is attached as **Appendix 2**.

Should the Council resolve to issue the permit, it will also be necessary to provide consent to the making of a road closure order by SA Police under Section 33 of the *Road Traffic Act 1961* to enable the event to be conducted safely.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
- 2. That a permit for Business Use of a Road under Section 222 of the *Local Government Act 1999* be issued to Stirling Market Incorporated for a five year period for use of a portion of Druid Avenue Stirling and the service lane between Martha Street and Mt Barker Road, for a monthly market**
- 3. That pursuant to Section 33(2) of the *Road Traffic Act 1961* the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road and Martha Street, Stirling, as per permit conditions for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.**

4. That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any minor changes to the permit conditions or road closure order in response to legislative changes, the results of annual permit reviews or for special road closure orders, such as if the market is rescheduled to another Sunday in a particular month, or if a special once-off market is held, over the same five (5) year period.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C6 Celebrate our community's unique culture through arts, heritage and events

Priority C6.2 Develop, support and bring events to our district that have social, cultural, environmental or economic benefits

Council's Strategic Plan recognises that events play a key role in connecting our community and are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, promote the unique culture of the Hills and build community spirit.

The Council's current *Festivals & Events Policy* contains assessment criteria for the consideration of Council support, in order to help satisfy Council that the benefits outweigh the detriments. These criteria are detailed in the Analysis section of this report.

Consideration of road closures is a matter of good governance. Some events rely on road closures to proceed. It follows that the Council needs to consider the impact of the road closures on the community and local businesses and balance that against the benefits of the event going ahead.

➤ Legal Implications

Section 222 of the Act prohibits any person from using a public road for business purposes unless authorised to do so by a permit. For the purposes of Section 222 of the Act, the monthly Stirling Market is considered business use and therefore a permit is required. In addition, Section 223 of the Act requires Council to undertake a public consultation when the proposed use will impede the passage of traffic to a material degree. While only requiring a temporary road closure each month, given the ongoing nature of the event consistent with the associated permit, it was considered appropriate to enact public consultation.

Section 33 of the *Road Traffic Act 1961* provides the formal mechanism for closing roads for events. It will be necessary for the safe conduct of the event, and to ensure all pedestrian and vehicular movements within the closed area are lawful, for the markets to be declared an event to which that Section applies and for a formal road closed order to be made.

The Commissioner for Police has delegation from the Minister responsible for the *Road Traffic Act 1961* to make the appropriate order. The Council cannot make the road closure order itself as despite the fact Druid Avenue is a Council road, it runs into a state road (Mount Barker Road) and the closure affects traffic on that road (traffic will not be able to turn into Druid Avenue from Mount Barker Road).

Importantly however, the Minister, or delegate, can only make an order under Section 33 of the *Road Traffic Act 1961* with the consent of the Council. While the Chief Executive Officer has delegation to give consent under subsection 33(2), the Chief Executive Officer's practice is to only use that delegation for regular and non-controversial events.

➤ **Risk Management Implications**

Consent to the monthly road closure for the Stirling Market will assist in mitigating the risk of:

Conflicts between event participants, residents, business owners and road users leading to injuries and/or property/vehicle damage and/or financial loss to those affected parties.

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	High (4C)	Medium (4D)

The residual risk rating takes into consideration the provision of organisers' risk management plans, public liability insurance and on-site traffic marshals, permit conditions and action taken to mitigate resident and business concerns following public consultation.

As an additional security measures for the safety of stallholders and the public, permanent infrastructure has been installed by Council to allow bollards to be erected on market day at the Druid Avenue and Mt Barker Road intersection. The target risk rating is with full road closures as requested and the event run as intended.

➤ **Financial and Resource Implications**

With the issuing of the previous permit in 2015 the decision was made to waive the fees and charges that apply to the market's operation and to not recover the operational costs incurred (e.g. electricity consumption, waste removal, road closure installation/removal) in lieu of the agreement that an amount equivalent to these costs is donated back into the community each year by the Stirling Market. Between 2015-2020 this amount was \$15,000 annually. The cost to Council to support the market has risen annually to \$18,500. Under the new permit this amount will be provided annually by the Market to support communities/events/activities within the Adelaide Hills Council area.

➤ **Customer Service and Community/Cultural Implications**

The Stirling Market attracts thousands of visitors each year to Stirling and surrounding areas. It is well liked by the broader community and provides a positive contribution to the community in terms of cultural experience and creating a 'sense of place'.

The Stirling Market Incorporated, as detailed in their constitution, seeks to promote the community's cultural and environmental values, to operate the market with strong emphasis on locally and regionally made goods and produce, to financially support

charities, organisations and individuals, and to promote the Market as an Adelaide Hills tourist destination.

➤ **Sustainability Implications**

Damage to landscaping is minimised and litter is cleaned up after each event as conditioned within the permit. Endorsing the permit for a period of five years will grant the certainty needed for Council staff and the Markets to plan long term in developing and implementing waste reduction and recycling initiatives.

➤ **Engagement/Consultation conducted in the development of the report**

As the intended operation of the market requires the closure of Druid Avenue between Mt Barker Road and Martha Street every month for a 5 year period, it is considered to impede the flow of traffic to a material degree and therefore, pursuant to Section 223 of the Act, community consultation must be undertaken prior to issue of a permit under Section 222.

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Manager Property Services
Manager Economic Development

External Agencies: Not Applicable

Community: Consultation has been undertaken with the public in accordance with Council's Public Consultation Policy and the requirements of the Act. The consultation period opened for submissions on Wednesday 6 May 2020 with an advertisement in *The Courier* newspaper. The public were invited to make online or written submissions until Friday 29 May 2020. The Stirling Business Association was contacted directly with information regarding the consultation and the opportunity was also shared on Council and Stirling Market social media channels. The Stirling Market also made a submission. The results of this consultation are discussed under the *Analysis* section of this report and a copy of the Consultation Report is attached as **Appendix 2**.

2. BACKGROUND

The Stirling Market has been operating in Stirling township since 1989 and first moved to operating a monthly Sunday market on a closed section of Druid Avenue in 2006. At the ordinary meeting on 28 April 2015, Council endorsed the issue of a Section 222 permit and approval of road closure orders for a duration of 5 years (1 July 2015 – 30 June 2020). The conditions of the permit were informed by previous letters of permission issued by Council and the results of public consultation.

Ordinary Council Meeting 28 April 2015: Item 14.3

**Moved Cr Kirrilee Boyd
S/- Cr John Kemp**

75

That Council resolves:

- 1. That the report be received and noted.**
- 2. A Business Use Permit under Section 222 of the *Local Government Act 1999* be issued to Stirling Market Inc. for a five year period to use a portion of Druid Avenue Stirling and the service lane between Martha Street and Mt Barker Road, for monthly markets subject to staff addressing the following matters via additional conditions in the Permit:
 - 2.1 Traffic management matters such as road closure and opening times**
 - 2.2 A requirement for Stirling Market Inc. to repair any damage to infrastructure and landscaping caused by market activities**
 - 2.3 A requirement for Stirling Market Inc. to clean up any waste following market activities**
 - 2.4 Maintaining some ability to use the footpaths**
 - 2.5 An invitation is extended to a Stirling Business Association representative, a Council Member and Senior Council Officer to attend Stirling Market Inc. Management Committee meetings to discuss matters of common concern prior to the business part of the meeting.****

(continued on following page)

- 2.6 A requirement for Stirling Market Inc. representatives to attend meetings hosted by Council with the Stirling Business Association to discuss matters of common concern**
- 2.7 A minimum annual financial contribution of \$15,000 from the Stirling Market Inc. to communities/events/activities within the Adelaide Hills Council area in lieu of the following:**
 - 2.7.1 \$9,700 permit fees pursuant with the 2014/15 Fees and Charges Register**
 - 2.7.2 \$4,200 road closing and opening costs**
 - 2.7.3 \$1,100 waste collection and power supply costs**
- 2.8 A cap of no more than 11 food stalls that sell food normally consumed on site.**
- 2.9 Coffee sales to be limited to one stall and no more than one stall to sell bottled water and/or soft drinks**
- 2.10 An annual review by Council of the permit and associated conditions to be undertaken at which time conditions may be added or varied as deemed appropriate.**
- 2.11 The inclusion of standard permit conditions which deal with matters such as insurances, safety items, event dates and times etc.**
- 2.12 Market frequency to be stipulated e.g. fourth Sunday of every month January to November and the third Sunday in December**
- 2.13 Should the road area be required by Council for any purpose, Council reserves the right to rescind this agreement by providing 30 days' notice of its intention to do so. There shall be no grounds for recourse by the Stirling Market Inc. in respect to this decision.**
- 2.14 The Adelaide Hills Council reserves the right to review and amend this approval at any time.**
- 3 That an extension of the existing permit to 30 June 2015 be granted to allow staff to finalise the new permit and conditions with the Stirling Market Inc.**
- 4 That pursuant to Section 33(2) of the *Road Traffic Act 1961* the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road, Stirling and Martha Street, Stirling, on the fourth Sunday of every month for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.**
- 5 That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any special road closure orders, such as if the market is rescheduled to another Sunday in a particular month over the same five (5) year period**

Carried Unanimously

3. ANALYSIS

The Council's current *Festivals & Events Policy* contains assessment criteria for the consideration of Council support, in order to help satisfy Council that the benefits outweigh the detriments in relation to Community, Economic and Environmental impact as well as timing in relation to other district road closures. In this instance Stirling Market is seeking support for road closures as the event will not be able to run in its current format or location without same.

When closing or changing traffic conditions on Council roads that intersect with roads under the care and command of the Commissioner of Highways, the road closure order is normally made by a sub-delegate of the Commissioner of Police, who acts under ministerial delegation. Council's role, albeit a critical one, is limited to providing or withholding consent to the road closure. The actual order is not made by the Council. The Section 222 permit is, however, a matter for the Council.

Public Consultation

A report detailing the results of the public consultation undertaken in May 2020 is attached as **Appendix 2**.

The consultation received 907 visits to the webpage and a total of 151 responses were received; 150 via EngagementHQ and 1 via email. Participants were asked to select categories that best described themselves (Stirling Resident, Stirling Business Owner, Market Attendee and/or Other) and participants were able to select more than one category. Participants were then asked what kind of impact the continued monthly road closures would have on them (Positive, Negative, No Impact and Other) and were then asked to tell us more about this impact. Finally participants were asked whether there was anything else they would like Council to consider.

Road closure impact by stakeholder category					
Category	Total responses	'Positive'	'Negative'	'No Impact'	'Unsure'
Market Attendees	107	40	2	64	1
Stirling Residents	42	12	2	27	1
Stirling Business Owners	4	2	1	1	0
Other	20	8	0	12	0

Overall the highest response type relating to road closure impact was 'no impact' followed by 'positive'.

Community Impact

The Stirling Markets have amassed a large following of attendees from the Adelaide Hills and the greater Adelaide area. Many consultation participants commented on how much they enjoy attending the monthly event and that they consider it a valuable contributor to the culture and community of the Hills. The safety and pedestrian atmosphere that the road closures provide was commended several times and residents and attendees largely stated that they found the monthly road closure simple to navigate around with many detour options available. The Markets currently donate a minimum of \$15,000 a year to local community groups and organisations. As of the date of this report, Council staff have

confirmed that the total community donations due for the period of 2015-2020 will be allocated by 30 June 2020. A final report is due on 31 October 2020 as per permit conditions. However, as of the date of this report \$73,257 has been allocated of the required \$75,000. Under the proposed conditions of the next 5 year period this amount would increase to \$92,000.

Economic Impact

The Stirling Market has over 12,000 followers on Facebook and attracts hundreds of attendees to Stirling each market day. Several respondents to the consultation stated that the Market gives them a reason to come to the Hills and spend money. While not all market stallholders are based in the Adelaide Hills, the monthly market is reported to make up an important portion of several stall holders' income.

Council has had ongoing dialogue, through the Stirling Business Association (SBA) with the local businesses in the village. SBA considers the market to be a well-run event that positively adds to the attraction of the village. However it is considered that the success and growth in the market has resulted in an offering that has deviated from its original "make it, bake it, grow it, sew it" community focus to that which is in more direct competition with the village's existing businesses. Consistent with approaches undertaken by other similar markets e.g. Farmers Markets, SBA would like to see a more inclusive approach to the decision making of the market that includes representation from the local traders. In both the expiring permit and draft permit, Special Condition 30 states that Stirling Market Inc. is to extend an invitation to SBA to attend their Management Committee meetings to discuss matters of common concern. Council has confirmed with the Market organiser that this will occur under the new permit.

Through the SBA individual local businesses were contacted and provided the opportunity to comment. Four responses were received with only one reporting that the continued road closure would have a negative impact.

Environmental Impact

The Market has been compliant with previous permit conditions relating to waste removal post event and avoiding damage to garden beds and vegetation along Druid Avenue. The Committee has contacted Council to collaborate on green improvements to Druid Avenue as part of their annual community donations. Market food stallholders are reportedly all using compostable packaging and the Committee has been collaborating with Council to trial various recycling and waste minimisation initiatives at the monthly event.

Timing

In relation to timing with other nearby road closures, only the annual Santos Tour Down Under (STDU) road closures fall near to the monthly market road closures in January. Due to the large amounts of public advertising for the STDU closures, and the consistent nature of the market closures there does not appear to be any issues of confusion or proximity.

Permit Conditions

The draft permit attached in **Appendix 1** is based on a current Section 222 permit template. The special conditions have been transferred over from the expiring permit with the following amendments and additions shown in italics below and in **Appendix 1** as tracked changes:

- a. Special Condition 1 – Adelaide Hills Council will provide waste management support by delivering, removing and emptying 10 general waste bins for the event. Stirling Market Inc. are to provide all waste management requirements over and above that provided by the Adelaide Hills Council (*inserted as follows*) and will collaborate with Council on sustainability and waste reduction initiatives.
- b. Special Condition 16 – All electrical equipment and appliances must be maintained to meet WH&S requirements including but not limited to current testing and tagging, (*inserted as follows*) and Council requires that an electrical certificate of compliance must be provided by a licenced electrical tradesperson as per Section 60 of the Electricity Act 1996 (SA).
- c. Special Condition 26 – Stirling Market Inc. is to pay a minimum annual financial contribution of (*amended*) \$18,500 to communities/events/activities within the Adelaide Hills Council area in lieu of payment of the following annual Council fees:
 - i. \$11,700 roads closing and opening costs
 - ii. \$4500 waste collection, toilet cleaning and equipment
 - iii. \$2300 power use
- d. (*added*) Special Condition 34 – Stirling Market Inc. is to provide an updated Risk Management and Emergency Response Plan to Council annually.

Compliance Monitoring

Council staff will be implementing an annual process to ensure compliance with the conditions of the permit. This will involve an event day audit by AHC Rangers conducted quarterly at a minimum in the first year and six-monthly in following years, or more as deemed necessary. An annual compliance report will be assembled containing the dates and results of these audits, as well as checks on additional permit conditions to ensure annual documentation has been provided and required Committee actions have been completed. This compliance report will help inform Council Staff in their annual review of the permit as per Permit Special Condition 23.

4. OPTIONS

Council has the following options:

- I. Issue a Section 222 Permit to the Stirling Market Inc. and endorse the associated road closure orders for a period of 5 years (Recommended)
- II. Issue a Section 222 Permit to the Stirling Market Inc. and endorse the associated road closure orders for a period of less than 5 years. This would add a degree of uncertainty to the future of the market and would hinder its ability to strategically plan long term (Not Recommended)
- III. Do not endorse the issue of a Section 222 Permit to the Stirling Market Inc. This option would result in the immediate cessation of all markets in Druid Avenue after 30 June 2020 likely resulting in community opposition as this would go against the results of the public consultation process (Not Recommended)

5. APPENDICES

- (1) Draft Section 222 Permit to Use a Public Road for Business Purposes – Stirling Market
- (2) Consultation Report – Proposed Road Closure Permit Renewal – Stirling Market

Appendix 1

*Draft Section 222 Permit to Use a Public Road for
Business Purposes – Stirling Market*



SCHEDULE

**PERMIT TO USE A PUBLIC ROAD FOR BUSINESS PURPOSES
(Pursuant to Section 222 of the *Local Government Act 1999* (SA))**

Your Details (You, Your)	<p>Person/company name and ACN/ABN: Stirling Market Inc. ABN 69 320 442 334</p> <p>Contact Person Title: Mr First Name: Richard Surname: James Position in the organisation: Chairperson Address: PO Box 177, Stirling SA 5152 Telephone number: 0488 770 166 Email: enquiries@stirlingmarket.com.au</p>
Council	<p>Adelaide Hills Council Contact person/position: Anisa Cadd, Events Officer Site address: 63 Mount Barker Road, Stirling Postal address: PO Box 44, Woodside SA 5244 Telephone number: 08 8408 0400 Email: mail@ahc.sa.gov.au</p>
Road Area	<p>That portion of the public road in Druid Avenue, Stirling (between Mt Barker Road and Martha Street) being the area marked in RED on the plan attached at Annexure A (Public Road)</p>
Term	<p>5 Years commencing on 1 July 2020 and expiring on 30 June 2025</p> <p><i>[Note term limited to five years where there is a Permit being granted for a Business Purpose]</i></p>
Alteration	N/A
Business Purpose	For the operation of the monthly Stirling Markets
Permitted Use	Use the Road Area for the Business Purpose
Fee	Refer to Special Condition 26 in Annexure B
Special Conditions	Refer to Annexure B

I/we agree to:

- the General Terms and Conditions and the Schedule to this agreement;
- any/all additional Special Conditions included in the Schedule to this agreement; and
- pay the **Fee** and other costs and charges as required by this agreement.

Execution by individual

.....
Signature

.....
Name (print)

.....
Date

OR

Execution by company

Executed by
pursuant to section 127 of the *Corporations Act 2001*

.....
Signature of Director/Sole Director and Secretary

.....
Signature of Director/Company Secretary

.....
Date

FOR COUNCIL USE ONLY

Signed for Adelaide Hills Council by its authorised delegate in the presence of:

.....
Signature of witness

.....
Signature of delegate

.....
Name of witness (print)

.....
Name

Date:.....

.....

Position of delegate

Reference number:
.....

GENERAL TERMS AND CONDITIONS

- DEFINITIONS** Words that are in **bold** in these General Terms and Conditions and any Special Conditions have the meaning given to them in the Schedule to this agreement.
- INTERPRETATION** If there is no **Alteration** set out in this agreement, then the associated provisions of this agreement will not apply. If there is no **Business Purpose** set out in this agreement, then the associated provisions of this agreement will not apply.
- RIGHT TO USE**
1. **You** are authorised by the **Council** to undertake the **Alteration** to the **Road Area** pursuant to section 221 of the *Local Government Act 1999* (SA).
 2. **You** are permitted by the **Council** to use the **Road Area** for the **Business Purpose** pursuant to section 222 of the *Local Government Act 1999* (SA).
 3. This agreement does not give **You** any other rights to alter or use the **Road Area**.
- CONTROL OF OTHERS**
4. Where the context permits, where **You** are under an obligation to do or not do something under this agreement, **Your** obligation extends to **You** using **Your** best endeavours to ensure that all persons that are present on the **Road Area** during the **Term**, including but not limited to **Your** employees, agents and invitees do or refrain from doing those things also.
- FEE**
5. **You** must pay the **Fee** to Council at the time and in the manner set out in Special Condition 26.
- LEGAL REQUIREMENTS**
6. This agreement gives **You** the **Council's** approval as owner of the **Public Road** to use **Road Area** for the **Permitted Use**. It does not give **You** any other approvals. **You** must obtain all other approvals required for the **Permitted Use**, including any development approvals (which may be required to be granted by the Council in its separate capacity as the relevant statutory authority) or liquor licences.
 7. **You** must comply with all laws and legal requirements relating to **Your** use of the **Road Area** and the **Alteration** and **Business Purpose**.
- INFRASTRUCTURE**
8. The infrastructure, equipment or improvements comprising or associated with the **Alteration** are owned by **You** and are **Your** responsibility.
 9. **You** must maintain the structures, improvements and infrastructure comprising or associated with the **Alteration** in good repair and safe condition during the **Term**.
 10. **You** must ensure the structures, improvements and infrastructure comprising or associated with the **Alteration** do not interfere with or cause damage to or affect in any way:

- a. any adjoining property;
- b. any wire, post, cable, pipe or other property or infrastructure belonging to the **Council**, a utilities or service provider or any adjoining property owner; or
- c. ~~the use of the **Road Area** or the **Public Road** by the public.~~

RESTRICTIONS ON USE 11. **You** may only use the **Road Area** for the **Permitted Use**. **You** may not use it for any other purpose.

12. **You** must use the **Road Area** safely and so as not to cause any offense or create a nuisance or disturbance for other people.

ALCOHOL 13. **You** must not sell alcohol within the **Road Area** or any public areas surrounding the **Road Area** without the written consent of the **Council**.

SMOKE-FREE AREAS 14. **You** must not smoke within any area designated smoke-free by the **Council**.

SALE OF FOOD 15. ~~**You** must not sell, or permit the sale of, food within the **Road Area** except with the prior written consent of the **Council**.~~
Refer to clause 32 in Special Conditions.

REPAIR OF DAMAGE 16. **You** must repair all damage that is caused to the **Road Area** or any other property (including but not limited to buildings and equipment) during the **Term**.

CLEANING 17. **You** must ensure the **Road Area** is kept in a clean and tidy condition and free from rubbish during the **Term**.

18. Public bins (if any) within the **Road Area** must only be used for general food, beverage and similar waste. **You** must not use public bins for business waste (including but not limited to boxes that contained supplies and other waste generated by **Your** operations) and **You** must ensure that all business waste is disposed of appropriately at **Your** cost.

YOUR RISK 19. **You** agree:

- a. **Your** use of the **Road Area** is at **Your** own risk;
- b. the **Council** has given you no warranty that the **Road Area** is suitable for the **Permitted Use**;
- c. to release the **Council** from any claims that **You** may have against the **Council** for loss, damage, injury or death suffered or incurred as a result of **Your** use of the **Road Area**; and
- d. to indemnify the **Council** against all claims that are made against the **Council** for loss, damage, injury or death caused or contributed to by:
 - i. Your Alteration to or Business Use of the **Road Area**;
 - ii. matters occurring at the **Road Area** relating to **You** during the **Term**; or
 - iii. any breach by **You** of this agreement.

INSURANCE

20. **You** must maintain a public risk policy of insurance in relation to **Your** use of the **Road Area** for at least twenty million dollars for any one claim and unlimited in the aggregate, and which covers events occurring during the policy's currency regardless of when claims are made.
21. **You** must maintain a policy of insurance for the structures, improvements and infrastructure comprising or associated with the **Alteration** for their full replacement value.
22. You must provide a copy of the certificates of currency for the policies described above to the **Council** before the start of the **Term** and at any time they are renewed during the **Term**.

NO TRANSFER

23. **You** cannot transfer this agreement or your rights to use the **Road Area** or grant any other person rights to use the **Road Area**.

COUNCIL'S RIGHTS

24. The **Council** may:
- a. carry out works within the **Road Area** or surrounding areas that may interfere with **Your** use of the **Road Area**;
 - b. take any action that it considers to be reasonable if there is an emergency and **You** must comply with all directions of the **Council** during the emergency; and
 - c. do anything that **You** are required to do under this agreement if **You** do not do it or do not do it properly and recover its costs of doing so from **You**.

COMPLY WITH DIRECTIONS

25. **You** must comply with all reasonable directions of the **Council** in relation to **Your** use of the **Road Area**.

BREACH AND TERMINATION

26. If **You** breach a provision of this agreement and that breach is capable of remedy, **You** will have seven days from the receipt of a notice from the **Council** advising of the breach to remedy the breach (except in the case of an emergency, in which case the **Council** may remedy the breach and recover its costs of doing so).
27. If **You** do not remedy the breach set out in the notice OR the breach is not capable of remedy (in both cases in the **Council's** reasonable opinion) the **Council** may give **You** a further written notice proposing the termination of this agreement. **You** will have one month in which to make written representations to the **Council** on the proposed termination (unless the **Council** determines that a shorter period should apply for the protection of the public).

28. The **Council** will consider any representations **You** make and then notify **You** as to whether this agreement is terminated or not.

EXPIRY

29. This agreement automatically expires at the end of the **Term**. You must not use the **Road Area** for the **Permitted Use** after expiry.
30. Upon the expiry or earlier termination of this agreement, unless you are granted a new authorisation pursuant to section 221 of the *Local Government Act 1999* (SA) and/or a new permit pursuant to section 222 of the *Local Government Act 1999* (SA) (as required) **You** must:

- a. if required by the **Council**, remove all structures, improvements and infrastructure comprising or associated with the **Alteration** and make good any damage to the **Road Area** and surrounding areas caused by such removal; and
- b. ensure that the **Road Area** is left in a clean and tidy condition, including by appropriately disposing of all rubbish and removing all goods and equipment from the **Road Area**.

GST

31. If any GST (within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth)) is payable on a supply made pursuant to this agreement then the recipient of the supply must pay the additional GST amount at the same time as it pays for the supply.

COSTS

32. The **Council** may recover from **You** all costs it incurs in consequence of any actual or threatened breach by **You** of this agreement.
33. Notices under this agreement must be sent in writing to the names and addresses

**SPECIAL
CONDITIONS**

34. **You** must comply with all Special Conditions contained in the Schedule to this agreement.

Annexure A – Plan



Annexure B – Special Conditions

1. Adelaide Hills Council will provide waste management support by delivering, removing and emptying 10 rubbish bins for the event. Stirling Market Inc. are to provide all waste management requirements over and above that provided by the Adelaide Hills Council and are to collaborate with Council on Sustainability and waste reduction initiatives.
2. If requested by Adelaide Hills Council Stirling Market Inc. are to provide to Council within two weeks of the date of the request evidence that all food premises including stalls operating at the market have made the necessary mandatory notification to their respective Council.
3. Stirling Market Inc. are to provide a marshal from 8:00am onwards to assist with marshalling vehicles entering the road closed area for loading/unloading.
4. Stirling Market Inc. are to advise Council of the cancellation or early closure of any market as soon as possible once the decision to cancel or close the market has been made.
5. The market is to be held on the 4th Sunday in each month from January to November and on the 3rd Sunday in December. The market will bump in, open for trade and bump out in accordance with the following times:
 - Druid Avenue closed to Public 8.00 AM
 - Market Bump in 8.00 AM to 10.00 AM
 - Market Trading 10.00 AM to 4.00 PM
 - Bump out 4.00 PM to 5.00 PM
 - Druid Avenue opens to Public 5.00 PM
6. With the exception of inclement weather, any proposed change in the day or time of operation of the market from that outlined above must be advised to and agreed by Council no less than 4 weeks before the change is proposed to occur.
7. The market is to be held within the area delineated red in Annexure A.
8. No vehicles are to access adjoining private property without prior approval from the private land owner.
9. Parking restrictions and road rules outside of the designated market area are to be adhered to at all times.
10. Stirling Market Inc. will take all reasonable care to ensure no damage to infrastructure and landscaping is caused within and surrounding the market area as a result of market activities including no spikes / stakes or other objects are to be driven into the footpaths, vegetation, verge area or gardens to avoid damage to underground watering systems and services.
11. The surrounding vegetation and landscaping is not to be damaged.
12. Stirling Market Inc. will repair any damage to infrastructure and landscaping caused by market activities within and surrounding the market area. Adelaide Hills Council

will discuss with Stirling Market Inc. any concerns about said damage before any claim is made for compensation or repair.

13. The area is to be kept free of rubbish, paper and other debris at all times. Stirling Market Inc. must clean up any waste following market activities on the same day it is generated
14. Power from the power supply is only to be utilised for the market day needs. Adelaide Hills Council will provide Stirling Market Inc. with keys to the power board for market day use only.
15. Stallholders requiring power are to only set up immediately adjacent to the power source provided by Council and no cords or other infrastructure is to impede pedestrian and other people or vehicle movement except in the area exempted in clause 19.
16. All electrical equipment and appliances must be maintained to meet WH&S requirements including but not limited to current testing and tagging, and an electrical certificate of compliance must be provided to Council by a licence electrical tradesperson.
17. All participants and stallholders are to park vehicles in accordance with parking restrictions or otherwise in accordance with agreements with private property owners.
18. When not unloading or loading stallholders are to park their vehicle(s) in areas designated by Council to be agreed in consultation with Stirling Market Inc.
19. Only vehicles relating to the market activities may temporarily enter the road closure points for the purpose of unloading and loading, however NO vehicles (excluding exception below) may be parked within the road closure area and must be removed from the market area prior to commencement of the Market operating times.

Exception: Approximately 6 vehicles maybe parked behind the stalls situated outside number 6 and 8 Druid Avenue subject to the following conditions:
 - Pedestrian access must be prohibited to this area during the market;
 - No vehicles parked in this area are to be moved during the market;
 - During the road closure period no vehicles moving into and out of this area shall move unless escorted by a marshal and only at speeds less than 5 km/h.
 - No damage is to occur to any infrastructure including vegetation. The cost to repair any damage that occurs will be met by Stirling Market Inc.
20. With the exception of Emergency Services vehicles no vehicles are to access the market during operating times of the market.
21. Adelaide Hills Council will install, monitor and remove road closures and related infrastructure required for the markets operation. Only Council Officers can move signs, barriers, or any infrastructure placed by Council for the road closures and detours with the exception of providing access for Emergency Services vehicles responding to an emergency within the market of adjacent properties. Stirling Market Inc. representatives or stall holders are not to move or otherwise shift any infrastructure placed by Council for the road closures and detours without first obtaining approval from an authorised officer of Council.

22. Markets will not be held on days of forecast catastrophic fire weather. Stirling Market Inc. are required to advise all stall holders and Council of the cancellation.
23. Council will undertake an annual review of the permit and associated conditions at which time conditions may be added or varied as deemed appropriate.
24. Should the road area be required by Council for any purpose, Council reserves the right to rescind this agreement by providing 30 days' notice of its intention to do so. There shall be no grounds for recourse by Stirling Market Inc. in respect to this decision.
25. The Adelaide Hills Council reserves the right to review and amend this approval at any time.
26. Stirling Market Inc. is to pay a minimum annual financial contribution of ~~\$15,000~~ \$18,500 to communities/events/activities within the Adelaide Hills Council area in lieu of payment of the following annual Council fees:
- i. ~~\$9,700~~ 11,700 Road closing and opening costs
 - ii. ~~\$4200~~ 4,500 Waste collection, toilet cleaning and equipment
 - iii. ~~\$1,400~~ 2,300 Power Use

Evidence that proceeds from the market have been distributed to communities/events/activities within the Adelaide Hills Council area is to be provided to Council annually by October 31. This evidence is to be provided by way of a statement of payments and receipts for the market that has been certified as correct by a qualified financial auditor. Stirling Market Inc. must make all reasonable endeavours to pay the minimum annual financial contribution in full, as it is due. However, to accommodate annual variances in expenditure and income, including extraordinary unforeseen costs, the annual contribution paid can fluctuate above or below the annual minimum amount providing over the term of the permit the total minimum contribution paid is equal to, or greater than, the amount due for the 5 year term of the permit (i.e. minimum contribution x 5 years).

Anticipated fluctuations to the ~~\$15,000~~ 18,500 minimum annual financial contribution must be discussed and agreed with Council's Administration as soon as practical once they are forecast.

27. Stirling Market Inc. must ensure thoroughfares in the market area are maintained free of power cords and other obstacles that could represent a hazard or impediment.
28. Stirling Market Inc. must minimise the placement of market infrastructure on footpaths and avoid any impediment to pedestrians. Footpath ramps will be required to be kept unobstructed, including 'corridors' between ramps on opposite sides of the road.
29. Stirling Market Inc. must at all times maintain disability access through the market area.

30. Stirling Market Inc. is to extend an invitation to a Stirling Business Association representative, a Council Member and Senior Council Officer to attend Stirling Market Inc. Management Committee meetings to discuss matters of common concern prior to the business part of the meeting.
31. Stirling Market Inc. is to provide a representative to attend meetings hosted by Council with the Stirling Business Association to discuss matters of common concern
32. There are to be no more than 11 food stalls at any one market that sell food normally consumed on site (e.g. pies, pasties, sausage rolls, fork dishes (vegetarian, gluten free and international cuisine and sausages).
33. Coffee sales are to be limited to one stall and no more than one stall to sell bottled water and/or soft drinks.
34. Stirling Market Inc. is to provide an updated Risk Management and Emergency Response Plan to Council annually.

Appendix 2

*Consultation Report – Proposed Road Closure Permit
Renewal - Stirling Market*



PROPOSED ROAD CLOSURE PERMIT RENEWAL – STIRLING MARKET

CONSULTATION OUTCOMES REPORT
May 2020

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1 Executive Summary

The Stirling Market has been operating in the Stirling township for over 30 years, and has been running as a monthly market on Druid Avenue since 2006. Popular with Hills residents and well-known in greater Adelaide, the event attracts thousands of visitors to the town every month. The Market is a not for profit incorporated association managed by a committee of volunteers and stallholders and has donated to local community activities and events since 2009 through its grants program.

The Stirling Market Incorporated currently holds a 5 year permit from the Adelaide Hills Council to close a portion of Druid Avenue once per month to run their market day. This permit is due to expire on 30 June 2020. Pursuant to Section 223 of the *Local Government Act 1999*, public consultation must be undertaken in line with Council's Public Consultation Policy prior to a new permit being issued. The renewal of the permit would grant the Stirling Market permission to continue to close Druid Avenue to traffic, between Martha Street and Mount Barker Road, from 8:00am – 5:00pm the third Sunday of every month from July 2020 to June 2025.

Council invited feedback from the public on the proposed permit renewal between Wednesday 6 and Friday 29 May 2020. Feedback could be provided by completing the online survey on Council's Have Your Say page, or by posting a hardcopy submission to the Events Team – Adelaide Hills Council, PO Box 44, Woodside SA 5244. The consultation was advertised in the *Mount Barker Courier* newspaper on Wednesday 6 May 2020.

The Stirling Business Association were contacted directly as key stakeholders in this matter. Additionally, participants who made a submission to a recent public consultation on the Stirling Market's proposed special Mother's Day Market were also emailed this consultation information directly.

2 Response data and feedback analysis

Feedback was provided to the Council through the EngagementHQ project page and email and captured by the project team.

All feedback received during the consultation period has been analysed by key theme.

Feedback has been anonymised and any identifying data (including name, contact details) have been removed from the analysis and reporting.

The committee of Stirling Markets Incorporated made a submission during the consultation phase to provide general information about the Market and its history. This is attached to this report as Appendix 1.

2.1 Project Reach and Engagement

At the conclusion of the consultation period, the project page on EngagementHQ had received 907 visits and 150 survey submissions. The supporting documents - a map of the road closure zone and printable survey submission form - had been downloaded 25 times.

One submission was received via email and no responses were received via post.

2.2 Participant Categories

Overall, we received 151 submissions (150 online survey and 1 email). Participants were asked to select categories that best described themselves and participants were able to select more than one category.

What best describes you? <i>Please check all that apply</i>	
Market Attendee	107
Stirling Resident	42
Stirling Business Owner	4
Other	20

Of the 20 participants that selected the 'Other' category, the following information was provided:

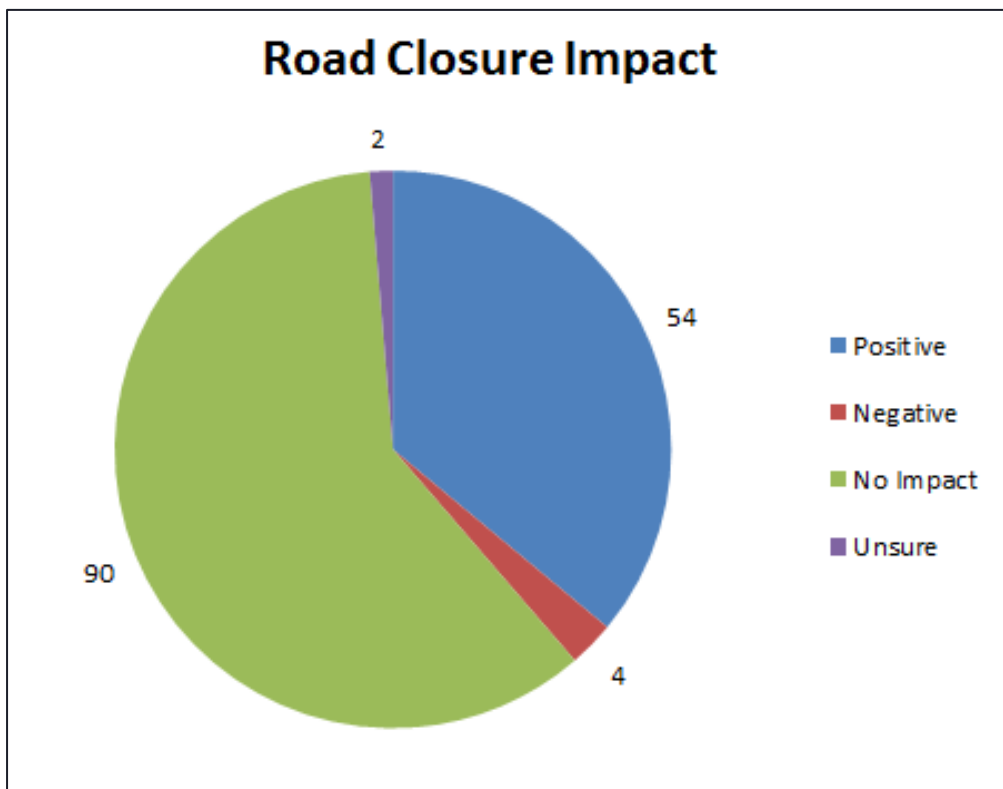
- 9 participants stated that they are a resident of a different Adelaide Hills town (Bradbury 1, Bridgewater 4, Upper Sturt 1, Woodside 1, Ironbank 1, Aldgate 1)
- 2 participants stated that they previously lived in the Adelaide Hills and remain a part of the community

- 4 participants stated that they were a stallholder at the market
- 1 participant stated that they are volunteer at the Stirling Community Op Shop
- 3 participants stated that they live outside the AHC district
- 1 did not provide additional information

2.3 Road Closure Impact

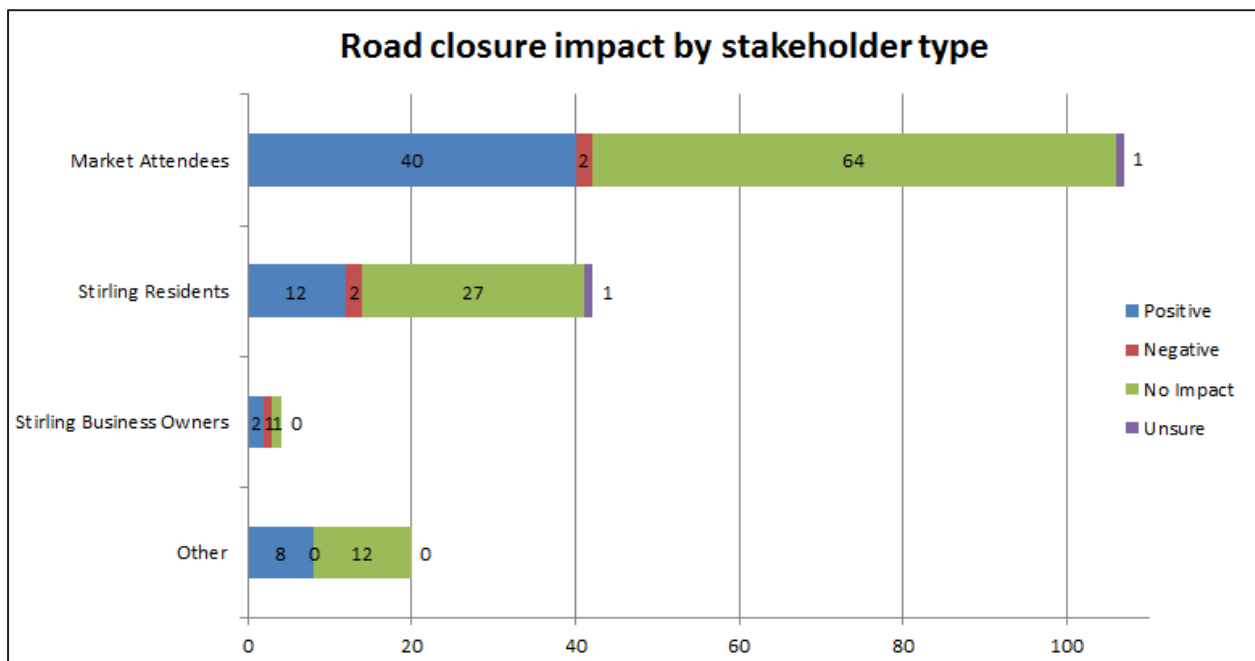
Participants were asked to select what kind of impact the continuation of monthly closures on Druid Avenue would have on them (positive, negative, no impact, unsure/other). Overall the highest response type relating to road closure impact was ‘no impact’ as depicted by Figure 1.

Figure 1: Road closure impact



Results by stakeholder type are captured in Figure 2.

Figure 2: Road closure impact by stakeholder type



Participants were also asked to “Tell us more about this impact” and this has been captured further below under the headings of: positive, negative, no impact and unsure/ other.

2.3.1 Positive Impact

The 54 ‘positive’ responses came from the following respondent categories:

Stakeholder type	Number of respondents
Market Attendees	40
Stirling Residents	12
Stirling Business Owners	2
Other	8

Comments under the “Tell us more” section have been captured below by stakeholder category.

Market attendees comment on the event being great, iconic and that the market gives them a reason to come to the Hills and spend money. Others commented on the road closure making the event safe, that Druid Avenue is the best location for the market and that the closure supports local organisations.

Residents comment that they enjoy attending the market, that event brings visitors to town and brings the community together with a positive atmosphere and culture. They comment

that they see the event as beneficial to Stirling.

Business Owners comment that the road closure brings visitors to town and the community together and that the road closure causes very few problems.

Other participants comment that they believe the event to be iconic and beneficial, that it creates a great atmosphere that brings the community together and visitors to town. Some also comment that are a stallholder and that the market forms an important part of their income.

2.3.2 Negative Impact

Of the four ‘negative’ responses, two submissions provided the following comments:

- Participant 1 (Stirling Resident):
 - “Parking in the shopping centers, and in and around the Main Street is abominable. Very very busy feeder roads into Stirling. There seem to be a lot of stressed visitors and residents on the market days.”
- Participant 2 (Stirling Business Owner and Resident)
 - “Loss of revenue for the 12 Days being considered - Sundays are a peak trading day. The limited access results in a 22% loss of revenue for the Shop. The Café 'just' breaks even.”

The other two participants seem to have misunderstood the question. It appears they have answered the question as ‘negative’ to stopping the monthly closures based on their ‘tell us more’ submissions:

- Participant 3 (Market Attendee)
 - “I love being able to support local business and this would decrease if the market was closed”
- Participant 4 (Market Attendee)
 - “I very much enjoy making the trip to this market”

2.3.3 No Impact

The 90 ‘No Impact’ responses came from the following categories:

Stakeholder type	Number of respondents
Market Attendees	65
Stirling Residents	27
Stirling Business Owners	1
Other	13

Comments under the “Tell us more” section captured the following ideas.

Market Attendees comment that they believe the road closures to be worthwhile and find them easy to navigate around and avoid on market day. They also comment that the market is

beneficial for the region and businesses.

Residents comment that they enjoy attending the event and that it is beneficial to Stirling. They comment that the road closure is an important aspect in the safety of attendees and that they find it easy to navigate around the closure each month.

Business Owners did not provide any additional information.

Other participants commented that they find it easy to avoid the road closures via alternative detour routes and towns, that the road closure is worthwhile and that the event is beneficial to the region and businesses.

2.3.4 Unsure/Other

Of the 2 participants which selected “Unsure/Other”

- “It might allow the markets be bigger which would be a plus (*sic*). Woyld (*sic*) need adequate detours if closed.”
 - Suggests the participant believes this to be a new or different closure, rather than the continuation of the existing format.
- “Little impact but parking on a market Sunday when trying to do your shopping is always a problem.”

2.4 Additional Information

Participants were invited to share any other information they would like Council to consider. The following ideas were provided:

- Goods sold at market should be locally produced
- More permanent and temporary parking needed
- Get rid of the Laneways
- Hold market at the Oval during COVID-19 recovery phase
- Steamroller Park toilets need upgrading
- I shop in a different town on market day
- Extend road closures to hold a bigger market
- The event is an excellent advertisement for the Adelaide Hills
- Dogs should not be allowed in the market
- Would like a greater variety of stallholders
- More disability parking needed

2.5 Feedback unrelated to the project

- A freeway noise barrier is needed
- Do not want Aldi in Stirling

3 Summary and next steps

The most common response to the impact of the road closures was ‘no impact’ followed by ‘positive’. The majority of business owners and residents from Stirling and other townships do not oppose the road closure and see it as worthwhile to allow the event to continue monthly.

This consultation report will be made available on the project website, EngagementHQ. An email will be distributed to all participants advising that the report is now available.

This report will be provided to Council at the meeting on Tuesday 23 June 2020 for consideration and decision regarding the reissue of the Stirling Market’s Section 222 permit for Business Use of a Road for monthly markets on Druid Avenue.

Appendix 1 – Stirling Market Inc submission

Stirling Market May 2020

Last year the Stirling Market celebrated 30 years of operating. During that time the market has been held every month without fail, whatever the weather, and is a locked in day of the Stirling Community Calendar. It is an eagerly anticipated event each month, which has become an institution through our reliability, the diverse array of stalls, our people, the friendly local atmosphere, and a tourist attraction. It is a fun day for family and friends to attend, and select from the wide range of plants, crafts and food products on show.

Over the thirty years some things haven't needed to change. We have retained our core ethos; we give priority at all times to Adelaide Hills stall holders, and support locals, especially artists, artisans and food producers. The hand made uniqueness, "make it, "bake it, "Grow it", "sew it", a very personal touch.

We have retained an affordable fees structure allowing individual aspirations to flourish, and to grow into something big. These things will never change.

The Market has grown significantly over the 30 years and has moved with the times, whilst maintaining a friendly and accessible approach for all. We have embraced social media. The Market Facebook page has over 11,000 followers and regularly has over 50,000 visits per month leading into the Market day. A fantastic achievement by an energetic group of volunteers. The social media platform has really extended our reach, particularly with local visitors, but also interstate and international visitors.

As the market grew so have our donations to local community groups within the Adelaide Hills Council area,

Through a variety of grants and donations, we have helped community groups deliver a wide variety of projects.

These have included bush rehabilitation after fires, maintenance on historic building, monuments and sculptures, welfare and support groups (Meals on Wheels, Men's shed's, The Hut, Toy Library, Play Groups. etc), The CFS, and many other local community organisations.

Total donations are well over \$200,000 with 2018/2019 year being \$21,500.

The Market has become a significant South Australian attraction bringing a large crowd to Stirling every month, to the benefit of all.

We have worked closely with the Council and really appreciate the ongoing support the Council has extended to the Stirling Market. We extend a thanks and gratitude to the Council and all it's staff for their support.

The Stirling Market has brought immense pleasure to a great many people over the last 30 years, and we look forward to continuing to do so for many years to come.

Stirling Market Committee

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item:	12.6
Responsible Officer:	Lachlan Miller Executive Manager Governance & Performance Office of the Chief Executive
Subject:	Resumption of physical Council Meetings, Workshops & Community Forums
For:	Decision

SUMMARY

The COVID-19 pandemic and the declaration of the Public Health Emergency has required changes to many Council activities including the conduct of Council Meetings, Workshops and Community forums.

In relation to Council Meetings, the Minister for Local Government issued *Electronic Participation in Council Meetings Notice (No 1) 2020* (Notice No 1) due to the inability for councils to meet physically (face-to-face). Notice No 1 allows Council meetings to be conducted via electronic participation in virtual meeting rooms with Council Members joining via electronic means (Zoom, MS Teams, Skype, etc.). As such AHC resolved to conduct all future meetings by electronic means (Zoom) until the expiry of Notice No 1.

Similarly, Council Workshops and Professional Development Informal Gatherings were also transitioned to the Zoom format.

In relation to Community Forums, given the social distancing restrictions, the Community Forums scheduled for 2020 were deferred, distributing a special newsletter in lieu of the Mylor Community Forum.

With the incremental easing of the social distancing restrictions under the State's *Roadmap to Easing COVID-19 Restrictions*, it is timely for Council to consider mechanisms to facilitate the safe and effective transition back into physical Council Meetings, Workshops and Community Forums.

The purpose of this report is to seek Council's resolution to delegate powers to the Chief Executive Officer to enable tactical decisions to be made, based on the prevailing social distancing restrictions, to facilitate the return to physical meetings, workshops and forums.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. That in relation to Ordinary Council Meetings:
 - a. To revoke Part 4 of Resolution 63/20 from its 21 April 2020 Council Meeting being “That, as from 21 April 2020 and until the expiry of the provisions of Notice No 1, meetings of the Council will take place by electronic means using the audio and visual functionality of the Zoom virtual meeting room as the electronic location”; and
 - b. To note that the Chief Executive Officer will determine the ‘place’ of Council Meetings in accordance with the provisions of Section 81(3a) of the *Local Government Act 1999*.
3. That in relation to Council Workshops and Professional Development Informal Gatherings to note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the informal gathering schedule, timings and locations.
4. That in relation to Community Forums:
 - a. To note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the Community Forum schedule to accommodate venue availability or other matters arising to necessitate change.
 - b. To resolve that the order of venues for upcoming Community Forums will be:
 - i. Mylor
 - ii. Basket Range
 - iii. Birdwood

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

The governance arrangements regarding the conduct of Council Meetings required significant modification to enable participation by electronic means. As such the following policies have, by resolution of Council, been modified for the duration of Notice No 1:

- *Code of Procedure for Council Meeting Procedures*
- *Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents*
- *Informal Council and Council Committee Gatherings and Discussions Policy (the Policy)*

➤ **Legal Implications**

Chapter 6, Parts 1-4 of the *Local Government Act 1999* (the Act) sets out the provisions relating to Council and Council Committee meetings (e.g. calling meetings, giving notice, quorum, procedures, informal gatherings, minutes and codes of practice). The bulk of Notice No 1 amends these provisions to the extent required to enable electronic participation.

One of the provisions of Notice No 1 provided for an addition to s81 in the form of subsection 3a, which provides:

If a place has been appointed for the holding of an ordinary meeting but the council is unable to meet at the designated place as a result of the public health emergency, the chief executive officer may appoint a different place at which the ordinary meeting is to be held.

It is important to note that Notice No 1 does not provide for the exclusion of the public from Council Committee meetings (via live streaming as for Council meetings) although Committee members have always legislatively been able to participate via electronic means subject to certain conditions being met.

The State's *Roadmap to Easing COVID-19 Restrictions* is gradually (in step form) reducing the social distancing restrictions thereby enabling the potential for physical meetings depending on the meeting space used, the number of attending and a range of hygiene and safety requirements being met.

A further relevant provision of Notice No 1 provides for additional clauses in s90 regarding meetings being open to the public. In summary s90(1a) states that a meeting will be taken to be open to the public even if Members are participating via electronic means as long as the CEO: (a) makes available a live stream of the meeting; or (b) if unable to make a live stream available, makes a recording of the meeting available on the council's website.

➤ **Risk Management Implications**

Ensuring the safe and practical meeting arrangements will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

There are negligible financial and resource implications associated with the resumption of physical Council Meetings, Workshops and Community Forums and these have been accommodated in the draft 2020-21 Annual Business Plan and Budget.

➤ **Customer Service and Community/Cultural Implications**

Council Meetings that are open to the public are a foundation of the democratic system of local government in South Australia notwithstanding that only a small proportion of the community avail themselves of the opportunity to attend. Live streaming the meetings under the Notice 1 provisions has resulted in a small number (6-10) of members of the public logging in to view portions of the Council Meetings.

As such, whether meetings are able to recommence in physical form or need to continue by electronic means, the community will continue to be provided with an opportunity to observe meeting proceedings.

Similarly access to Workshops and Professional Development Informal Gatherings is an important element of public accountability. Other than when these gatherings are closed under the provisions of the Policy, they will be available via physical attendance or live streaming for the public.

Community Forums are popular amongst segments of the community and the Administration has received queries from the public as to when the forums will recommence.

➤ **Sustainability Implications**

Not applicable

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: There have been brief discussions at recent Council workshops regarding the timing and conditions for the resumption of physical Council Meetings, Workshops and Community Forums.

Advisory Groups: Not Applicable

Administration: Executive Leadership Team
Manager Communications, Events and Engagement
Governance & Risk Coordinator
Executive Assistant - Mayor & CEO

External Agencies: Advice on the resumption of physical meetings has been received from Norman Waterhouse Lawyers, Kelledy Jones Lawyers, the Local Government Association and the Local Government Functional Support Group (LGFSG).

Community: Not Applicable

2. BACKGROUND

Council Meetings

At its 22 October 2019 Ordinary meeting Council resolved (245/19) the time and place of Council meetings (the full resolution is not included here due to being very long) in accordance with s81 of the Act. In summary one part of the resolution was for meetings commencing at 6.30pm on the fourth Tuesday of the month, to be held at 63 Mt Barker Road Stirling

At its 21 April 2020, Special meeting, Council received a report on the legislative changes associated with the conduct of Council Meetings by electronic means under Notice No 1. This report proposed changes to meeting-related documentation and the adoption of a number of resolutions to facilitate participation by electronic means. In consideration of the report Council resolved:

6.1 Electronic participation in Council Meetings (Notice 1/2020) – proposed compliance arrangements

Moved Cr Mark Osterstock
S/- Cr John Kemp

63/20

Council resolves:

1. That the report be received and noted
2. In accordance with the Minister for Transport, Infrastructure and Local Government's *Electronic Participation in Council Meetings Notice (No 1) 2020* (Notice No 1), pursuant to Section 302B of the *Local Government Act 1999*, Council amends the following documentation to facilitate participation by Council Members via electronic means:
 - a. Effective immediately to suspend the 28 January 2020 *Code of Procedure for Council Meeting Procedures* and to adopt the revised April 2020 *Code of Procedure for Council Meeting Procedures*, as contained in Appendix 3.
 - b. Effective immediately to suspend the 23 April 2019 *Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents* and to adopt the revised April 2020 *Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents*, as contained in Appendix 4.
 - c. Effective immediately to suspend the 22 November 2016 *Informal Council and Council Committee Gatherings and Discussions* and to adopt the revised April 2020 *Informal Council and Council Committee Gatherings and Discussions*, as contained in Appendix 5.
3. That, upon the expiry of the provisions of Notice No 1, the revised documents in 2. above cease and the suspended documents in 2. above be reinstated.
4. That, as from 21 April 2020 and until the expiry of the provisions of Notice No 1, meetings of the Council will take place by electronic means using the audio and visual functionality of the Zoom virtual meeting room as the electronic location.

Carried Unanimously

As a result of the above resolution, the April, May and June 2020 Ordinary meetings have/will be held by electronic means.

As noted in the Legal Implications section above, the Audit Committee and CEO Performance Review Panel meetings have continued to be held in person due to the ability to meet the social distancing requirements in place at the time.

From 1 June 2020, Step 2 arrangements for the State's *Roadmap to Easing COVID-19 Restrictions* commenced. As part of the revised arrangements, Council Meetings in physical locations are possible (in the AHC context), with restrictions for members of the public observing such meetings.

Council meetings can be held in physical locations provided that the following requirements are observed and followed¹:

- i. Make best endeavours to observe physical distancing (1.5 metres rule) for elected members, staff and members of the public.
- ii. Comply with the density requirement in relation to members of the public (including media representatives). The density requirement stipulates there needs to be four (4) square metres for each person. Only those parts of the meeting room that are used by members of the public may be included in this calculation.
- iii. Noting the above density requirements, councils must also limit the total members of the public observing the meeting (e.g. in the public gallery) to a maximum of 20 per room.
- iv. All members of the public must be seated during the conduct of the meeting.
- v. Onsite purchase and consumption of food or beverages is only permitted if persons are seated at tables and there are no communal food or beverage service areas (such as buffets).
- vi. Complete and retain a COVID Safe Plan.
- vii. Maintain contact tracing records of persons who attend as members of the public. Those records must include the following details in relation to each person attending:
 - a. time and date of the activity (i.e. meeting);
 - b. name of person attending (unless the person refuses to provide their name);
 - c. phone number or email address of person attending (unless the person refuses to provide a phone number or email address).

This Direction does not preclude councils from continuing to hold wholly electronic meetings, nor does it preclude individual council members from participating in council

¹ Local Government Association of South Australia, 'Requirements for council, committee and subsidiary meetings', dated 5 June 2020, accessed www.lga.sa.gov.au 12 June 2020.

meetings by electronic means (even though the meeting is held in a physical location), in accordance with the Electronic Participation in Council Meetings Notice No 1.

The Adelaide Hills Council Chamber at 63 Mt Barker Road, Stirling, contains sufficient space to enable 20 people to be present. However when considering the specific density requirements for members of the public as set out in (ii) above, this would practically only enable 2-3 people to attend a Council meeting.

Workshop and Professional Development Informal Gatherings

At its 22 October 2019 Ordinary meeting Council resolved (245/19) the arrangements in relation to Workshops and Professional Development sessions. The relevant extract of the resolution is as follows: (the full resolution is not included here due to it being very long)

4. Regarding Workshop and Professional Development Informal Gatherings:

- **Workshop Sessions be scheduled ordinarily at 6.30pm on the 2nd Tuesday of each month, to be held at 36 Nairne Road, Woodside.**
- **Professional Development Sessions be scheduled ordinarily at 6.30pm on the 3rd Tuesday of each month, to be held at 63 Mt Barker Road, Stirling.**
- **The Chief Executive Officer be authorised to make changes to the informal gathering schedule, timings and locations.**

As the COVID-19 social distancing restrictions came into effect in April, the Chief Executive Officer utilised the above authorisation to schedule the sessions as Zoom meetings.

Community Forums

At its 22 October 2019 Ordinary meeting Council resolved (245/19) the details relating to the holding of Community Forums. The relevant extract of the resolution is as follows: (the full resolution is not included here due to being very long)

5. That Community Forums be held in 2020 according to the following indicative schedule:

- **Tuesday 31 March 2020 at Mylor**
- **Tuesday 30 June 2020 at Basket Range**
- **Tuesday 29 September 2020 at Birdwood**

6. That the Chief Executive Officer be authorised to make changes to the Community Forum schedule to accommodate venue availability or other matters arising which necessitate change.

As the COVID-19 social distancing restrictions came into effect leading up to the 31 March 2020 Community Forum at Mylor, the Chief Executive Officer exercised his authorisation under part 6 of the above resolution to defer the Forum.

In the interim, the Communications, Engagement and Events Team produced the *Mylor Community Update* (available on Council's website) which provided information on a series of key issues associated with the Mayor community.

The proposed 20 June 2020 Community Forum at Basket Range has also been deferred due to an inability to safely achieve the social distancing restrictions.

3. ANALYSIS

Council Meetings

The current social distancing restrictions (as outlined in the Background section) enable Council Meetings to be conducted in the Council Chamber at 63 Mt Barker Road Stirling in terms of meeting the density requirements associated with the attendance of Council Members and staff. However, also as highlighted above, the density requirements would only enable 2-3 member of the public to attend.

On this basis there are a number of participation options available to Council:

- *Option 1: Continue with participation by electronic means*

This is a proven option that is consistent with the provisions of Notice No 1 and enables access for all Council Members, staff and members of the public, subject to internet connectivity.

- *Option 2: Mixed mode of participation*

The current technology used to enable participation of Council Members by electronic means (i.e. Zoom via iPad/Laptop) works reasonably well with all Members being in separate locations (as per Option 1) thereby avoiding sound spill and reverberation which can occur when two devices are too close to each other. As such, the potential to conduct meetings in a mixed mode (i.e. some Members in Chamber and some by electronic means) and comply with all of the provisions of Notice No 1 is problematic from a technology perspective.

Alternative participation via electronic means options such as audio only via dial-in (i.e. conference call) may be able to be accommodated with the current technology platform in the Council Chamber thereby enabling a mixed mode of participation.

- *Option 3: Resume physical meetings in the Council Chamber*

This option is consistent with the provisions of Notice No 1 only if the social distancing requirements (as per Step 2 in Background) and the new legislative requirements of s91(1a) of the Act (see Legal Implications) are met.

With the current technology, providing a video live stream [as per s91(1a)(a)] is problematic as highlighted in Option 2 however utilising the Chamber recording equipment and posting the recording of the meeting on the Council's website following the meeting [as per s91(1a)(b)] is feasible.

Given that there is enough space in the Chamber for 2-3 members of the public, signage would be needed on the website and at the venue entrance and once this space was filled any additional members of the public would be turned away or

some sort of booking or rotation system be introduced. This could be problematic as Council Meetings usually attract more than 2-3 attendees.

Irrespective of which attendance option is utilised, it is **not** proposed for the changes to the meeting-related documents (see Part 2 of resolution 63/20 in the Background) to revert back until Notice No 1 ceases or Council separately resolves to change the documents. This will result in some minor elements of the revised documents being unworkable depending on the participation option selected (as they were designed for full participation via electronic means). Nevertheless the provisions of those documents are unenforceable to the extent that they are inconsistent with the provisions of legislation and the Presiding Member will need to contemporaneously determine the appropriate meeting procedure to ensure compliance with the legislation.

Given the fluidity of the situation with regard to changes to social distancing requirements, it is recommended that Council resolve to have greater agility and responsiveness in determining meeting places by revoking part 4 of resolution 63/20 thereby enabling the Chief Executive Officer to exercise powers under s81(3a) of the Act to determine the places for Ordinary Meetings to be held.

Workshop and Professional Development Informal Gatherings

Consistent with part 4 of resolution 245/19 (see Background section) and the provisions of the Policy, the Chief Executive Officer will continue to determine the appropriate place for informal gatherings. One of these considerations will obviously be whether the sessions in the workshop are open to the public.

Community Forums

Consistent with part 6 of resolution 245/19 (see Background section), the Chief Executive Officer will continue to make changes to the Community Forum schedule.

Council's direction, via recommendation 4, is sought regarding the order of venues for upcoming forums.

4. OPTIONS

Council has the following options:

- I. To resolve in accordance with the recommendations. Doing so gives the Administration both direction and flexibility in determining the places (venues) for upcoming Council Meetings, Workshops and Community Forums. (Recommended)
- II. To determine alternative courses of action with respect upcoming Council Meetings, Workshops and Community Forums. The merits of these alternative courses would need to be explored.

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 12.7

Responsible Officer: Deryn Atkinson
Manager Development Services
Development & Regulatory Services

Subject: Policy of Notification - Accredited Professionals

For: Decision

SUMMARY

The South Australian planning and development system is undergoing the most significant change in the last 26 years. As part of these reforms, the State Government has reviewed the planning and development assessment system and rolled out new legislation, namely the *Planning, Development and Infrastructure Act 2016 (PDI Act)* which was assented by the Governor on 21 April 2016. Section 88 of the **PDI Act** establishes the Accredited Professionals Scheme and requires the Assessment Manager, Independent Assessment Panel Members and Building Surveyors to hold accreditation as a requirement for their roles. It is recommended that Council adopts a Policy setting out the requirements for accredited professionals to provide notification to the Council about their accreditation in specified circumstances. The Policy has been drafted using a template model policy provided by the Local Government Association (LGA).

The Policy is intended to commence on the designated day that the new Planning and Design Code and the full implementation of the PDI Act commences for our Council area. The current indication is this will be a day in September 2020 but the designated date is yet to be declared by the Minister for Planning.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To adopt the draft Policy of Notification – Accredited Professionals as detailed in *Appendix 2* of this report with a commencement date being the designated date of Phase 3 of the Planning & Design Code (and full implementation of the PDI Act) to be announced by the Minister for Planning in due course.
 3. That the CEO be permitted to make any formatting, nomenclature or other minor changes to the Policy before the designated date for Phase 3 of the Planning & Design Code.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5	A Progressive Organisation
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

The model policy

➤ Legal Implications

The *Planning, Development and Infrastructure Act 2016 (PDI Act)* was assented by the Governor on 21 April 2016 after the passage through Parliament. It is being implemented over 5 years with the Act being brought into operation in stages.

On 1 October 2017 the operation of Council Assessment Panel (CAP) pursuant to Sections 82 and 83 of the **PDI Act** commenced and the *Planning, Development and Infrastructure (General) Regulations 2017* (the **PDI Regulations**) came into operation.

The Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (the **PDI Accredited Professionals Regulations**) came into operation on 1 April 2019.

Section 15 of the **PDI Act** states the expected manner in which accredited professionals are to conduct themselves in carrying out their general duties under the **PDI Act and PDI Regulations**. Broadly it is expected that a professional will:

- Act in a cooperative and constructive way
- Be honest and open in interacting with other entities under the **PDI Act**
- Be prepared to find reasonable solutions to issues that affect other interested parties or third parties
- Exercise professional diligence
- Act honestly and in an impartial manner
- Be responsible and accountable
- Comply with the code of conduct

Section 91 of the **PDI Act** provides the penalties for a proven breach of duty by an accredited professional.

➤ **Risk Management Implications**

The adoption of the Policy of Notification – Accredited Professionals will assist in mitigating the risk of:

Council staff, CAP members or accredited professional contractors not obtaining or maintaining their required accreditation levels or, not making the CEO aware should they be audited or investigated, leading to the potential for decisions to be challenged for non-compliance with legislated requirements.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2D)	Low (2D)

The adoption of this new Policy involves mitigating the risk of legal challenges for the Council in relation to decisions of accredited professional staff, CAP members and contractors on grounds of an accredited professional not holding the level of accreditation required under the **PDI Act** or by a limitation or condition imposed on their accreditation.

➤ **Financial and Resource Implications**

There is a budget allocation to cover the cost of accreditation required for the relevant Council staff. Note that the cost of accreditation under the Accredited Professionals Scheme is discounted when a professional is also a member of a professional body.

➤ **Customer Service and Community/Cultural Implications**

Community consultation on the Planning Reforms has been undertaken by the State Planning Commission and Council. No community engagement or consultation is required for the implementation of this draft Policy as contained in **Appendix 2** given its administrative nature.

➤ **Sustainability Implications**

Not Applicable

➤ **Engagement/Consultation conducted in the development of the report**

Community consultation on the Planning Reforms has been undertaken by the State Planning Commission and Council. No community engagement or consultation is required for the implementation of this draft Policy as contained in **Appendix 2** given its administrative nature.

Consultation on the development of this report was as follows:

Council Committees: CAP Members

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: CEO and Director Development and Regulatory Services,
Building Team

External Agencies: Not Applicable

Community: Not Applicable

2. **BACKGROUND**

The South Australian planning and development system is undergoing the most significant change in the last 26 years. As part of these reforms, the State Government has reviewed the planning and development assessment system and rolled out new legislation, namely the *Planning, Development and Infrastructure Act 2016 (PDI Act)* which was assented by the Governor on 21 April 2016.

A key component of the **PDI Act** is the establishment by the Minister for Planning of an Accredited Professionals Scheme (the Scheme) for planners, building surveyors, land surveyors and Assessment Panel Members. The Accreditation Authority is a function of the Department of Planning, Transport and Infrastructure (DPTI).

Under the Scheme there are a range of accredited professionals who can make decisions on a proposed development, with accreditation levels related to the complexity of a development. The Scheme establishes the minimum standards against which professionals are assessed to determine their level of accreditation. There is a requirement for all accredited professionals other than those employed by state and local government to hold the necessary professional indemnity insurance. All accredited professionals are required to comply with a Code of Conduct in the same manner as members of professional bodies who are required to and, to participate in compliance checks for Continuing Professional Development (CPD). Accredited Professionals will be required to carry out and be seen to undertake their functions with the highest ethical standards so as to maintain public confidence and integrity in the system, and to comply with the Minister for Planning's Code of Conduct for the Accredited Professionals Scheme.

A centralised public register of all accredited professionals is recorded on the State Government's SA Planning Portal.

The following practitioners require accreditation:

- **Building Surveyors** who are involved in assessing building consent applications, including private certifiers, and building inspectors employed by local government
- **Urban & Regional Planners** who are involved in assessing development applications, including Assessment Managers and Assessment Panel members as well as private planning professionals
- **Land Surveyors** who are acting as relevant authorities for planning consent (land divisions only)
- **Allied Professionals** such as architects, lawyers, urban designers and landscape architects who are Assessment Panel members.

It should be noted that the Council member and deputy member on the CAP are not required to have accreditation.

The following positions require accreditation in relation to a council assessment service:

Position	Accredited Professional Level
Assessment Manager for the Council	Planning Level 1
CAP independent members	Planning Level 2
Building Surveyor Contractor	Building Level 1
Building Surveyors/Inspectors	Building Level 2 or Building Level 3

Staff occupying the above positions and CAP members are currently in the process of preparing applications for submission to DPTI as the Accreditation Authority. One independent CAP member is not seeking accreditation and recruitment is currently underway for this position with a view to the appointment being from the designated date of implementation of the full **PDI Act** and the Planning and Design Code. The Presiding Member of CAP already has the required accreditation but has applied for this to be renewed. Note that any accreditation is only valid for 12 months and therefore has to be renewed annually. Note that applications for accreditation by all persons occupying the abovementioned positions will be submitted to DPTI by 30 June 2020.

Ongoing Accreditation

An ongoing condition of accreditation under the Accreditation Scheme is that practitioners need to:

- undertake specified units of Continuing Professional Development (CPD)
- comply with the Accredited Professionals Code of Conduct
- maintain an appropriate level of insurance (private professionals only)
- participate in annual compliance checks
- pay an annual renewal fee
- notify the Chief Executive of Department of Planning, Transport and Infrastructure of any change in professional circumstances

3. ANALYSIS

The Local Government Association (LGA) has prepared a template document to assist councils in preparing a policy to outline the expectations of a council for professionals needing accreditation (refer to **Appendix 1** for a copy of the LGA's template policy). The Policy highlights the responsibilities for Accredited Professionals to take the necessary steps to gain and maintain accreditation under the **PDI Act** and **PDI Regulations**, including fulfilling all requirements of continuing professional development and acting in accordance with the Scheme's Code of Conduct. Staff have reviewed the template policy and made some suggested changes as detailed in **Appendix 1** via tracked changes. The drafting comments are retained by way of explanation, noting that councils have some discretion in relation to certain aspects of the template policy. The key suggested changes to the template policy are as follows:

3.1. Timeframe for notification of the occurrence of an event

The model Policy recommends a timeframe of 3 business days for an Accredited Professional to provide Council with notification in the following circumstances:

- from the date of notice of registration by the accreditation authority as an Accredited Professional (including any conditions or limitations imposed by the accreditation authority)
- from the date of engagement by the Council
- from the date of commencement of employment with the Council
- from the date of acceptance of an appointment to the CAP
- from the date of notice of renewal of accreditation (including any conditions or limitations imposed by the accreditation authority)
- occurrence of a notifiable event (including a copy of any correspondence or other documentation received from the accreditation authority)

The Administration consulted with the CAP members who considered that three business days was too short a timeframe, particularly for members who hold roles in other organisations where demands of these roles may make compliance difficult. The suggestion from the CAP Members was that the timeframe should be extended to five business days throughout the Policy.

3.2. Position of Person at Council to whom notification is provided

The model Policy recommends that the CEO of the Council is provided with the notification. As the CEO is the most senior member of the administration, the CEO is considered to be the appropriate person in Council to whom the notification should be provided. Note that the CEO is the person who appoints the Assessment Manager.

3.4 Notifiable Event

Notifiable Events are defined in clause 3.4 of the Policy.

Sub-clause 3.4.6 relates to audit reports provided to the Accredited Professional should an audit be conducted on behalf of the Accreditation Authority. Audits are intended to only occur for professionals in private practice. The Administration considers it is appropriate to retain this sub-clause in the Policy as Accredited Professionals may be engaged as contractors by Council or, as members of CAP.

Sub-clause 3.4.8 is relates to the CEO being provided with advice of a notice received by an Accredited Professional of a decision by the Accreditation Authority to investigate a complaint made against the Accredited Professional. The Administration considers it is appropriate to retain this sub-clause in the Policy.

4. OPTIONS

Council has the following options:

- I. That Council adopts the draft Policy as presented in **Appendix 2** (Recommended)
- II. To amend the Draft Policy in **Appendix 2** as considered appropriate

Should the Council identify the need for substantial amendments to the draft Policy, it is recommended that these be referred to Administration for review to allow for analysis of the implications of the amendments, prior to the matter being brought back to the Council for further consideration.

5. APPENDICES

- (1) Model Policy of Notification – Accredited Professionals – Template Draft Policy
- (2) Policy of notification – Accredited Professionals – For Adoption

Appendix 1

*Model Policy of Notification – Accredited
Professionals – Template Draft Policy*

Policy of Notification – Accredited Professionals

1. APPLICATION OF POLICY

1.1 This policy applies to all:

1.1.1 employees of the Council;

1.1.2 contractors and/or agents of the Council during the course of their engagement; and

1.1.3 members of Council’s Assessment Panel,

who are or become accredited as accredited professionals pursuant to the scheme established under Section 88 of the *Planning, Development and Infrastructure Act 2016 (Act)* and *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (Regulations)*.

1.2 For the purposes of this policy, the persons identified in Clause 1.1 are known as “Accredited Professionals”.

1.3 Clauses 2 and 3 of this Policy apply only to Accredited Professionals who require accreditation in order to carry out the functions and/or duties associated with their employment with, or engagement or appointment by, the Council.

2. RESPONSIBILITIES OF ACCREDITED PROFESSIONALS

2.1 All Accredited Professionals must take all steps necessary to gain and maintain accreditation under the Act and Regulations at the class required under the Act and Regulations for the role or function they have been employed, engaged or appointed to perform (**Accreditation**).

2.2 Without limiting Clause 2.1, all Accredited Professionals must:

2.2.1 take all steps necessary to maintain their Accreditation by applying for the continuation of their Accreditation annually as required under the Act and Regulations;

2.2.2 ensure they fulfil all requirements of continuing professional development under the Regulations; and

2.2.3 act in accordance with the Accredited Professionals Scheme Code of Conduct adopted by the Minister under Schedule 3 of the Act (**Code of Conduct**) when carrying out their functions and duties as an accredited professional.

3. OBLIGATIONS OF ACCREDITED PERSONS

3.1 An Accredited Professional must, within 5 business days of the occurrence of any of the following events:

3.1.1 the commencement of this Policy;

- 3.1.2 becoming registered as an Accredited Professional by the accreditation authority;
 - 3.1.3 commencing employment with the Council;
 - 3.1.4 being engaged by the Council to act as, or provide advice to the Council in the person's capacity as, an Accredited Professional; or
 - 3.1.5 accepting an appointment to the Council Assessment Panel provide a copy of his or her Accreditation to the CEO of the Council, including any conditions or limitations imposed on the Accreditation by the accreditation authority, unless the Accreditation has already been provided to the Council (for example, during the recruitment process).
- 3.2 An Accredited Professional must, within 5 business days of receiving confirmation of the renewal of his or her accreditation, provide a copy of the renewal to the CEO of the Council.
- 3.3 An Accredited Professional must, within 5 business days of the occurrence of a Notifiable Event (as defined in Clause 3.4), provide to the CEO of the Council written notification of the Notifiable Event and a copy of any correspondence or other documentation (including electronic) received from the accreditation authority in relation to the Notifiable Event.
- 3.4 Notifiable Event means:
- 3.4.1 a change to the class of an Accredited Professional's Accreditation;
 - 3.4.2 the addition, substitution or deletion of a condition or limitation on an Accredited Professional's Accreditation pursuant to Regulation 17(5) of the Regulations;
 - 3.4.3 the surrender by an Accredited Professional of his or her Accreditation pursuant to Regulation 20 of the Regulations;
 - 3.4.4 the cancellation or suspension of an Accredited Professional's Accreditation pursuant to Regulation 21(1) of the Regulations or Regulation 93A of the *Development Regulations 2008*;
 - 3.4.5 the provision of notice to an Accredited Professional by the accreditation authority of a proposal to suspend or cancel the Accredited Professional's Accreditation pursuant to Regulation 22(1) of the Regulations;
 - 3.4.6 the provision of a final report by a qualified auditor pursuant to Regulation 27(13) of the Regulations, where a copy of the report is provided to the Accredited Professional;
 - 3.4.7 any action taken by the accreditation authority (including giving directions to an Accredited Professional) pursuant to Regulation 27(14), (15) or (16) of the Regulations;
 - 3.4.8 the provision of notice to an Accredited Professional of a decision by the accreditation authority to investigate a complaint made against the


Accredited Professional under Regulation 28 of the Regulations which relates to an act or omission of the Accredited Professional in the course of their employment with, or engagement or appointment by, the Council;

- 3.4.9 the provision of a final report of an investigator to the accreditation authority pursuant to Regulation 28(11)(b) of the Regulations, or the outcome of any process that the accreditation authority has adopted to investigate a complaint made against an Accredited Professional pursuant to Regulation 28 of the Regulations;
 - 3.4.10 any action taken by the accreditation authority against an Accredited Professional pursuant to Regulation 28(13) of the Regulations following the investigation of a complaint;
 - 3.4.11 any decision made by the South Australian Civil and Administrative Tribunal (SACAT) or any South Australian Court in relation to an Accredited Professional's Accreditation;
 - 3.4.12 a finding of guilt for an offence against the Act or the *Development Act 1993 (Repealed Act)*; and
 - 3.4.13 a finding of guilt for an offence against any regulations under the Act or the Repealed Act, including the Regulations.
- 3.5 The CEO may take such action as is reasonable and appropriate in relation to:
- 3.5.1 the failure of an Accredited Professional to comply with Clauses 3.1 to 3.3 of this policy; or
 - 3.5.2 written notification from an Accredited Professional of a Notifiable Event.

Appendix 2

*Policy of notification – Accredited Professionals – For
Adoption*

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<p>POLICY OF NOTIFICATION – ACCREDITED PROFESSIONALS</p>
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<p>Policy Number:</p>	<p>To be allocated by Governance & Performance Department</p>
<p>Responsible Department(s):</p>	<p>Development & Regulatory Services</p>
<p>Responsible Officer</p>	<p>Assessment Manager</p>
<p>Other Relevant Policies:</p>	<p>N/A</p>
<p>Relevant Procedure(s):</p>	<p>N/A</p>
<p>Relevant Legislation:</p>	<p>Planning, Development & Infrastructure Act, 2016 Planning, Development and Infrastructure (General) Regulations 2017</p>
<p>Policies and Procedures Superseded by this policy on its Adoption:</p>	<p>N/A</p>
<p>Approver:</p>	<p>Council</p>
<p>Effective From:</p>	<p>The designated date of Phase 3 of the Planning & Design Code, as determined by the Minister for Planning</p>
<p>Next Review:</p>	<p>No later than 2 years after the designated date or as required by legislation or changed circumstances</p>

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.1	<i>To be entered administratively</i>	<i>To be entered administratively</i>	<i>Council resolution</i>

DRAFT

1. Application of policy

1.1 This policy applies to all:

- 1.1.1 employees of the Council;
- 1.1.2 contractors and/or agents of the Council during the course of their engagement; and
- 1.1.3 members of Council's Assessment Panel,

who are or become accredited as accredited professionals pursuant to the scheme established under Section 88 of the *Planning, Development and Infrastructure Act 2016 (Act)* and *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (Regulations)*.

1.2 For the purposes of this policy, the persons identified in Clause 1.1 are known as "Accredited Professionals".

1.3 Clauses 2 and 3 of this Policy apply only to Accredited Professionals who require accreditation in order to carry out the functions and/or duties associated with their employment with, or engagement or appointment by, the Council.

2. Responsibilities of Accredited Professionals

2.1 All Accredited Professionals must take all steps necessary to gain and maintain accreditation under the Act and Regulations at the class required under the Act and Regulations for the role or function they have been employed, engaged or appointed to perform (**Accreditation**).

2.2 Without limiting Clause 2.1, all Accredited Professionals must:

- 2.2.1 take all steps necessary to maintain their Accreditation by applying for the continuation of their Accreditation annually as required under the Act and Regulations;
- 2.2.2 ensure they fulfil all requirements of continuing professional development under the Regulations; and
- 2.2.3 act in accordance with the Accredited Professionals Scheme Code of Conduct adopted by the Minister under Schedule 3 of the Act (**Code of Conduct**) when carrying out their functions and duties as an accredited professional.

3. Obligations of Accredited Persons

3.1 An Accredited Professional must, within 5 business days of the occurrence of any of the following events:

- 3.1.1 the commencement of this Policy;
- 3.1.2 becoming registered as an Accredited Professional by the accreditation authority;

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- 3.1.3 commencing employment with the Council;
 - 3.1.4 being engaged by the Council to act as, or provide advice to the Council in the person's capacity as, an Accredited Professional; or
 - 3.1.5 accepting an appointment to the Council Assessment Panel provide a copy of his or her Accreditation to the CEO of the Council, including any conditions or limitations imposed on the Accreditation by the accreditation authority, unless the Accreditation has already been provided to the Council (for example, during the recruitment process).
- 3.2 An Accredited Professional must, within 5 business days of receiving confirmation of the renewal of his or her accreditation, provide a copy of the renewal to the CEO of the Council.
- 3.3 An Accredited Professional must, within 5 business days of the occurrence of a Notifiable Event (as defined in Clause 3.4), provide to the CEO of the Council written notification of the Notifiable Event and a copy of any correspondence or other documentation (including electronic) received from the accreditation authority in relation to the Notifiable Event.
- 3.4 Notifiable Event means:
- 3.4.1 a change to the class of an Accredited Professional's Accreditation;
 - 3.4.2 the addition, substitution or deletion of a condition or limitation on an Accredited Professional's Accreditation pursuant to Regulation 17(5) of the Regulations;
 - 3.4.3 the surrender by an Accredited Professional of his or her Accreditation pursuant to Regulation 20 of the Regulations;
 - 3.4.4 the cancellation or suspension of an Accredited Professional's Accreditation pursuant to Regulation 21(1) of the Regulations or Regulation 93A of the *Development Regulations 2008*;
 - 3.4.5 the provision of notice to an Accredited Professional by the Accreditation Authority of a proposal to suspend or cancel the Accredited Professional's Accreditation pursuant to Regulation 22(1) of the Regulations;
 - 3.4.6 the provision of a final report by a qualified auditor pursuant to Regulation 27(13) of the Regulations, where a copy of the report is provided to the Accredited Professional;
 - 3.4.7 any action taken by the accreditation authority (including giving directions to an Accredited Professional) pursuant to Regulation 27(14), (15) or (16) of the Regulations;
 - 3.4.8 the provision of notice to an Accredited Professional of a decision by the Accreditation Authority to investigate a complaint made against the Accredited Professional under Regulation 28 of the Regulations which relates to an act or omission of the Accredited Professional in the course of their employment with, or engagement or appointment by, the Council;

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- 3.4.9 the provision of a final report of an investigator to the Accreditation Authority pursuant to Regulation 28(11)(b) of the Regulations, or the outcome of any process that the accreditation authority has adopted to investigate a complaint made against an Accredited Professional pursuant to Regulation 28 of the Regulations;
 - 3.4.10 any action taken by the Accreditation Authority against an Accredited Professional pursuant to Regulation 28(13) of the Regulations following the investigation of a complaint;
 - 3.4.11 any decision made by the South Australian Civil and Administrative Tribunal (SACAT) or any South Australian Court in relation to an Accredited Professional's Accreditation;
 - 3.4.12 a finding of guilt for an offence against the Act or the *Development Act 1993 (Repealed Act)*; and
 - 3.4.13 a finding of guilt for an offence against any regulations under the Act or the Repealed Act, including the Regulations.
- 3.5 The CEO may take such action as is reasonable and appropriate in relation to:
- 3.5.1 the failure of an Accredited Professional to comply with Clauses 3.1 to 3.3 of this policy; or
 - 3.5.2 written notification from an Accredited Professional of a Notifiable Event.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item:	12.8
Responsible Officer:	Andrew Aitken Chief Executive Officer Office of the Chief Executive
Subject:	Disclosure of interest – Adelaide Hills Tourism
For:	Decision

SUMMARY

Adelaide Hills Tourism Incorporated (AHT) is an independent regional tourism organisation constituted as an Incorporated Association and covers the geographical areas of the Adelaide Hills Council (AHC) and Mount Barker District Councils (MBDC). AHT is governed by a volunteer Board comprising representatives of these funding partners and other key stakeholders including industry associations, the Adelaide Hills, Fleurieu and Kangaroo Island RDA and tourism operators. Funding for AHT is also received from the South Australian Tourism Commission.

The Chief Executive Officer, Andrew Aitken, and Manager Economic Development, Melissa Bright, are both current Board members of AHT.

In accordance with the requirements of s120(1) of the *Local Government Act 1999*, Andrew Aitken is disclosing an interest in relation to AHT and seeking Council's approval to continue to act in relation to the AHT Board.

The purpose of this report is to seek Council's approval for Andrew Aitken to continue to act in the course of his official duties as the Chief Executive Officer in relation to matters involving AHT.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To note the declaration of interest by Chief Executive Officer, Andrew Aitken, in relation to being a Board Member of Adelaide Hills Tourism.**
 - 3. To determine that Chief Executive Officer, Andrew Aitken, is authorised to act in relation to his official duties as Chief Executive Officer of the Adelaide Hills Council in matters relating to Adelaide Hills Tourism.**
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1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

➤ Legal Implications

Section 120 of the *Local Government Act 1999* (the Act) sets out the provisions in relation to Council Employees (including the Chief Executive Officer) declaring and managing conflict of interest (COI) encountered in the course of discharging their official duties.

It is important to note that these provisions are not the same as those applying to Council Members under ss73-75A of the Act due to the considerable differences in the role of the Council Member and the role of a Council Employee.

Section 120 contemplates two different COI scenarios being those that involve the Chief Executive Officer and those that involve an employee of the Council (not being the Chief Executive Officer).

For the purposes of this report, only the former will be discussed. The relevant elements of s120 are as follows:

- (1) The chief executive officer of a council who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties—
 - (a) must disclose the interest to the council; and
 - (b) must not, unless the council otherwise determines during a council meeting that is open to the public, act in relation to the matter.

Maximum penalty: \$5 000.

-
- (5) An employee has an interest in a matter if the employee, or a person with whom the employee is closely associated, would, if the employee acted in a particular manner in relation to the matter, receive or have a reasonable expectation of receiving a direct or indirect pecuniary benefit or a non-pecuniary benefit or suffer or have a reasonable expectation of suffering a direct or indirect pecuniary detriment or a non-pecuniary detriment.
 - (6) A person is closely associated with an employee of a council—
 - (a) if that person is a body corporate of which the employee is a director or a member of the governing body; or

➤ **Risk Management Implications**

While Council Members have previously been advised by the CEO of his board membership of AHT, this report serves to formalise this advice.

The effective management of Council Member and Council Employee interests will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

Not applicable

➤ **Customer Service and Community/Cultural Implications**

Not applicable

➤ **Sustainability Implications**

Not applicable

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not applicable

Council Workshops: Not applicable

Advisory Groups: Not applicable

Administration: Executive Manager Governance & Performance
Manager Economic Development

External Agencies: Not applicable

Community: Not applicable

2. BACKGROUND

Adelaide Hills Tourism (AHT) is an independent regional tourism organisation constituted as an Incorporated Association and covers the geographical areas of the Adelaide Hills Council (AHC) and Mount Barker District Council (MBDC) and is determined by the South Australian Tourism Commission (SATC) as a separate tourism region.

AHT provides direction and market intelligence, coordinates marketing and provides connectivity between tourism operators and government. It is governed by a volunteer board comprising tourism operators, industry sector and regional stakeholder representatives, and the main funding partners (MBDC and AHC).

The Chief Executive Officer, Andrew Aitken, and Manager Economic Development, Melissa Bright, are both current Board members of AHT. Both were appointed following a review of the AHT constitution and governance structure in 2018 and based on their operational roles with the Adelaide Hills Council (as one of the two council funding bodies).

Council has provided funding to AHT since 1997. A two year funding agreement was approved at the Council meeting on 24 April 2018 and will expire on 30 June 2020.

3. ANALYSIS

As a Board Member of AHT, irrespective that the position is entirely by virtue of his role as the Chief Executive Officer of a major funding partner, Adelaide Hills Council, there is the potential for a benefit or detriment to a 'person closely associated' (i.e. AHT) with Andrew if, as Chief Executive Officer, he acts in a particular manner in relation to AHT in the course of his official duties.

With the upcoming expiry of the AHT funding agreement and the need for Council to consider a report in relation to this agreement at an upcoming meeting, it is timely for Council to consider this disclosure of an interest [for the purposes of s120(1)(a)] and determine whether he may continue to act in relation to the matter [for the purposes of s120(1)(b)].

4. OPTIONS

Council has the following options:

- I. To note the disclosure of an interest. (Recommended)
- II. To determine whether the Chief Executive Officer can continue to act in relation to dealings with AHT (Recommended)

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 12.9

Responsible Officer: Steven Watson
Governance & Risk Coordinator
Office of the Chief Executive

Subject: Delegations Review

For: Decision

SUMMARY

In accordance with Section 44 (6a) of the *Local Government Act 1999*, the council may at any time, and must within 12 months after the conclusion of each periodic election, review the delegations.

Additionally in accordance with Section 100 of the *Planning, Development and Infrastructure Act 2016*, Council may consider delegating some or all of the powers and functions of *Instrument B1, Powers of the Council as a Relevant Authority*.

This report addresses delegations under the following Acts:

- *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019*
- *Local Government Act 1999*
- *Planning, Development and Infrastructure Act 2016*

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. That, having considered a review of Council's Delegations as presented, the Council:
 - 2.1 Revocation:

Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

- 2.1.1 *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019*
- 2.1.2 *Local Government Act 1999*

- 2.1.3 Planning, Development and Infrastructure Act 2016**
- 2.2 Delegations made under the *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019***
- 2.2.1** In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019 and marked Appendix 2*) are hereby delegated this 23rd day of June 2020 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 herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 2.2.2** Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 2.3 Delegations made under the Local Government Act 1999:**
- 2.3.1** In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Local Government Act 1999* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Local Government Act 1999 and marked Appendix 3*) are hereby delegated this 23rd day of June 2020 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 herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 2.3.2** Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- 2.4 Delegations made under the Local Government Act 1999 the powers and functions under Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement):**
- 2.4.1** 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 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated*

Authority: A Designated Entity (until full PDI commencement) and marked Appendix 4) are hereby delegated this 23rd day of June 2020 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 herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.4.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

2.5 Delegations made under the Local Government Act 1999 the powers and functions under Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity:

2.5.1 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* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity and marked Appendix 5*) are hereby delegated this 23rd day of June 2020 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 herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.5.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

2.6 Delegations made under the Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority:

2.6.1 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* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority and marked Appendix 6*) are hereby delegated this 23rd day of June 2020 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 herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.6.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

Council's Delegations Register is a key component of the wider Governance Framework.

➤ Legal Implications

In accordance with Section 44 (6a) of the *Local Government Act 1999*, the council may at any time, and must within 12 months after the conclusion of each periodic election, review the delegations.

Additionally in accordance with Section 100 of the *Planning, Development and Infrastructure Act 2016*, Council may consider delegating some or all of the powers and functions of *Instrument B1, Powers of the Council as a Relevant Authority*.

➤ Risk Management Implications

The maintenance of a robust legislative delegation regime is an important control in managing the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note: there are many other controls that also assist in mitigating this risk.

➤ Financial and Resource Implications

Not directly applicable.

➤ Customer Service and Community/Cultural Implications

Delegations allow Council's legislative obligations to be discharged in an effective and efficient manner and enable the administration

➤ Sustainability Implications

Not directly applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Director Development & Regulatory Services
Executive Manager Governance & Performance
Manager Development Services

External Agencies Norman Warehouse Lawyers
Local Government Association of South Australia

Community: Not Applicable

2. **BACKGROUND**

Legislation is constantly changing and subsequently these changes may affect the day to day operations of Council. In order to ensure Council and staff are working with the updated legislation and have the appropriate delegations to carry out the various legislative functions a review of the delegations is now required. Model Delegations are provided by the Local Government Association (LGA) and have been used as a basis for this review.

Delegations can be revoked by the Council at any time and Council retains the right to act on any matter even if it has been delegated.

A schedule of reviews (**Appendix 1**) has been developed to ensure delegations under all Acts/Regulations are reviewed in line with legislative requirements.

The following Acts and Regulations are being reviewed at this time:

- *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019*
- *Local Government Act 1999*
- *Planning, Development and Infrastructure Act 2016*

The Acts/Regulations with amendments in this review are:

3.1 Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019:

It is recommended that the powers and functions be delegated to the Chief Executive Officer.

3.2 Instrument of Delegation under the Local Government Act 1999:

It is recommended that the powers and functions be delegated to the Chief Executive Officer.

3.3 Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement):

It is recommended that the powers and functions be delegated to the Chief Executive Officer.

Additionally two (2) new instruments of delegation have been established and included in this review:

3.4 Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity:

It is recommended that the powers and functions be delegated to the Chief Executive Officer.

3.5 Instrument of Delegation under the Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority:

It is recommended that the powers and functions be delegated to the Chief Executive Officer.

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

3. OPTIONS

It is a matter for Council to determine whether it will delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices. The previous delegations must be revoked and replaced with the new delegations.

4. APPENDICES

- (1) Delegations Review Schedule
- (2) Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019
- (3) Instrument of Delegation under the Local Government Act 1999
- (4) Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)
- (5) Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity
- (6) Instrument of Delegation under the Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority

Appendix 1

Delegations Review Schedule

AHC Subdelegation Number	Legislative Act	Review Period November 2018 - October 2022							
Number	Instrument Of Subdelegation	November 2018 - October 2019				November 2019 - October 2020			
1	Burial & Cremation Act 2013 and the Burial and Cremation Regulations 2014		Deferred to April 2019	23-Apr-19					
2	Community Titles Act 1996	18-Dec					17-Dec-19		
3	Crown Land Management Act 2009	18-Dec					17-Dec-19		
4	Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019				25-Jun-19	Update 24 Sept 19			23-Jun-20
5	Dog & Cat Management Act 1995				25-Jun-19				
6	Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010			New 23/04/2019					
7	Electronic Conveyancing National Law (SA) Act					24-Sep-19			
8	Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010		Deferred to April 2019	23-Apr-19					
9	Expiation of Offences Act 1996		Deferred to April 2019	23-Apr-19					
10	Fences Act 1974		Deferred to April 2019	23-Apr-19					
11	Fines Enforcement and Debt Recovery Act 2017 (commences 30 April 2018)				25-Jun-19				
12	Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005					24-Sep-19			
13	Food Act 2001		Deferred to April 2019	23-Apr-19					
14	Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003				25-Jun-19				
15	Gas Act 1997			New 23/04/2019					
16	Heavy Vehicle National Law (South Australia) Act 2013	18-Dec		Update 23/04/2019			17-Dec-19		
17	Land & Business (Sale and Conveyancing) Act 1994				25-Jun-19				
18	Liquor Licensing Act 1997	18-Dec			Update 25/06/2019		17-Dec-19		
19	Local Government Act 1999			Update 23/04/2019	Update 25/06/2020	Update 24 Sept 19			23-Jun-20
20	Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017		Deferred to April 2019	23-Apr-19					
21	Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005				25-Jun-19				
22	Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)					24-Sep-19			23-Jun-20
23	Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity								23-Jun-20
24	Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority								23-Jun-20
25	Planning, Development and Infrastructure Act 2016 - Instrument C1 Powers of an Assessment Panel							10-Jun-20 CAP Meeting	
26	Planning Development and Infrastructure Act 2016 - Instrument D1 Powers of an Assessment Manager								Ass/Manager to Sub-delegate following CAP/Council
27	Private Parking Areas Act 1986	18-Dec					17-Dec-19		
28	Real Property Act 1886			Update 23/04/2019	25-Jun-19				
29	Roads (Opening & Closing) Act 1991					24-Sep-19			
30	Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014				25-Jun-19				
31	Safe Drinking Water Act 2012		Deferred to April 2019	23-Apr-19					
32	South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013					24-Sep-19			
33	State Records Act 1997					New 24 Sept 19			
34	Strata Titles Act 1999	18-Dec					17-Dec-19		
35	Supported Residential Facilities Act 1992		Deferred to April 2019	23-Apr-19					
36	Unclaimed Goods Act 1987		Deferred to April 2019	23-Apr-19					
37	Water Industry Act 2012 and Water Industry Regulations 2012		Deferred to April 2019	23-Apr-19					
38	Work Health Safety Act 2012	18-Dec					17-Dec-19		

Appendix 2

*Instrument of Delegation under the
Development Act 1993, Development (Development
Plans) Amendment Act 2006 and Development
Regulations 2008, Development (Waste
Reform) Variation Regulations 2019*

Delegations Review 23 June 2020
Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307029	s6(3)	Development Act 1993	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307428	s6(3)	Development Act 1993	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307030	s18(1)	Development Act 1993	<p>2. Appointment of Authorised Officers</p> <p>2.1 The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307031	s18(2)	Development Act 1993	<p>2. Appointment of Authorised Officers</p> <p>2.2 The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307032	s18(3)	Development Act 1993	<p>2. Appointment of Authorised Officers</p> <p>2.3 The duty, pursuant to Section 18(3) of the Act to issue an authorised officer with an identity card.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

Delegations Review 23 June 2020
Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (80), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307033	s18(5)	Development Act 1993	2. Appointment of Authorised Officers 2.4 The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307034	s20(8)	Development Act 1993	3. Delegations 3.1 The duty pursuant to Section 20(8) of the Act to ensure that notice of a delegation under Section 20 of the Act is, in prescribed circumstances, given in the Gazette.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307035	s24(1)(a)(i)	Development Act 1993	4. Council or Minister May Amend a Development Plan 4.1 Where an amendment relates to the area, or part of the area, of a council, the power pursuant to Section 24(1)(a)(i) of the Act to prepare an amendment to a Development Plan.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307036	s24(1)(b)(i)	Development Act 1993	4. Council or Minister May Amend a Development Plan 4.2 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(i) to consult with the Minister.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307037	s24(1)(b)(ii)	Development Act 1993	4. Council or Minister May Amend a Development Plan 4.3 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307038	s24(1a)	Development Act 1993	4. Council or Minister May Amend a Development Plan		Chief Executive Officer (95),

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			4.4 The power pursuant to Section 24(1a) of the Act and in accordance with subdivision 2 of Division 2 Part 3 of the Act to act jointly with one or more councils in preparing amendments to 1 or more Development Plans under sub Section (1)(a)(i) or (1)(b)(ii) of the Act.	To be read in conjunction with CAP Delegation Policy	Director Development and Regulatory Services (70)
307039	s24(1)(a)(iva)	Development Act 1993	4. Council or Minister May Amend a Development Plan 4.5 The power pursuant to section 24(1)(a)(iva) of the Act, where the Council or the Delegate has, after commencing the processes associated with making an amendment as set out in Section 25 of the Act, to subsequently decide not to proceed with the amendment after all.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307040	s 24(1b)	Development Act 1993	4. Council or Minister May Amend a Development Plan 4.6 The power pursuant to Section 24(1b) of the Act to make submissions in relation to the matter within the period specified by the Minister.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307041	s24(2a)	Development Act 1993	4. Council or Minister May Amend a Development Plan 4.7 The power pursuant to Section 24(2a) of the Act to make submissions (within a period specified in the notice) in relation to a matter.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307042	s 25(1)	Development Act 1993	5. Amendments by a Council 5.1 The power pursuant to Section 25(1) of the Act to prepare a 'Statement of Intent' in accordance with the Regulations.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307043	s25(1)	Development Act 1993	5. Amendments by a Council 5.2 The power pursuant to Section 25(1) of the Act to reach agreement with the Minister on a 'Statement of Intent' prepared by the Council.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307044	s25(4) and 25(5)	Development Act 1993	5. Amendments by a Council 5.3 Subject to Sections 25(4) and 25(5) of the Act the power pursuant	Subject to sign-off by	Chief Executive Officer (95), Director Development and

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>to Section 25(3) of the Act to prepare a proposal, to be called a 'Development Plan Amendment' (or DPA) that complies with the following requirements:</p> <p>5.3.1 the DPA must be based on the outcome of investigations initiated by the Council or the Delegate in accordance with the terms of the Statement of Intent and such other investigations (if any) as the Council or the Delegate thinks fit;</p> <p>5.3.2 the DPA must include an assessment of the extent to which the proposed amendment:</p> <p>5.3.2.1 accords with the Planning Strategy; and</p> <p>5.3.2.2 accords with the Statement of Intent; and</p> <p>5.3.2.3 accords with other parts of the Development Plan; and</p> <p>5.3.2.4 complements the policies in the Development Plans for adjoining areas; and</p> <p>5.3.2.5 satisfies the matters prescribed in the Regulations;</p> <p>5.3.3 the DPA must include:</p> <p>5.3.3.1 an explanation of the intent of the proposed amendments, the relationship between that intent and the policy of the Statement of Intent, and a summary of the major policy changes (if any) that are proposed; and</p> <p>5.3.3.2 a summary of the conclusions drawn from the investigations and assessments referred to above; and</p>	<p>SPDPC To be read in conjunction with CAP Delegation Policy</p>	<p>Regulatory Services (70), Senior Strategic and Policy Planner (200)</p>

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>5.3.3.3 a draft of the amendment, or a draft of the relevant section of the Development Plan as amended (with the amendments shown in a distinctive manner);</p> <p>5.3.4 the DPA must include an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (with respect to both physical and social infrastructure) identified by the Council through strategic planning or other processes undertaken by the Council under the Act or the Local Government Act 1999 or identified by a Minister, or any other relevant government agency, in accordance with any scheme set out in the Regulations, in connection with the preparation of the DPA under the Act;</p> <p>5.3.5 the DPA must include any other matter prescribed by the Regulations.</p>		
307045	s25(3)(a)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.4 The power pursuant to Section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307046	s25(4)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.5 The duty, pursuant to Section 25(4) of the Act to prepare a DPA only after the Delegate has considered the advice of a person with prescribed qualifications.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307047	s25(5)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.6 The power pursuant to Section 25(5) of the Act to not, except as authorised by the Minister, propose an amendment to a part of a Development Plan that has been declared by the Minister by notice in the Gazette as being part of a set of standard policy modules for the</p>	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			purposes of the Act.		
307048	s25(6)	Development Act 1993	5. Amendments by a Council 5.7 The duty pursuant to Section 25(6) of the Act to deal with a DPA in accordance with process A, B or C as described by the Act, depending on an agreement reached between the Council or the Delegate and the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307049	s25(6)	Development Act 1993	5. Amendments by a Council 5.8 The power pursuant to Section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307050	s25(7)(a)	Development Act 1993	5. Amendments by a Council 5.9 Process A 5.9.1 The duty pursuant to Section 25(7)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent, for comment within the period prescribed by the Regulations.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307430	s25(7)(b)	Development Act 1993	5. Amendments by a Council 5.9 Process A 5.9.2 The power pursuant to Section 25(7)(b) of the Act, if a response is not received within the period that applies under Section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307431	s 25(7)(c)	Development Act 1993	5. Amendments by a Council 5.9 Process A 5.9.3 The power pursuant to Section 25(7)(c) of the Act to consult with	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy

Delegations Review 23 June 2020
Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the Minister.		Planner (200)
307432	s25(7)(c)(i)	Development Act 1993	5. Amendments by a Council 5.9 Process A 5.9.4 The duty pursuant to Section 25(7)(c)(i) of the Act to comply with the requirement of the Minister to make an alteration to the DPA.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307433	s25(10), 25(11), 25(12) and 25(12a)	Development Act 1993	5. Amendments by a Council 5.9 Process A 5.9.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(7)(d) of the Act to release the DPA for public consultation in accordance with the Regulations), over a period of at least 8 weeks.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307051	s25(8)(a)	Development Act 1993	5. Amendments by a Council 5.10 Process B 5.10.1 The duty pursuant to Section 25(8)(a) of the Act, if required by the Minister, to first refer the DPA to the Minister for consideration. 5.10.2 The power, pursuant to Section 25(8)(a) of the Act, to consult with the Minister. 5.10.3 The duty pursuant to Section 25(8)(a)(i) of the Act to comply with a requirement of the Minister to make an alteration to the DPA. 5.10.4 Subject to complying with Section 25(8)(a) of the Act, (if relevant) the duty and power pursuant to Section 25(8)(b)(i) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 8 weeks, and, if a	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.10.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act the duty pursuant to Section 25(8)(b)(ii) of the Act to release the DPA for public consultation in accordance with the Regulations over a period that is at least concurrent with the period that applies under Section 25(8)(b)(i) of the Act.</p>		
307052	s25(9)(a)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.11 Process C</p> <p>5.11.1 The duty and power pursuant to Section 25(9)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 4 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.11.2 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(9)(b) of the Act to release the DPA for public consultation in accordance with the Regulations, over a period that is at least concurrent with the period that applies under Section 25(9)(a) of the Act.</p> <p>5.11.3 The duty pursuant to Section 25(9)(c) of the Act, at the time that the DPA is released for public consultation, to give:</p> <p>5.11.3.1 an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)</p>

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			5.11.3.2 an owner or occupier of each piece of adjacent land to land that is directly subject to the operation of the proposed amendment, a written notice in accordance with the Regulations.		
307053	s25(10)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.12 The duty pursuant to Section 25(10) of the Act to not release a DPA for public consultation unless or until the Chief Executive Officer of the Council has, on behalf of the Council, issued a certificate in the prescribed form relating to the extent to which the proposed amendment:</p> <p>5.12.1 accords with the Planning Strategy; and</p> <p>5.12.2 accords with the Statement of Intent; and</p> <p>5.12.3 accords with other parts of the Development Plan; and</p> <p>5.12.4 complements the policies in the Development Plans for adjoining areas; and</p> <p>5.12.5 satisfies the matters prescribed in the Regulations.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307054	s25(11)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.13 In addition to any requirement prescribed by the Regulations, the duty pursuant to Section 25(11) of the Act for the purposes of undertaking the public consultation, to:</p> <p>5.13.1 allow interested persons to make representations in writing in relation to the matter over the period that applies for the purposes of the public consultation; and</p> <p>5.13.2 subject to Section 25(11)(b) of the Act and in accordance with</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)

Delegations Review 23 June 2020
Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>the Regulations, hold within the area of the Council at least 1 meeting where members of the public may attend and make representations in relation to the matter,</p> <p>5.13.3 appoint a committee (which may, but need not, include members of the Council) to consider any representations made under Sections 25(11)(a) or 25(11)(b) of the Act and to provide advice in relation to those representations.</p>		
307055	s25(12)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.14 If a proposed amendment designates a place as a place of local heritage value, the duty pursuant to Section 25(12) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land constituting a place proposed as a place of local heritage value a written notice:</p> <p>5.14.1 informing the owner of the proposed amendment, and</p> <p>5.14.2 inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307056	s25(12a)	Development Act 1993	<p>5. Amendments by a Council</p> <p>5.15 If a proposed amendment declares a tree to be a significant tree or a stand of trees to be significant trees, the duty pursuant to Section 25(12a) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land where the tree or trees are located a written notice:</p> <p>5.15.1 informing the owner of the proposed amendment; and</p> <p>5.15.2 inviting the owner to make submissions on the amendment within the period provided for public consultation under the</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Regulations.		
307057	s25(13)(a)	Development Act 1993	5. Amendments by a Council 5.16 The duty pursuant to Section 25(13)(a) of the Act, after complying with the requirements of Sections 25(1)-(12a) of the Act, to, in accordance with the Regulations prepare a report on the matters raised during the consultation period, on the reasons for any failure to comply with any time set for any step under Sections 25(1)-(12a) of the Act, and on any recommended alterations to the proposed amendment.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307058	s25(13)(b)	Development Act 1993	5. Amendments by a Council 5.17 The power pursuant to Section 25(13)(b) of the Act, if the Delegate thinks fit, by notice in writing to the Minister, to decline to proceed any further with an amendment.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307059	s25(13)(a);	Development Act 1993	5. Amendments by a Council 5.18 The duty to send to the Minister: 5.18.1 a copy of a report under Section 25(13)(a); and 5.18.2 a certificate from the Chief Executive Officer; pursuant to and in accordance with Section 25(14) of the Act and the Regulations.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307060	s25(15)(d) and 25(15)(f)	Development Act 1993	5. Amendments by a Council 5.19 The power pursuant to Sections 25(15)(d) and 25(15)(f) of the Act to consult with the Minister.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307061	s25(21)	Development Act 1993	5. Amendments by a Council 5.20 The power pursuant to and in accordance with Section 25(21) of the Act to consult with, and make submissions to the Minister.	Subject to sign-off by SPDPC To be read in	Chief Executive Officer (95)

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				conjunction with CAP Delegation Policy	
307062	s25(23)	Development Act 1993	5. Amendments by a Council 5.21 The power pursuant to Section 25(23) of the Act to consult with the Minister.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307063	s26(5)(d)(i)	Development Act 1993	6. Amendments by the Minister 6.1 The power pursuant to Section 26(5)(d)(i) of the Act, in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307064	s26(5a)(a)	Development Act 1993	6. Amendments by the Minister 6.2 The power pursuant to Section 26(5a)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307065	s26(5b)(a)	Development Act 1993	6. Amendments by the Minister 6.3 The power pursuant to Section 26(5b)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 4 weeks.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307066	s26(12)	Development Act 1993	6. Amendments by the Minister 6.4 The power pursuant to Section 26(12) of the Act, to make comment to the Minister within a period determined by the Minister in relation to a proposal to act under Section 26(11) of the Act.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307067	s26(12)	Development Act 1993	6. Amendments by the Minister 6.5 The power pursuant to, Section 26(12) of the Act to, by notice in writing, object to the Minister's proposed action.	Subject to sign-off by SPDPC To be read in	Chief Executive Officer (95)

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Development Act 1993 and Development Regulations 2008

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				conjunction with CAP Delegation Policy	
307068	s27(6)	Development Act 1993	7. Parliamentary Scrutiny 7.1 The power pursuant to Section 27(6) of the Act to consult with the Minister.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307069	s30(1)	Development Act 1993	8. Strategic Directions Reports 8.1 The duty pursuant to Section 30(1) of the Act, to, from time to time, in accordance with the requirements of Section 30 of the Act, prepare a report under Section 30 of the Act (a Strategic Directions Report) that: 8.1.1 addresses the strategic planning issues within the area of the Council, with particular reference to: 8.1.1.1 the Planning Strategy; and 8.1.1.2 any other policy or document prescribed by the regulations; and 8.1.2 addresses appropriate amendments to any Development Plan that applies within the area of the Council; and 8.1.3 sets out the Council's priorities for: 8.1.3.1 achieving orderly and efficient development through the implementation of planning policies; and 8.1.3.2 the integration of transport and land-use planning within its area; and	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>8.1.3.3 implementing any relevant targets set out in the Planning Strategy; and</p> <p>8.1.3.4 implementing affordable housing policies set out in the Planning Strategy within its area; and</p> <p>8.1.3.5 infrastructure planning (with respect to both physical and social infrastructure), taking into account any advice provided by a Minister, or any other relevant government agency, in accordance with a scheme set out in the regulations, and any of the Council's proposals with respect to infrastructure; and</p> <p>8.1.3.6 other projects or initiatives considered to be relevant by the Council; and</p> <p>8.1.4 contains such other material as may be:</p> <p>8.1.4.1 prescribed by the regulations; or</p> <p>8.1.4.2 required by the Minister.</p>		
307070	s30(2)	Development Act 1993	<p>8. Strategic Directions Reports</p> <p>8.2 The duty pursuant to Section 30(2) of the Act to prepare and complete a report under Section 30 of the Act:</p> <p>8.2.1 within 12 months after an alteration is made to the Planning Strategy, or within such longer period as the Minister may allow, if:</p> <p>8.2.1.1 the Minister declares, by notice in the Gazette, that the alteration is considered to be a significant alteration that should trigger a review of Development Plans, or specified Development Plans, under</p>	<p>Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Section 30 of the Act in relation to issues specified by the Minister; and 8.2.1.2 the Development Plan that applies in relation to the Council's area (or a part of its area) falls within the ambit of the declaration; and 8.2.2 in any event, within 5 years after the completion of the last report under Section 30 of the Act.		
307071	s30(3)	Development Act 1993	8. Strategic Directions Reports 8.3 The duty, pursuant to Section 30(3) of the Act, in connection with the preparation of a report under Section 30 of the Act, to: 8.3.1 by public advertisement, invite interested persons to make written submissions to the Council within 2 months of the date of the advertisement or such longer period as may be allowed by the advertisement; and 8.3.2 consult with any prescribed authority or body in the manner specified by the regulations.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307072	s30(4)	Development Act 1993	8. Strategic Directions Reports 8.4 The duty, pursuant to Section 30(4) of the Act, in connection with the operation of Section 30(3) of the Act, to prepare and make available the documentation prescribed by the regulations.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307073	s30(5)	Development Act 1993	8. Strategic Directions Reports 8.5 The duty pursuant to Section 30(5) of the Act to give a person who makes a written response to an invitation under Section 30(3)(a) of the Act an opportunity to appear personally or by representative before the Council or a Council Committee and to be heard on those submissions.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307074	s30(6)	Development Act 1993	8. Strategic Directions Reports 8.6 The duty pursuant to Section 30(6) of the Act, in preparing a report	Subject to sign-off by	Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>under Section 30 of the Act, to:</p> <p>8.6.1 reach agreement with the Minister on a Statement of Intent with respect to any proposed amendments to a Development Plan that applies within the area of the Council; and</p> <p>8.6.2 if relevant, prepare a DPA that is suitable for consideration under Section 25(3) of the Act.</p>	SPDPC To be read in conjunction with CAP Delegation Policy	Regulatory Services (70)
307075	s30(7)	Development Act 1993	<p>8. Strategic Directions Reports</p> <p>8.7 The duty pursuant to Section 30(7) of the Act to furnish a report under Section 30 of the Act to the Minister.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307076	s30(8)	Development Act 1993	<p>8. Strategic Directions Reports</p> <p>8.8 The duty pursuant to Section 30(8) of the Act to, then, in accordance with any reasonable request of the Minister, enter into an agreement with the Minister on the steps that the Council will take as a result of the matters contained in the report (and the report will not be taken to have been completed unless or until such an agreement is reached with the Minister).</p>	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307077	s30(9)	Development Act 1993	<p>8. Strategic Directions Reports</p> <p>8.9 The power pursuant to Section 30(9) of the Act to request the Minister to exempt the Council:</p> <p>8.9.1 from a requirement to prepare a particular report under Section 30 of the Act; or</p> <p>8.9.2 from a particular requirement with respect to a report under Section 30 of the Act.</p>	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307078	s30(12)	Development Act 1993	<p>8. Strategic Directions Reports</p> <p>8.10 The duty pursuant to Section 30(12) of the Act to make copies of a</p>	To be read in	Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			report prepared under Section 30 of the Act available for inspection (without charge) by the public at the principal office of the Council.	conjunction with CAP Delegation Policy	Regulatory Services (70)
307079	s30(13)	Development Act 1993	8. Strategic Directions Reports 8.11 The duty pursuant to Section 30(13) of the Act, if a report proposes amendments to a Development Plan that applies within the area of the Council, to ensure that it releases a DPA for public consultation under Section 25 within the period prescribed by the regulations.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307080	s30(14)	Development Act 1993	8. Strategic Directions Reports 8.12 The power pursuant to Section 30(14) of the Act, to request in accordance with the regulations a Minister identified by the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under Section 30 of the Act.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307081	s30(15)	Development Act 1993	8. Strategic Directions Reports 8.13 The power pursuant to Section 30(15) of the Act to act jointly with two or more councils under Section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under Section 30 of the Act.	Subject to sign-off by SPDPC To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307082	s31(3)	Development Act 1993	9. Copies of Plans to be Made Available to the Public 9.1 The duty pursuant to Section 31(3) of the Act to make copies of a Development Plan published under Section 31(1) of the Act that applies in relation to the area of the Council available for inspection (without charge) and purchase by the public at an office of the Council.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307083	s33(1)(a)	Development Act 1993	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant	Except: 1. New dwellings outside of townships which	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			to that development): 10.1.1 the provisions of the appropriate Development Plan;	must have the delegate report countersigned by another Statutory Planner prior to decision being issued. 2. Licensed premises which must have the delegate report countersigned by another Statutory Planner prior to the decision being issued 3. Refusals which must be countersigned by either the Director Development& Regulatory Services or Manager Development Services prior to decision being issued. 4. Non-complying applications determined as minor (only in accordance with Clause 3 of Schedule 9 of the Development	Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Regulations 2008 and not where CAP delegation) – but delegate report must be countersigned by another Statutory Planner prior to SCAP concurrence being sought. To be read in conjunction with CAP Delegation Policy	
307408	s33(1)(b)	Development Act 1993	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.2 the provisions of the Building Rules;	Except: 1. Refusals which must be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to decision being issued To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307409	s33(1)(c)	Development Act 1993	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.3 in relation to a proposed division of land (otherwise than under	With the exception of minor boundary realignments involving two allotments, delegate	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;	report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services, or Team Leader Statutory Planning prior to decision being issued. To be read in conjunction with CAP Delegation Policy	Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307410	s33(1)(d)	Development Act 1993	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;</p>	<p>With the exception of minor boundary realignments involving two allotments, delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services, or Team Leader Statutory Planning prior to decision being</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				issued. To be read in conjunction with CAP Delegation Policy	Team Leader Statutory Planning (326)
307411	s33(1)(e)	Development Act 1993	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.5 the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307412	s33(1)(f)	Development Act 1993	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.6 such other matters as may be prescribed.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307084	s33(3)	Development Act 1993	10.Matters Against Which Development Must be Assessed 10.2 The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Development Services, or Team Leader Statutory Planning prior to decision being issued. To be read in conjunction with CAP Delegation Policy	Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307085	s33(1)	Development Act 1993	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.3 If:</p> <p>10.3.1 a development only requires an assessment under paragraph (b) of Section 33(1) of the Act; and</p> <p>10.3.2 the Council:</p> <p>10.3.2.1 is the relevant authority; and</p> <p>10.3.2.2 is to make the assessment under that paragraph; and</p> <p>10.3.3 the Council determines to grant consent under that paragraph, the duty, pursuant to Section 33(4b) of the Act as the relevant authority, to issue the relevant development approval with the consent.</p>	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307086	s34(1)(b)(iii)	Development Act 1993	<p>11. Determination of Relevant Authority</p> <p>11.1 The power pursuant to Section 34(1)(b)(iii) of the Act to request the Minister to declare the Development Assessment Commission to be the relevant authority for a proposed development.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planning (326)
307087	s34(1a)	Development Act 1993	11. Determination of Relevant Authority 11.2 The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307088	s34(8a)	Development Act 1993	11. Determination of Relevant Authority 11.3 The power pursuant to Section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of Section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307089	s34(21)	Development Act 1993	11. Determination of Relevant Authority 11.4 The power in accordance with Section 34(21) of the Act to withdraw from a regional development assessment panel	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307090	34(27)(a) 34(23)	Development Act 1993	11. Determination of Relevant Authority 11.5 The duty pursuant to Section 34(27)(a) of the Act to establish a policy relating to the basis upon which the Council will make the various delegations required by Section 34(23) of the Act.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307091	34(27)(b) 34(27)(a)	Development Act 1993	11. Determination of Relevant Authority 11.6 The duty pursuant to Section 34(27)(b) of the Act to ensure that a copy of the policy established by the Council under Section 34(27)(a) of the Act is available for inspection at the principal office of the council during ordinary office hours and for inspection on the internet.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307092	s35(1)	Development Act 1993	12. Special Provisions Relating to Assessment Against Development Plans 12.1 The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).		Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307093	s35(1b)	Development Act 1993	12. Special Provisions Relating to Assessment Against Development Plans 12.2 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307094	s35(1d)	Development Act 1993	12. Special Provisions Relating to Assessment Against Development		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>Plans</p> <p>12.3 Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c) of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307095	s35(2)	Development Act 1993	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.4 The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307096	s35(3)(a)	Development Act 1993	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.5 The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.</p>	<p>Only non-complying applications determined as minor or as Category 3 providing there were no representations in opposition in accordance with Clause 3 of Schedule 9 of the Development Regulations 2008 may be concurred with by staff. Where concurrence is not supported or where a development is a non-complying category 3 with opposing representations development the matter must be reported to CAP. To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307415	35(6)	Development Act 1993	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.6 Subject to the Act, the power and duty pursuant to Section 35(6)</p>	<p>To be read in conjunction with CAP</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.	Delegation Policy	Manager Development Services (72), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307097	s36(1)	Development Act 1993	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.1 The duty pursuant to Section 36(1) of the Act to grant a building rules consent if the Regulations provide that any proposed building work complies with the Building Rules.</p>	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307098	s36(2)	Development Act 1993	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.2 The power pursuant to and in accordance with Section 36(2) of the Act:</p> <p>13.2.1 to assess whether a development is at variance with the Building Rules;</p> <p>13.2.2 to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code</p>	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>and the Building Rules Assessment Commission concurs in the granting of consent;</p> <p>13.2.3 to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code and to determine that it is appropriate to grant the consent despite the variance on the basis that the Delegate is satisfied that:</p> <p>13.2.3.1 the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>13.2.3.2 in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.</p>		Building Services (286)
307099	s36(3)	Development Act 1993	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.3 The duty pursuant to Section 36(3) of the Act to modify the application of the Building Rules to avoid an inconsistency between the Building Rules and the Development Plan in relation to a State heritage place or a local heritage place.</p>	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
307100	s36(3a) 36(3)	Development Act 1993	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.4 The duty pursuant to Section 36(3a) of the Act to seek and consider the advice of the Building Rules Assessment Commission before imposing or agreeing to a requirement under Section 36(3) of the Act that would be at variance with the performance requirements of the Building Code.</p>	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307101	s36(4)(a) 36(4)(b)	Development Act 1993	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.5 The duty pursuant to Section 36(4)(a) and (b) of the Act to accept that proposed building work complies with the Building Rules to the extent that:</p> <p>13.5.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the Regulations; or</p> <p>13.5.2 such compliance is certified by a private certifier.</p>	<p>Relating to Class 10A buildings only for Administration Building Support Officer To be read in conjunction with CAP Delegation Policy</p>	<p>Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)</p>
307102	s36(6)	Development Act 1993	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.6 The power pursuant to Section 36(6) of the Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification.</p>	<p>Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being issued. To be read in conjunction with CAP Delegation Policy</p>	<p>Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)</p>
307103	37(1)(a) 37(1)(b)	Development Act 1993	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.1 Subject to Section 37AA of the Act, the duty pursuant to Section 37(1)(a) and (b) of the Act where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class to:</p> <p>14.1.1 refer the application, together with a copy of any relevant</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>information provided by the applicant to a body prescribed by the Regulations and including the Development Assessment Commission, and</p> <p>14.1.2 not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires).</p>		<p>Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307104	s37(5)(a)	Development Act 1993	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.2 The duty pursuant to Section 37(5)(a) of the Act where an application has been refused or conditions imposed in respect of a development authorisation by direction of a prescribed body, to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 of the Act.</p>	<p>-----</p> <p>To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planner (82), Team Leader Statutory Planning (326)
307105	s37(6)	Development Act 1993	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.3 If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to Section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307106	37AA(2)(e) 37AA(2)(c)	Development Act 1993	<p>15. Preliminary Advice and Agreement</p> <p>15.1 The power pursuant to and in accordance with Section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with Section 37AA(2)(c) of the Act.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307107	s37AA(4)	Development Act 1993	15. Preliminary Advice and Agreement 15.2 The power pursuant to and in accordance with Section 37AA(4) of the Act to determine that an agreement under Section 37AA of the Act is no longer appropriate due to the operation of Section 53 of the Act.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307108	s37A(1)	Development Act 1993	16. Proposed Development Involving Creation of Fortifications 16.1 The duty pursuant to Section 37A(1) of the Act where the Delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police ('the Commissioner').	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307109	s37A(2)(b)	Development Act 1993	16. Proposed Development Involving Creation of Fortifications 16.2 The power pursuant to Section 37A(2)(b) of the Act to receive the Commissioner's written determination under Section 37A(2)(a) of the Act.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Statutory Planning (326)
307110	s37A(5)	Development Act 1993	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.3 The duty pursuant to Section 37A(5) of the Act if the Commissioner determines that the proposed development involves the creation of fortifications to:</p> <p>16.3.1 if the proposed development consists only of the creation of fortifications - refuse the application; or</p> <p>16.3.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications.</p>	<p>Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being issued. To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307111	s37A(6)	Development Act 1993	<p>16. Proposed Development Involving Creation of Fortifications</p> <p>16.4 The duty pursuant to Section 37A(6) of the Act, if the Delegate acting on the basis of a determination of the Commissioner under subsection 37A(2) refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 37A of the Act.</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307112	s38(3)	Development Act 1993	<p>17. Public Notice and Consultation</p> <p>17.1 The duty, pursuant to Section 38(3) of the Act, where a person applies for a consent in respect of the Development Plan for a Category 1 development, to not on the Delegate's own initiative seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307113	s38(3a)(a)	Development Act 1993	<p>17. Public Notice and Consultation</p> <p>17.2 Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -</p> <p>17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to:</p> <p>17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations - give an owner or occupier of each piece of adjoining land; and</p> <p>17.2.1.2 give any other person of a prescribed class, notice of the application; and</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>17.2.2 the duty pursuant to Section 38(3a)(b) of the Act, to:</p> <p>17.2.2.1 give consideration to any representations in writing made in accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and</p> <p>17.2.2.2 forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and</p> <p>17.2.3 if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p>		<p>Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307114	s38(4)	Development Act 1993	<p>17. Public Notice and Consultation</p> <p>17.3 The duty pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307115	s38(5)	Development Act 1993	17. Public Notice and Consultation 17.4 The duty pursuant to Section 38(5) of the Act to give notice of a proposal for a Category 3 development.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307116	s38(8)	Development Act 1993	17. Public Notice and Consultation 17.5 The duty pursuant to Section 38(8) of the Act to forward to an applicant a copy of any representation made regarding the proposed development, and to allow the applicant to respond in writing to those representations.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307117	s38(10)(a)	Development Act 1993	17. Public Notice and Consultation 17.6 The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95)
307118	s38(10)(b)	Development Act 1993	17. Public Notice and Consultation 17.7 The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planning (326)
307119	s38(11)	Development Act 1993	17. Public Notice and Consultation 17.8 The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307120	s38(12)	Development Act 1993	17. Public Notice and Consultation 17.9 The duty pursuant to Section 38(12) of the Act, where representations have been made under Section 38 of the Act, to give notice of the decision on the application to each person who made a representation and in respect of a Category 3 development of the person's appeal rights under the Act, and give notice to the Court.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307121	s38(17)	Development Act 1993	17. Public Notice and Consultation		CAP (Council's Assessment

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			17.10 The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.	To be read in conjunction with CAP Delegation Policy	Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307122	s38(18)	Development Act 1993	17. Public Notice and Consultation 17.11 The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.	Subject to delegate report sign off by Team Leader Statutory Planning Senior Statutory Planner, Manager Development Services or Director Development & Regulatory Services. To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307123	s39(2)	Development Act 1993	18. Application and Provision of Information 18.1 The power pursuant to Section 39(2) of the Act to request an applicant to:	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>18.1.1 provide such additional documents or information to enable assessment of the application;</p> <p>18.1.2 remedy any defect or deficiency in any application or accompanying document or information required by or under the Act;</p> <p>18.1.3 consult with an authority or body prescribed by the Regulations;</p> <p>18.1.4 (where required by the Regulations) prepare a statement of effect in relation to non-complying development; and</p> <p>18.1.5 comply with any other requirement prescribed by the Regulations.</p>		<p>Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307124	s39(2a)	Development Act 1993	<p>18. Application and Provision of Information</p> <p>18.2 If:</p> <p>18.2.1 a development is of a kind that is complying development; and</p> <p>18.2.2 the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and</p> <p>18.2.3 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d),</p> <p>the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.</p>	<p>—————</p> <p>To be read in conjunction with CAP Delegation Policy</p>	<p>Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307125	s39(2b)	Development Act 1993	<p>18. Application and Provision of Information</p>	<p>—————</p>	<p>Chief Executive Officer (95),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>18.3 If:</p> <p>18.3.1 a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and</p> <p>18.3.2 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act, the power and duty pursuant to Section 39(2b)(c) of the Act, to;</p> <p>18.3.3 in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and the duty pursuant to Section 39(2b)(d) of the Act, to;</p> <p>18.3.4 make that request within a period prescribed by the Regulations.</p>	To be read in conjunction with CAP Delegation Policy	Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (82), Team Leader Statutory Planning (326)
307126	s39(3)	Development Act 1993	<p>18. Application and Provision of Information</p> <p>18.4 Pursuant to Section 39(3)(b) of the Act, where a request is made under Section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power pursuant to Section 39(3)(b) of the Act to:</p> <p>18.4.1 subject to Section 39(3)(b)(ii) of the Act, refuse the application; and</p> <p>18.4.2 refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).</p>	Delegate report to be countersigned by Director Development & Regulatory Services, Manager Development Services Team Leader Statutory Planning. To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307127	39(3a)	Development Act 1993	18. Application and Provision of Information 18.5 The duty, pursuant to Section 39(3a) of the Act, in dealing with an application that relates to a regulated tree, to seek to make any assessment as to whether the tree is a significant tree without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.	Refer to special circumstances policy. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Team Leader Statutory Planning (326)
307128	s39(3b)	Development Act 1993	18. Application and Provision of Information 18.6 The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to	Refer to special circumstances policy. To be read in	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.	conjunction with CAP Delegation Policy.	Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307129	s39(4)(a) s39(5)	Development Act 1993	18. Application and Provision of Information 18.7 The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307130	s39(4)(b) s39(5)	Development Act 1993	18. Application and Provision of Information 18.8 The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307131	s39(4)(c) s39(5)	Development Act 1993	18. Application and Provision of Information 18.9 The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).	In accordance with Council Fee Waiver Policy. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307132	s39(4)(d)	Development Act 1993	18. Application and Provision of Information 18.10 The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being issued. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307133	s39(4)(e)	Development Act 1993	18. Application and Provision of Information 18.11 The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307134	s39(7)	Development Act 1993	18. Application and Provision of Information 18.12 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.	Refer to CAP Delegations Policy for exceptions where staff must refer to CAP. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Leader Statutory Planning (326)
307135	s39(7)(c)	Development Act 1993	18. Application and Provision of Information 18.13 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307136	s39(7)(d)	Development Act 1993	18. Application and Provision of Information 18.14 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307137	s39(7a)	Development Act 1993	18. Application and Provision of Information 18.15 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.	Refer to CAP Delegations Policy for exceptions where staff must refer to CAP. To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286)
307138	s39(8)	Development Act 1993	18. Application and Provision of Information 18.16 The power pursuant to Section 39(8) of the Act to issue a	To be read in	Building Officer (380), Building Officer (453),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			consent which provides for the undertaking of development in stages.	conjunction with CAP Delegation Policy	Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307139	s39(9)	Development Act 1993	18. Application and Provision of Information 18.17 The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	In accordance with Council's Development Application Fee Refund Policy. To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307140	s40(1)	Development Act 1993	19. Determination of Application 19.1 The duty pursuant to Section 40(1) of the Act to give notice of a decision in accordance with the Regulations (and in the case of a refusal, the duty to include the reasons for the refusal and any appeal	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			rights that exist under the Act.)		Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307141	s40(3)	Development Act 1993	19. Determination of Application 19.2 The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307142	s41(1)	Development Act 1993	20. Time Within Which Decision Must be Made 20.1 The duty, pursuant to Section 41(1) of the Act to deal with an application as expeditiously as possible and within the time prescribed by the Regulations.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Team Leader Building Services (286), Team Leader Statutory Planning

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(326)
307143	s41(1)	Development Act 1993	<p>20. Time Within Which Decision Must be Made</p> <p>20.2 If:</p> <p>20.2.1 the relevant authority does not decide an application that relates to development that is a complying development within the time prescribed under Section 41(1) of the Act; and</p> <p>20.2.2 the applicant gives the relevant authority a notice in accordance with the Regulations on the basis that the decision on the application has not been made,</p> <p>the duty pursuant to Section 41(5)(d) of the Act, subject to any exclusion or qualification prescribed by the Regulations, to refund the fee received by the relevant authority under Section 39(1)(d) in relation to the application.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307144	s42(1)	Development Act 1993	<p>21. Conditions</p> <p>21.1 The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.</p>	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307145	s42(4)	Development Act 1993	<p>21. Conditions</p> <p>21.2 The duty, pursuant to Section 42(4) of the Act, in accordance with Section 42(5) of the Act and subject to Sections 42(6) and (8) of the Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the Delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307146	s42(6) s42(4)	Development Act 1993	<p>21. Conditions</p> <p>21.3 The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees</p>	Subject to sign off by Team Leader Statutory Planning, Manager	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			under Section 42(4) of the Act.	Development Services or Director Development & Regulatory Services. To be read in conjunction with CAP Delegation Policy.	Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307147	s42(8)(b)	Development Act 1993	21. Conditions 21.4 The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate to grant an exemption under Section 42 of the Act in a particular case.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307148	s43	Development Act 1993	22. Cancellation by a Relevant Authority 22.1 The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307149	s45A(2)	Development Act 1993	23. Investigation of Development Assessment Performance 23.1 The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307150	s45A(14)	Development Act 1993	23. Investigation of Development Assessment Performance 23.2 The duty pursuant to Section 45A(14) of the Act to comply with a direction under Section 45A(11) or (13) of the Act.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307151	s45A(12) 45A(11)	Development Act 1993	23. Investigation of Development Assessment Performance 23.3 The power pursuant to Section 45A(12) of the Act to make	To be read in	CAP (Council's Assessment Panel), Chief Executive

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			submissions to the Minister on the report on which the action under Section 45A(11) of the Act is based within a period (being at least 28 days) specified by the Minister.	conjunction with CAP Delegation Policy	Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307152	s49(4a)	Development Act 1993	24. Crown Development and Public Infrastructure 24.1 The power pursuant to Section 49(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307153	s49(5)	Development Act 1993	24. Crown Development and Public Infrastructure 24.2 The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice from the Development Assessment Commission under Section 49(4a) of the Act.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307154	s49(9)	Development Act 1993	24. Crown Development and Public Infrastructure 24.3 The power pursuant to Section 49(9) of the Act to withdraw opposition to a State agency proposed development.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307155	s49A(4a)	Development Act 1993	25. Electricity Infrastructure Development 25.1 The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307156	s49A(5)	Development Act 1993	<p>25. Electricity Infrastructure Development</p> <p>25.2 The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the Development Assessment Commission on any matters contained in the said notice.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307157	s49A(9)	Development Act 1993	<p>25. Electricity Infrastructure Development</p> <p>25.3 The power pursuant to Section 49A(9) of the Act, in circumstances where the Council's report to the Development Assessment Commission under Section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307158	s50(1)	Development Act 1993	<p>26. Open Space Contribution System</p> <p>26.1 The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments is less than one hectare in area, to require:</p> <p>26.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>26.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of by Section 50 of</p>	Subject to receipt of agreement from Manager Open Space and Director Engineering & Assets prior to the Development Plan Consent being issued. To be read in	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the Act; or 26.1.3 that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act, according to the determination and specification of the Council or Delegate.	conjunction with CAP Delegation Policy	Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307159	s50(1)	Development Act 1993	26. Open Space Contribution System 26.2 The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the Development Assessment Commission.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95)
307160	s50(3)	Development Act 1993	26. Open Space Contribution System 26.3 The power pursuant to Section 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the Development Assessment Commission and the applicant under which certain land described by the relevant plan of division will be vested in the Council.	Subject to receipt of agreement from Manager Open Space and Director Engineering & Assets prior to the Development Plan Consent being issued. To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307161	s50(3a)	Development Act 1993	26. Open Space Contribution System 26.4 The power pursuant to Section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the Development Assessment Commission that an area	Subject to receipt of agreement from Manager Open Space	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			of the site of the development be kept as open space or in some other form that allows for active or passive recreation under Section 50(3a)(a) of the Act.	and Director Engineering & Assets prior to the Development Plan Consent being issued. To be read in conjunction with CAP Delegation Policy	Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307162	s50(10)	Development Act 1993	26. Open Space Contribution System 26.5 The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Strategic Assets (403)
307163	s50(11)	Development Act 1993	26. Open Space Contribution System 26.6 The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of Section 50 of the Act in respect of the area of land as a whole.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planning (326)
307164	s50A(1)	Development Act 1993	27. Carparking Fund 27.1 The power pursuant to Section 50A(1) of the Act to establish a car parking fund.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307165	s50A(1)	Development Act 1993	27. Carparking Fund 27.2 The duty pursuant to Section 50A(1) of the Act to publish a notice in the Gazette in accordance with Section 50A(2) of the Act where the approval of the Minister has been obtained.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Strategic and Policy Planner (200)
307166	s50A(5)(c)	Development Act 1993	27. Carparking Fund 27.3 The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307167	s50A(5)(d)	Development Act 1993	27. Carparking Fund 27.4 The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or the Delegate can be made by the	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.		Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307168	s50A(5)	Development Act 1993	27. Carparking Fund 27.5 The power pursuant to Section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.	Subject to DPA being adopted by Strategic Planning & Development Policy Committee & Minister . To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307169	s50A(6)	Development Act 1993	27. Carparking Fund 27.6 The duty pursuant to and in accordance with Section 50A(6) of the Act to publish a determination for the purpose of calculating amounts to be paid into a carparking fund and any variations from time to time in the Gazette.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Strategic and Policy Planner (200)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307170	s50A(7)	Development Act 1993	27. Carparking Fund 27.7 The power pursuant to and in accordance with Section 50A(7) of the Act to invest any money in a carparking fund and to pay any resultant income into the fund.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307171	s50A(8)	Development Act 1993	27. Carparking Fund 27.8 The power pursuant to and in accordance with Section 50A(8) of the Act to apply money standing to the credit of the car parking fund.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307172	s50B(1)	Development Act 1993	28. Urban Trees Fund 28.1 The power, pursuant to Section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).	Subject to SPDPC approval . To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70)
307173	s50B(2)	Development Act 1993	28. Urban Trees Fund 28.2 The duty, pursuant to Section 50B(2) of the Act, to effect establishment of the fund by notice in the Gazette.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Property Services (394), Senior Strategic and Policy Planner (200)
307174	s50B(3)	Development Act 1993	28. Urban Trees Fund 28.3 The duty, pursuant to Section 50B(3) of the Act, to define a designated area by reference to an area established by the relevant Development Plan.	Subject to SPDPC approval . To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Strategic and Policy Planner (200)
307175	s50B(5)	Development Act 1993	28. Urban Trees Fund 28.4 The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required	Subject to concurrence by	Chief Executive Officer (95), Director Corporate Services (41), Director Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			for the purpose of the fund and the duty to pay any resultant income into the fund.	Director Development & Regulatory Services and Director Corporate Services. To be read in conjunction with CAP Delegation Policy	and Regulatory Services (70)
307176	s50B(6)	Development Act 1993	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.1 maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Open Space (409), Supervisor Parks and Reserves (115)
307413	s50B(6)	Development Act 1993	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.2 purchase land within the designated area in order to maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Elected Body
307177	s50B(7)	Development Act 1993	28. Urban Trees Fund 28.6 The duty, pursuant to Section 50B(7) of the Act, if the Council subsequently sells land purchased under Section 50B(6)(b) of the Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 50B of the Act subject to the following qualifications as prescribed by Sections 50B(7)(a) and (b) of the Act:	To be read in conjunction with CAP Delegation Policy	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>28.6.1 if an urban trees fund is no longer maintained by the Council, the proceeds must be applied for a purpose or purpose consistent with Section 50B(6)(a) or (b) of the Act;</p> <p>28.6.2 if money from an urban trees fund only constituted a proportion of the purchase price of the land (the designated proportion), the money that is subject to these requirements is the designated proportion of the proceeds of sale.</p>		
307178	s51(2)	Development Act 1993	<p>29. Certificate in Respect of the Division of Land</p> <p>29.1 The duty pursuant to Section 51(2) of the Act to provide appropriate information to the Development Assessment Commission (upon request by the Development Assessment Commission) before it issues a certificate in respect of the division of land.</p>	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307179	s52(4)	Development Act 1993	<p>30. Saving Provisions</p> <p>30.1 The power pursuant to Section 52(4) of the Act to extend the limitation period referred to in Section 52(2) of the Act in order to avoid or reduce hardship.</p>	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307180	s52A(2)(a)	Development Act 1993	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.1 The power pursuant to Section 52A(2)(a) of the Act to accept a</p>	To be read in	CAP (Council's Assessment Panel), Chief Executive

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			document under the Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (and defined in Section 52A(9) of the Act, as a 'Commonwealth Act document') as an application, notice or other document for the purposes of the Act, if (subject to the provisions of Section 52A(7)) the document complies with the requirements of the Act.	conjunction with CAP Delegation Policy	Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307181	s52A(2)(b)	Development Act 1993	31. Avoidance of Duplication of Procedures Etc 31.2 The power pursuant to Section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307182	s52A(2)(c)	Development Act 1993	31. Avoidance of Duplication of Procedures Etc 31.3 The power pursuant to Section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the Commonwealth	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Environment Protection and Biodiversity Conservation Act 1999 as the document required under the Act, if (subject to the provisions of Section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.		Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307183	s52A(5)	Development Act 1993	31. Avoidance of Duplication of Procedures Etc 31.4 The power pursuant to Section 52A(5) of the Act where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307184	s52A(6)(a)	Development Act 1993	31. Avoidance of Duplication of Procedures Etc 31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act: 31.5.1 in circumstances where:	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>31.5.1.1 the Commonwealth Minister has given his or her approval to the controlled action; and</p> <p>31.5.1.2 the applicant for the development authorisation or the Commonwealth Minister has informed the relevant authority of that fact;</p> <p>the duty pursuant to Section 52A(6)(a) of the Act to consider whether the conditions (if any) to be attached to the development authorisation should be consistent with the conditions (if any) attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; and</p>		<p>Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307429	s52A(6)(b)	Development Act 1993	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.2 the power pursuant to Section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307185	s53A(1)	Development Act 1993	<p>32. Requirement to Upgrade Building in Certain Cases</p> <p>32.1 Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed</p>	<p>To be read in conjunction with CAP</p>	<p>Building Officer (380), Building Officer (453), Building Officer (73), Chief</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to Section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	Delegation Policy	Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307186	s53A(2)	Development Act 1993	32. Requirement to Upgrade Building in Certain Cases 32.2 Where an application is made for building rules consent for building work in the nature of an alteration of a class prescribed by the Regulations the power pursuant to Section 53A(2) and subject to Section 53A(3) of the Act, to form the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings and facilities and services within buildings, for people with disabilities and therefore require as a condition of consent 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.	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307187	s54(2)(d)	Development Act 1993	33. Urgent Building Work 33.1 The power pursuant to Section 54(2)(d) of the Act to issue any directions and specify a period of time with respect to building work performed as a matter of urgency.	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307188	s55(1)	Development Act 1993	34. Action if Development Not Substantially Completed		CAP (Council's Assessment)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			34.1 The power pursuant to Section 55(1) of the Act to apply to the Court for an order under Section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed within the period prescribed by the Regulations for the lapse of the approval.	To be read in conjunction with CAP Delegation Policy	Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307189	s55(5)	Development Act 1993	34. Action if Development Not Substantially Completed 34.2 The power pursuant to Section 55(5) of the Act where the Court makes an order under Section 55(3)(a), (b) or (ca) of the Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out and to recover the cost of that work as a debt from the person.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307190	s55(6)	Development Act 1993	34. Action if Development Not Substantially Completed 34.3 The power pursuant to Section 55(6) of the Act where an amount is recoverable from a person under Section 55(5) of the Act, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice within which the amount must be paid.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307191	s56(1)	Development Act 1993	35. Completion of Work 35.1 The power pursuant to Section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307192	s56(2)	Development Act 1993	35. Completion of Work 35.2 The power pursuant to the Section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under Section 56(1) of the Act.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72)
307193	s56(3)	Development Act 1993	35. Completion of Work 35.3 The power pursuant to Section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under Section 56 of the Act as a debt due from the owner.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307194	s56(4)	Development Act 1993	35. Completion of Work 35.4 The power pursuant to Section 56(4) of the Act to, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice, within which the amount must be paid by the person where an amount is recoverable from the person under Section 56(3) of the Act.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307195	s56A(3)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.1 The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act.	Subject to Council approval. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307196	s56A(3)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.2 The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act.	Subject to Council approval. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307197	s56A(3)(d)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.3 The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as	Subject to Council approval. To be read in conjunction with	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			is reasonably practicable, the panel consists of equal numbers of men and women.	CAP Delegation Policy.	
307198	s56A(3)(e)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.4 The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years.	Subject to Council approval. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307199	s56A(3)(f)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.5 The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the members of the council development assessment panel.	Subject to Council approval. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307200	s56A(3)(g)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.6 The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for: 36.6.1 breach of, or failure to comply with, the conditions of appointment; or 36.6.2 misconduct; or 36.6.3 neglect of duty; or 36.6.4 incapacity to carry out satisfactorily the duty of his or her office; or 36.6.5 failure to carry out satisfactorily the duty of his or her office; or	Subject to Council approval. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			36.6.6 failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.		
307201	s56A(5)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.7 The duty pursuant to and in accordance with Section 56A(5) of the Act to give notice of an appointment.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307202	s56A(15)(b)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.8 The duty pursuant to Section 56A(15)(b) of the Act and in accordance with Section 56A(17) of the Act to make minutes of meetings of a council development assessment available for reasonable access by members of the public.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307203	s56A(20)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.9 The duty pursuant to and in accordance with Section 56A(20) of the Act to provide information to the Minister where requested by the Minister.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95)
307204	s56A(22)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.10 The duty pursuant to Section 56A(22) of the Act to appoint a public officer (who must not be a member of the council development assessment panel).	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307205	s56A(23)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.11 The duty pursuant to Section 56A(23) of the Act to ensure that notice of the appointment of a public officer (including the public officer's name and contact details) is published in the Gazette.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307206	s56A(27)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.12 The power pursuant to Section 56A(27) of the Act to make an application to the Minister to exempt the Council from the	Subject to Council approval. To be read	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			requirement to establish a council development assessment panel under Section 56A of the Act.	in conjunction with CAP Delegation Policy.	
307207	s56A(28)	Development Act 1993	36. Council to Establish Development Assessment Panels 36.13 The power pursuant to Section 56A(28) of the Act to consult with the Minister in relation to revoking an exemption under Section 56A(27) of the Act.	Subject to Council approval. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307208	s56B(2)	Development Act 1993	37. Building Rules Assessment Audits 37.1 The duty pursuant to Section 56B(2) to have its building assessment auditor audit the Council's activities in relation to the undertaking of assessments of proposed developments against the provisions of the Building Rules in accordance with the requirements of Section 56B.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307209	s56B(5)	Development Act 1993	37. Building Rules Assessment Audits 37.2 The duty pursuant to Section 56B(5) to ensure that after the expiration of the periods prescribed in Section 56B(4) an audit under Section 56B is completed at least once in every prescribed period.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307210	s56B(10)	Development Act 1993	37. Building Rules Assessment Audits 37.3 The power pursuant to Section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under Section 56B.	Report to be provided to Council. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307211	s56B(14)	Development Act 1993	37. Building Rules Assessment Audits 37.4 The power pursuant to Section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under Section 56B(12).	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307212	s56B(16)	Development Act 1993	37. Building Rules Assessment Audits 37.5 The duty pursuant to Section 56B(16) to comply with a direction given to the Council under Sections 56B(12) or 56B(15).	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307416	s56C(2)	Development Act 1993	37A. Development Plan Assessment Audits 37A.1 The power and duty pursuant to Section 56C(2) of the Act to have the Council's activities in relation to Development Plan assessments audited by a development assessment auditor in accordance with the requirements of Section 56C of the Act.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307417	s56C(10)	Development Act 1993	37A. Development Plan Assessment Audits 37A.2 The power pursuant to Section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307418	s56C(14)	Development Act 1993	37A. Development Plan Assessment Audits 37A.3 The power pursuant to Section 56C(14) of the Act to make submissions in relation to the matter to the Minister.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307419	s56C(15) 56C(12)(a)	Development Act 1993	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.1 the Minister makes a recommendation to the Council under Section 56C(12)(a) of the Act; and	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307420	s56C(15)	Development Act 1993	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.2 the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, consult with the Minister.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307213	s57(2) and	Development Act 1993	38. Land Management Agreements		CAP (Council's Assessment

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
	57(2a)		38.1 The power pursuant to Sections 57(2) and 57(2a) of the Act to enter into an agreement relating to the development, management, preservation or conservation of land within the area of the Council with the owner of the land.	1. Waiver of agreement terms for agreements previously resolved by Council may be agreed by planning staff in relation to trees that are not protected by legislation any longer. 2. Not to be sub-delegated below Manager level. To be read in conjunction with CAP Delegation Policy.	Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307214	s57(2c)	Development Act 1993	38. Land Management Agreements 38.2 The duty pursuant to and in accordance with Section 57(2c) of the Act and Regulation 98A of the Regulations to establish and keep a register available for public inspection (without charge).	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307215	s57(2e)	Development Act 1993	38. Land Management Agreements 38.3 The duty pursuant to Section 57(2e) of the Act, in relation to the granting of development plan consent with respect to a Category 2A, Category 2 or Category 3 development, to note the existence of the agreement (or the proposal to enter the agreement), and the availability of copies of the agreement for public inspection on the notice of the relevant authority's decision.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307216	s57(3)	Development Act 1993	38. Land Management Agreements 38.4 The power pursuant to Section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under Section 57 of the Act.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307217	s57(5)	Development Act 1993	38. Land Management Agreements 38.5 The power pursuant to Section 57(5) of the Act, to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307218	s57(8)	Development Act 1993	38. Land Management Agreements 38.6 The power pursuant to Section 57(8) of the Act to apply to the Registrar-General where an agreement in relation to which a note has been made under Section 57 of the Act has been rescinded or amended, to enter a note of the rescission or amendment made	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Statutory

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			against the instrument of title or against the land.		Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307219	s57(11)	Development Act 1993	38. Land Management Agreements 38.7 The power pursuant to Section 57(11) of the Act to consent to the remission of rates payable to the Council provided for in an agreement entered into by the Minister.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307220	s57A(1)	Development Act 1993	39. Land Management Agreements - Development Applications 39.1 The power pursuant to and subject to Section 57A(1) of the Act to enter into an agreement under Section 57A of the Act with a person who is applying for a development authorisation under the Act.	Waiver of agreement terms for agreements previously resolved by Council may be agreed by planning staff in relation to trees that are not protected by legislation any longer. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307221	s57A(3)	Development Act 1993	39. Land Management Agreements - Development Applications 39.2 The duty pursuant to Section 57A(3) of the Act to have regard to: 39.2.1 the provisions of the appropriate Development Plan. 39.2.2 the principle that the entering into of an agreement under Section 57A by the Council should not be used as a substitute to	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			proceeding with an amendment to a Development Plan under the Act.		Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307222	s57A(5)	Development Act 1993	39. Land Management Agreements - Development Applications 39.3 The duty pursuant to Section 57A(5) of the Act to register agreements entered into under Section 57A in accordance with the Regulations.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307223	s57A(6)	Development Act 1993	39. Land Management Agreements - Development Applications 39.4 The duty pursuant to Section 57A(6) of the Act to keep a register available for public inspection (without charge) in accordance with the Regulations.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307224	s57A(7)	Development Act 1993	39. Land Management Agreements - Development Applications 39.5 The power pursuant to Section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under Section 57A(5) of the Act.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307225	s57A(8)	Development Act 1993	39. Land Management Agreements - Development Applications 39.6 The duty, pursuant to Section 57A(8) of the Act, where an agreement is entered into under Section 57A of the Act, in connection with an application for a development authorisation with respect to a Category 2A, Category 2 or Category 3 development, to include a note of the existence of the agreement on the notice of the relevant authority's decision under the Act.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Statutory Planning (326)
307226	s57A(14)	Development Act 1993	39. Land Management Agreements - Development Applications 39.7 The power pursuant to Section 57A(14) of the Act to apply to the Registrar-General to note the agreement against the relevant instrument of title, or in the case of land not under the provisions of the Real Property Act 1886, against the land.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307227	s57A(16)	Development Act 1993	39. Land Management Agreements - Development Applications 39.8 The power pursuant to Section 57A(16) of the Act to apply to the Registrar-General where an agreement under Section 57A has been rescinded or amended to enter a note of the rescission or amendment against the instrument of title, or against the land.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307228	s57A(18)	Development Act 1993	39. Land Management Agreements - Development Applications 39.9 The power pursuant to Section 57A (18) of the Act where an agreement under Section 57A does not have effect under Section 57A within the prescribed period, to, by notice given in accordance with the	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of Section 57A(18) of the Act).		Regulatory Services (70), Manager Development Services (72)
307229	s59(3)	Development Act 1993	40. Notification During Building 40.1 The power pursuant to Section 59(3) of the Act to direct that building work stop when a mandatory notification stage has been reached.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307230	s66(2)	Development Act 1993	41. Classification of Buildings 41.1 The power pursuant to Section 66(2) of the Act to assign to any building a classification that conforms with the Regulations and the duty pursuant to Section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
307231	s67(2), (3), (4), (5) (6)	Development Act 1993	42. Certificates of Occupancy 42.1 The duty pursuant to and in accordance with the requirements of Sections 67(2), (3), (4), (5) and (6) of the Act to give a certificate of occupancy.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Team Leader Building Services (286)
307232	s67(3)(a)	Development Act 1993	42. Certificates of Occupancy 42.2 The power pursuant to Section 67(3)(a) of the Act to require information from an applicant for a certificate of occupancy.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307233	s67(10)	Development Act 1993	42. Certificates of Occupancy 42.3 The duty pursuant to Section 67(10) of the Act to give written notice to an applicant of the refusal of the certificate of occupancy.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the notice being issued. To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307234	s67(13)	Development Act 1993	42. Certificates of Occupancy 42.4 The power pursuant to Section 67(13) of the Act to revoke a certificate of occupancy in prescribed circumstances.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the revocation of the certificate. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307235	s68(1),(2)	Development Act 1993	43. Temporary Occupation 43.1 The power pursuant to Sections 68(1) and (2) of the Act to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			thinks fit to impose.		Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307236	s68(3)	Development Act 1993	43. Temporary Occupation 43.2 The duty pursuant to and in accordance with Section 68(3) of the Act to give written notice to an applicant of the refusal of approval for temporary occupation of a building.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the notice being issued. To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307237	s69(1)	Development Act 1993	44. Emergency Orders 44.1 Where an owner of land fails to comply with the requirements of an emergency order issued under Section 69(1) of the Act: 44.1.1 the power pursuant to Section 69(4) of the Act to cause the required work to be carried out; and 44.1.2 the power pursuant to and in accordance with Sections 69(5) and 69(6) of the Act to recover the reasonable costs and expense of that work from the owner as a debt.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307238	s71(18), (19)	Development Act 1993	44A Fire Safety 44A.1 The power pursuant to Sections 71(18) and (19) of the Act to	To be read in	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			establish and designate a body as an appropriate authority.	conjunction with CAP Delegation Policy.	
307239	s71(19)(a)(i)	Development Act 1993	44A Fire Safety 44A.2 The power pursuant to Section 71(19)(a)(i) of the Act to appoint a person who holds prescribed qualifications in building surveying to the appropriate authority.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307240	s71(19)(a)(ii)	Development Act 1993	44A Fire Safety 44A.3 The power pursuant to Section 71(19)(a)(ii) of the Act to determine if a person is to be nominated to the appropriate authority by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (after taking into account the nature of the Council or Council's area(s)).	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307241	s71(19)(a)(iii)	Development Act 1993	44A Fire Safety 44A.4 The power pursuant to Section 71(19)(a)(iii) of the Act to appoint a person with expertise in the area of fire safety to the appropriate authority.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307242	s71(19)(a)(iv)	Development Act 1993	44A Fire Safety 44A.5 The power pursuant to Section 71(19)(a)(iv) of the Act to determine and select a person to be appointed to the appropriate authority.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307243	s71(19)(b)	Development Act 1993	44A Fire Safety 44A.6 The power pursuant to Section 71(19)(b) of the Act to determine the term of the office not exceeding three years of a member of the appropriate authority.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307244	s71(19)(d)	Development Act 1993	44A Fire Safety 44A.7 The power pursuant to Section 71(19)(d) of the Act to appoint deputy members to the appropriate authority.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307245	s71(19)(e)	Development Act 1993	44A Fire Safety		Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			44A.8 The power pursuant to Section 71(19)(e) of the Act to determine the procedures of an appropriate authority.	To be read in conjunction with CAP Delegation Policy.	
307246	s71A	Development Act 1993	45. Building Inspection Policies 45.1 The duty pursuant to and in accordance with Section 71A of the Act to prepare and from time to time alter a building inspection policy.	Subject to Council endorsement except where a change is of a minor nature. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307247	s74(1)	Development Act 1993	46. Advertisements 46.1 The power pursuant to and in accordance with Section 74(1) of the Act to: 46.1.1 form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and 46.1.2 serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Statutory Planning (326)
307248	s74(3)	Development Act 1993	46. Advertisements 46.2 The power pursuant to Section 74(3) of the Act where a person has failed to comply with a notice under Section 74(1) of the Act, to enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307249	s84(2)	Development Act 1993	47. Enforcement Notices 47.1 The power pursuant to and in accordance with Section 84(2) of the Act to issue an enforcement notice where the Delegate has reason	Delegate report to be countersigned by	Chief Executive Officer (95), Development Compliance Officer (211), Director

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			to believe on reasonable grounds that a person has breached the Act or a repealed Act.	either the Director Development & Regulatory Services or Manager Development Services Team Leader Statutory Planning Team Leader Building prior to the notice being issued. To be read in conjunction with CAP Delegation Policy.	Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307250	s84(3)	Development Act 1993	47. Enforcement Notices 47.2 The power pursuant to Section 84(3) of the Act to determine that a direction under Section 84(2) of the Act is urgently required and can be orally given by an authorised officer.	To be read in conjunction with CAP Delegation Policy	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307251	s84(2)(b)	Development Act 1993	47. Enforcement Notices		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>47.3 Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2)(b) of the Act:</p> <p>47.3.1 the power pursuant to Section 84(6) of the Act to cause the necessary action to be undertaken; and</p> <p>47.3.2 pursuant to and in accordance with Sections 84(7) and 84(8) of the Act to recover the costs of doing so as a debt from the person whose failure gave rise to the action.</p>	To be read in conjunction with CAP Delegation Policy.	Director Development and Regulatory Services (70), Manager Development Services (72)
307252	s85(1)	Development Act 1993	<p>48. Applications to Court</p> <p>48.1 The power pursuant to Section 85(1) of the Act to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307253	s85(6)(d)	Development Act 1993	<p>48. Applications to Court</p> <p>48.2 Where the Court has made an order under Section 85(6)(d) of the Act and a person has failed to comply with the order, the power pursuant to and in accordance with Section 85(12) and Section 85(13) of the Act, to cause any work contemplated by the order to be carried out and to recover the costs of doing so as a debt from the person.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307254	s86(1)(e)	Development Act 1993	<p>49. General Right to Apply to Court</p> <p>49.1 Where the Council is a party to a dispute referred to in Section 86(1)(e) of the Act, the power pursuant to Section 86(1)(e) of the Act to apply to the Court for determination of the dispute.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307255	s93(1)(b)(iii)	Development Act 1993	<p>50. Authority to be Advised of Certain Matters</p> <p>50.1 The power pursuant to Section 93(1)(b)(iii) of the Act to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.</p>	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), Chief

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307256	s94	Development Act 1993	51. Referrals 51.1 The power pursuant to and in accordance with Section 94 of the Act to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307257	s101(1)	Development Act 1993	52. Professional Advice to be Obtained in Relation to Certain Matters 52.1 The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307258	s101(2)	Development Act 1993	52. Professional Advice to be Obtained in Relation to Certain Matters 52.2 The duty pursuant to Section 101(2) of the Act to seek and consider the advice of a person with prescribed qualifications or person approved by the Minister in relation to a matter prescribed by the Regulations.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307259	Schedule 1	Development (Development Plans) Amendment Act 2006	53. Transitional Provisions 53.1 The power pursuant to and in accordance with Clause 5(1) of Schedule 1 to the Development (Development Plans) Amendment Act 2006 ('the DPA Act'), if the Council or the Delegate has, before the commencement of Clause 5 of Schedule 1 to the DPA Act reached an agreement with the Minister on a Statement of Intent with respect to an amendment to a Development Plan, or taken steps to prepare a Plan Amendment Report on the basis of such a Statement of Intent subject to Clause 5(2) of Schedule 1 to the DPA Act, to continue with the process as set out in Section 25 of the Act (as in force immediately before the commencement of Clause 5 of Schedule 1 to the DPA Act) as if the DPA Act had not been enacted until the relevant amendment is approved (with or without alteration) or otherwise dealt with by the	Subject to sign-off by SPDPC. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Minister under Section 25(15) of the Act, subject to the qualification that the relevant Plan Amendment Report may be referred to as a Development Plan Amendment.		
307260	Schedule 1	Development (Development Plans) Amendment Act 2006	53. Transitional Provisions 53.2 The power pursuant to Clause 5(2) of Schedule 1 to the DPA Act to agree on a Statement of Intent that is to supersede a Statement of Intent agreed between the Council or the Delegate and the Minister before commencement of Clause 5 of Schedule 1 to the DPA Act.	Subject to sign-off by SPDPC. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95)
307451	r101(5)	Development Regulations 2008	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.2 constitute a breach of any other law; or	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307439	r8A(1)(a)	Development Regulations 2008	<p>53A. Complying Development – Development Plan Consent</p> <p>53A.1 The power pursuant to Regulation 8A(1)(a) of the Development Regulations 2008 ('the Regulations'), for the purposes of Sections 33(1) and 35 of the Act (subject to Regulation 8A(2)) of the Regulations to:</p> <p>53A.1.1 in the case of a proposed development lodged for assessment as residential code development – assess the development as being in a form described in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C); and</p> <p>53A.1.2 in any other case – to assess the development as being in a form described in Schedule 4 Part 1 (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 Part 1).</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307440	r8A(1)(b)	Development Regulations 2008	<p>53A. Complying Development – Development Plan Consent</p> <p>53A.2 The power pursuant to Regulation 8A(1)(b) of the Regulations, for the purposes of Section 35(1b) of the Act, to:</p> <p>53A.2.1 form the opinion that a variation from complying development (including complying development as declared under Regulation 8A(1)(a) of the Regulations) is minor; and</p> <p>53A.2.2 determine that 2 or more minor variations, when taken together, constitute a 'minor variation from complying development'.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307441	r8B(1)	Development Regulations 2008	<p>53B. Complying Building Work – Building Rules</p> <p>53B.1 The power pursuant to Regulation 8B(1) of the Regulations, for the purposes of Section 36(1) of the Act to, subject to Regulation 8B(2) of the Regulations, assess building work as being in a form specified in</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Development Compliance Officer (211), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Schedule 4 Part 2 (including a form specified or provided for in the Building Code referred to in Schedule 4 Part 2).		Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307261	r9A(1)	Development Regulations 2008	54. Infrastructure Planning 54.1 The power pursuant to Regulation 9A(1) to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.	----- To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307262	r10A(1)	Development Regulations 2008	55. Consultation with Government Departments or Agencies 55.1 The duty pursuant to Regulation 10A(1) of the Regulations if the Council is subject to a requirement under Section 25(7)(a) of the Act to ensure that a copy of any written report received from a Department or agency is furnished to the Minister for the purposes of considering the matter under Section 25(7)(b) of the Act.	----- To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307263	s25,26	Development Regulations	56. Public Consultation - Section 25 & 26	-----	Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	<p>56.1 Subject to Regulations 11A(3) and 11A(6) of the Regulations, for the purposes of Sections 25 and 26 of the Act, the duty pursuant to Regulation 11A(1) of the Regulations to give public notice of a DPA by publication in the designated manner of a notice:</p> <p>56.1.1 advising the time and places at which the DPA is available for inspection (without charge) and purchase by the public; and</p> <p>56.1.2 inviting any interested person to make written submissions on the amendment to the council within the relevant period specified in the notice; and</p> <p>56.1.3 stating that the submissions will be available for inspection by any interested person at a place specified in the notice from the expiration of the period specified under Regulation 11A(1)(b) of the Regulations until the conclusion of any public meeting held for the purposes of Section 25(11)(b) or 26(5c)(b) of the Act (or, if no such meeting is to be held, until the decision is made not to hold the meeting); and</p> <p>56.1.4 providing information about when and where any public meeting is proposed to be held for the purposes of Sections 25(11)(b) or 26(5c)(b) of the Act (subject to a decision being made under the relevant section not to hold a meeting).</p>	To be read in conjunction with CAP Delegation Policy.	Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307264	s25,26	Development Regulations 2008	<p>56. Public Consultation - Section 25 & 26</p> <p>56.2 If one or more written submissions are made in response to a notice published under Regulation 11A(1) of the Regulations, the duty pursuant to Regulation 11A(3) of the Regulations to make a copy of each submission available for inspection in accordance with the statement included under Regulation 11A(1)(c).</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307265	s25,26	Development Regulations	56. Public Consultation - Section 25 & 26		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	56.3 For the purposes of Sections 25(9)(c) and 26(5b)(c) of the Act, the duty pursuant to Regulation 11A(4) of the Regulations to include in the written notice the same information as required for a notice under Regulation 11A(1) of the Regulations.	To be read in conjunction with CAP Delegation Policy.	Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307266	s25,26	Development Regulations 2008	56. Public Consultation - Section 25 & 26 56.4 The duty pursuant to Regulation 11A(5) of the Regulations, to ensure that a copy of any DPA released for public consultation under Section 25 of the Act is provided to the Minister within 2 business days after that release.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307267	r12	Development Regulations 2008	57. Public Meeting 57.1 The duty pursuant to and in accordance with Regulation 12 of the Regulations to hold a public meeting if an amendment has been prepared by the Council or the Delegate.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307268	r12(4)	Development Regulations 2008	57. Public Meeting 57.2 The power pursuant to Regulation 12(4) of the Regulations to adjourn a public meeting from time to time, and place to place if necessary or appropriate.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307269	r15(1)(c)	Development Regulations 2008	58. Application to Relevant Authority 58.1 The power pursuant to Regulation 15(1)(c) of the Regulations to require an additional or lesser number of copies of plans, drawings, specifications and other documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) of the Regulations.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307270	r15(4)	Development Regulations 2008	58. Application to Relevant Authority 58.2 The duty pursuant to and in accordance with Regulation 15(4) of the Regulations, if an application is lodged with the Council but a regional development assessment panel is the relevant authority, to retain a copy of the application and other accompanying information and to forward the application on to the appropriate person acting on behalf of the regional development assessment panel.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307271	r15(5)	Development Regulations 2008	58. Application to Relevant Authority 58.3 The duty pursuant to and in accordance with Regulation 15(5) of the Regulations, when an application is lodged with the Council but the Development Assessment Commission is the relevant authority, to forward all but one copy of the application and the accompanying information, as well as a written acknowledgment that the appropriate fees have been paid, including details of each fee component paid, to	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the Development Assessment Commission.		Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307272	r15(7)(b)	Development Regulations 2008	58. Application to Relevant Authority 58.4 The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the Development Assessment Commission, that the Delegate wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307421	15(7b)	Development Regulations 2008	58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier: 58.4A.1 the Development Assessment number assigned to the development proposed under the application; and	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307445	r15(7b)	Development Regulations	58.4A The power pursuant to Regulation 15(7b) of the Regulations, to		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	<p>within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier:</p> <p>58.4A.2 if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant:</p> <p>58.4A.2.1 advice about any site contamination that is believed to exist at the site where the development would be undertaken; and</p> <p>58.4A.2.2 advice about the likely need for approval to alter a public road under section 221 of the Local Government Act 1999 in order to establish a new access point.</p> <p>58.4A.2.3 advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.</p>	To be read in conjunction with CAP Delegation Policy.	Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307273	r15(8)	Development Regulations 2008	<p>58. Application to Relevant Authority</p> <p>58.5 The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c).</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307274	r15(10)(c)	Development Regulations 2008	<p>58. Application to Relevant Authority [City of Tea Tree Gully only]</p> <p>58.6 If an application relates to a proposed development that involves the division of land in the Golden Grove Development Area which is complying development in respect of the Development Plan, the duty pursuant to Regulation 15(10)(c) to forward to the Development Assessment Commission within 5 business days after receipt of the application:</p> <p>58.6.1 a copy of the application; and</p> <p>58.6.2 a copy of the plans, drawings, specification and other documents or information accompanying the application.</p>	City of Tea Tree Gully only.	Elected Body
307275	r15(11)	Development Regulations 2008	<p>58. Application to Relevant Authority</p> <p>58.7 The power pursuant to Regulation 15(11) of the Regulations, to modify the requirements of Schedule 5 in relation to a particular application, subject to the following qualifications:</p> <p>58.7.1 in the case of an application that is lodged with the Council for assessment as residential code development – the requirements of Schedule 5 may not be modified in any way by the delegate assessing the application (whether so as to require more or less information), except on authority of the Minister under Section 39(1)(a) of the Act;</p> <p>58.7.2 in any other case, the delegate must not, when requiring plans, drawings, specifications and other documents in relation to the</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			application, require the applicant to provide more information than that specified under Schedule 5 (subject to Section 39 of the Act).		Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307276	r15(12)	Development Regulations 2008	58. Application to Relevant Authority 58.8 The duty pursuant to Regulation 15(12) of the Regulations to, in exercising the discretion under Section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Leader Statutory Planning (326)
307277	r16(1)	Development Regulations 2008	59. Nature of Development 59.1 The duty pursuant to Regulation 16(1) of the Regulations, where an application requires the assessment of a proposed development against the provisions of the Development Plan, to determine the nature of the development applied for.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307278	r16(2)	Development Regulations 2008	59. Nature of Development 59.2 The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307279	r16(3)	Development Regulations 2008	59. Nature of Development 59.3 The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			development, form the opinion that the development is residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.		Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307280	r16(4)	Development Regulations 2008	59. Nature of Development 59.4 The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is not residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's opinion.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307281	r17(3)	Development Regulations 2008	<p>60. Non-Complying Development</p> <p>60.1 The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to:</p> <p>60.1.1 refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or</p>	<p>Sign off by Director Development & Regulatory Services Manager Development Services. To be read in conjunction with CAP Delegation Policy.</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Statutory Planning (326)
307444	r17(3)	Development Regulations 2008	60. Non-Complying Development 60.1.2 resolve to proceed with an assessment of the application.	Sign off by Director Development & Regulatory Services Manager Development Services. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307282	r17(4)	Development Regulations 2008	60. Non-Complying Development 60.2 The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.	To be read in conjunction with CAP Delegation Policy	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307283	r17	Development Regulations 2008	<p>60. Non-Complying Development</p> <p>60.3 The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.</p>	<p>Sign off by Director Development & Regulatory Services Manager Development Services. To be read in conjunction with CAP Delegation Policy.</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307284	r18	Development Regulations 2008	<p>61. Notification of Application for Tree-Damaging Activity to Owner of Land</p> <p>61.1 Where the owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, the duty pursuant to and in accordance with Regulation 18 of the Regulations:</p> <p>61.1.1 to give the owner of land notice of the application; and</p> <p>61.1.2 to give due consideration, in the assessment of the application, to any submission made by the owner within a reasonable time after the giving of notice of the application.</p>	<p>To be read in conjunction with CAP Delegation Policy.</p>	<p>Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planning (326)
307285	r20(4)	Development Regulations 2008	62. Amended Applications 62.1 The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not required.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307286	r20(5)	Development Regulations 2008	62. Amended Applications 62.2 The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307287	r22(1)	Development Regulations	63. Withdrawing/Lapsing Application		Building Officer (380),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	63.1 The duty pursuant to Regulation 22(1) of the Regulations, where an applicant withdraws an application, to notify any agency to which an application was referred under Part 5 of the Regulations and any person who made a representation in relation to the application under Part 6 of the Regulations of the withdrawal.	To be read in conjunction with CAP Delegation Policy.	Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307288	r22(2)	Development Regulations 2008	63. Withdrawing/Lapsing Application 63.2 Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the said application.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Leader Statutory Planning (326)
307289	r22(2)	Development Regulations 2008	<p>63. Withdrawing/Lapsing Application</p> <p>63.3 Before taking action to lapse a development application under Regulation 22(2) of the Regulations the duty, pursuant to and in accordance with Regulation 22(3) of the Regulations to:</p> <p>63.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>63.3.2 allow the applicant a reasonable opportunity to make submissions to the Council or the Delegate about the proposed course of action, and the power to determine the manner and form of those submissions.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307290	r23(2)	Development Regulations 2008	<p>64. Contravening Development</p> <p>64.1 The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307291	r24(1)	Development Regulations 2008	<p>65. Referrals</p> <p>65.1 The duty pursuant to Regulation 24(1) of the Regulations to refer an application of a prescribed kind together with a copy of any relevant</p>	To be read in conjunction with CAP	Chief Executive Officer (95), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			information provided by the applicant to the relevant body prescribed by Schedule 8 of the Regulations and to not make a decision on the application until a response has been received from the referral body or the time period for receipt of a response has lapsed.	Delegation Policy.	Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307292	r25	Development Regulations 2008	66. Procedure Where Concurrence Required 66.1 The duty pursuant to Regulation 25 of the Regulations, if concurrence must be sought from another body prior to issuing a consent or approval to forward to the other body whose concurrence must be sought that information required by Regulation 25(b) of the Regulations.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307293	r27(1)	Development Regulations 2008	67. Additional Information or Amended Plans 67.1 The duty pursuant to Regulation 27(1) of the Regulations, where	To be read in	CAP (Council's Assessment Panel), Chief Executive

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>an application has been referred to a prescribed body under Part 5 of the Regulations and additional information is received which is materially relevant to the referral, to repeat the referral process where the Delegate is of the opinion that the additional information or amendment is significant and the power to repeat the referral process in all other instances.</p>	<p>conjunction with CAP Delegation Policy.</p>	<p>Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307294	r28(3)	Development Regulations 2008	<p>68. Special Provisions - Referrals</p> <p>68.1 The duty pursuant to and in accordance with Regulation 28(3) of the Regulations to refer an application for building rules consent to the relevant fire authority for comment and report where the Delegate considers that:</p> <p>68.1.1 a proposed alternative solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or</p> <p>68.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or</p>	<p>To be read in conjunction with CAP Delegation Policy.</p>	<p>Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Manager Development Services (72), Team Leader Building Services (286)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>68.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,</p> <p>and the duty pursuant to Regulation 28(5) of the Regulations to have regard to any report received from the fire authority under Regulation 28.</p>		
307295	r28(4)	Development Regulations 2008	<p>68. Special Provisions - Referrals</p> <p>68.2 The power pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not desire to make a report.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Manager Development Services (72), Team Leader Building Services (286)
307296	r28	Development Regulations 2008	<p>68. Special Provisions - Referrals</p> <p>68.3 If, in respect of an application referred to a fire authority under Regulation 28, the fire authority:</p> <p>68.3.1 recommends against the granting of building rules consent; or</p> <p>68.3.2 concurs in the granting of consent on conditions specified in its report, but the Delegate:</p> <p>68.3.3 proposes to grant building rules consent despite a recommendation referred to in Regulation 28(5a)(a) of the Regulations; or</p> <p>68.3.4 does not propose to impose the conditions referred to in Regulation 28(5a)(b) of the Regulations, or proposes to impose the conditions in varied form, on the grant of consent,</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Manager Development Services (72), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>the duty pursuant to Regulation 28(5a) of the Regulations to:</p> <p>68.3.5 refer the application to the Building Rules Assessment Commission; and</p> <p>68.3.6 not grant consent unless the Building Rules Assessment Commission concurs in the granting of consent.</p>		
307297	r28(6)	Development Regulations 2008	<p>68. Special Provisions - Referrals</p> <p>68.4 The duty pursuant to Regulation 28(6) of the Regulations to provide to the Building Rules Assessment Commission a copy of any report received from a fire authority under Regulation 28(1) that relates to an application referred to the Building Rules Assessment Commission under the Act.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Manager Development Services (72), Team Leader Building Services (286)
307298	r28(7)	Development Regulations 2008	<p>68. Special Provisions - Referrals</p> <p>68.5 The duty pursuant to Regulation 28(7) of the Regulations, where building work comprises or includes the construction or installation of a private bushfire shelter, not to grant a building rules consent unless the Building Rules Assessment Commission concurs in the granting of the consent.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Manager Development Services (72), Team Leader Building Services (286)
307299	r29(1)	Development Regulations 2008	<p>69. Land Division Applications</p> <p>69.1 The duty pursuant to Regulation 29(1) of the Regulations, subject to the provisions in Regulation 29(2) of the Regulations, to withhold making a decision on an application which relates to a proposed development that involves the division of land until a report has been received from the Development Assessment Commission.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (82), Team Leader Statutory Planning (326)
307300	r29(1)	Development Regulations 2008	69. Land Division Applications 69.2 The power pursuant to Regulation 29(2) of the Regulations, when a report from the Development Assessment Commission pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission may require by notice in writing to the Council, to presume that the Development Assessment Commission does not desire to make a report.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307301	r30(1)	Development Regulations 2008	70. Underground Mains Area 70.1 The power pursuant to Regulation 30(1) of the Regulations to seek a report from the relevant electricity authority where the Delegate considers that an area should be declared an underground mains area.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307302	r30(2)	Development Regulations 2008	70. Underground Mains Area 70.2 The power pursuant to Regulation 30(2) of the Regulations to declare an area as an underground mains area.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307303	r30(4)	Development Regulations 2008	70. Underground Mains Area 70.3 The power pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground mains area, to require, as a condition of the decision, that any electricity mains be placed underground.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307304	s37AA	Development Regulations 2008	71. Preliminary Advice and Agreement - Section 37AA 71.1 The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.	Subject to sign-off by Director Development & Regulatory Services,	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				<p>Manager Development Services, Team Leader Statutory Planning, Senior Statutory Planner. To be read in conjunction with CAP Delegation Policy.</p>	<p>Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307305	s37AA	Development Regulations 2008	<p>71. Preliminary Advice and Agreement - Section 37AA 71.2 The power pursuant to Regulation 31A(6) of the Regulations if:</p> <p>71.2.1 a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and</p> <p>71.2.2 the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body, to refer the application (unless withdrawn) to the prescribed body:</p> <p>71.2.3 to obtain a variation to the agreement under Section 37AA of the Act; or</p> <p>71.2.4 to obtain a response from the prescribed body for the purposes of Section 37 of the Act.</p>	<p>To be read in conjunction with CAP Delegation Policy.</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Statutory Planning (326)
307306	s37AA	Development Regulations 2008	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.3 The power pursuant to Regulation 31A(7) of the Regulations if:</p> <p>71.3.1 an application is withdrawn by the Applicant; and</p> <p>71.3.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the withdrawal of an application.</p>	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307307	r31A(8)	Development Regulations 2008	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.4 The power pursuant to Regulation 31A(8) of the Regulations if:</p> <p>71.4.1 an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and</p> <p>71.4.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the lapsing of an application.</p>	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307308	r31A(9)	Development Regulations 2008	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.5 The power pursuant to Regulation 31A(9) of the Regulations if:</p> <p>71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and</p> <p>71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations, to send a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.</p>	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307438	r32(5)	Development Regulations 2008	<p>71A. Public Notice Categories</p> <p>71A.1 The power pursuant to Regulation 32(5) of the Regulations to determine that a form of development comprises 2 or more elements.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307309	r34(1)	Development Regulations 2008	72. Public Inspection of Certain Applications 72.1 The duty pursuant to and in accordance with Regulation 34(1) of the Regulations, subject to Regulation 34(4) of the Regulations to ensure that copies of documents referred to in Regulation 34(1) concerning an application are reasonably available for inspection by the public (without charge).	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307310	r34(2)	Development Regulations 2008	72. Public Inspection of Certain Applications 72.2 The duty pursuant to Regulation 34(2) of the Regulations, subject to Regulation 34(4) of the Regulations, where a request is made within the time period that applies under Regulation 34(1) of the Regulations	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			and on payment of a fee fixed by Council to provide to a member of the public a copy of any document of information available for inspection under Regulation 34(1) of the Regulations.		Coordinator (77), Chief Executive Officer (95), Customer Service Officer Casual (21), Customer Service Officer Casual (267), Customer Service Officer Casual (281), Customer Service Officer Casual (359), Customer Service Officer Casual (60), Director Development and Regulatory Services (70), Executive Assistant Dev'ment and Reg Services (69), Home Services Support Officer (25), Manager Development Services (72), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Senior Statutory Planner (80), Services Coordinator (35), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Customer Service (389), Team Leader Statutory Planning (326)
307311	r34(3)	Development Regulations	72. Public Inspection of Certain Applications		Administration Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	72.3 The power pursuant to Regulation 34(3) of the Regulations to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such manner as the Delegate thinks fit.	To be read in conjunction with CAP Delegation Policy.	Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Customer Service Officer Casual (21), Customer Service Officer Casual (267), Customer Service Officer Casual (281), Customer Service Officer Casual (359), Customer Service Officer Casual (60), Director Development and Regulatory Services (70), Executive Assistant Dev'ment and Reg Services (69), Home Services Support Officer (25), Manager Development Services (72), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Senior Statutory Planner (80), Services Coordinator (35), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Customer

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Service (389), Team Leader Statutory Planning (326)
307312	r34(4)	Development Regulations 2008	72. Public Inspection of Certain Applications 72.4 The power pursuant to Regulation 34(4) of the Regulations to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available for inspection.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307313	r36	Development Regulations 2008	73. Response by Applicant 73.1 The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planning (326)
307314	s34(1)(b)	Development Regulations 2008	<p>74. Determination of Commission as Relevant Authority</p> <p>74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act:</p> <p>74.1.1 in a case where the Minister has made a declaration under Section 34(1)(b)(iii) or 34(1)(b)(vi) of the Act, the duty pursuant to and in accordance with Regulation 38(2)(a)(i) of the Regulations to forward to the Development Assessment Commission any application received by the Council under the Act and the Regulations in relation to the matter together with accompanying documentation or information and, as appropriate, fees; and</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307414	s34(1)(b)	Development Regulations 2008	<p>74. Determination of Commission as Relevant Authority</p> <p>74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act:</p> <p>74.1.2 in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307315	s34(1)(b)(iv)	Development Regulations 2008	74. Determination of Commission as Relevant Authority 74.2 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission with comments on the proposed development.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307316	r39	Development Regulations 2008	75. Assessment in Respect of Building Rules Referred to the Council 75.1 The duty pursuant to and in accordance with Regulation 39 of the Regulations, where the Council is the relevant authority pursuant to Section 34(2) of the Act, not to give any decision in respect of the assessment against the Building Rules until the Development Assessment Commission or the regional development assessment panel (as the case may be) has made its decision.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
307317	r42	Development Regulations 2008	76. Notification of Decision to Applicant (Including Conditions) 76.1 The duty pursuant to and in accordance with Regulation 42 of the Regulations to give notice of a decision on an application under Division 1 of Part 4 of the Act including, but not limited to, the power to endorse approved plans and documentation under Regulation 42(4).	To be read in conjunction with CAP Delegation Policy	Administration Building Support Officer (418), Administration Support Officer (369), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307318	r43	Development Regulations 2008	77. Notification of Decision to a Prescribed Body 77.1 The duty pursuant to and in accordance with Regulation 43 of the Development Regulations, to send a copy of the notice of decision issued under Regulation 42 of the Regulations to any prescribed body to which the application had been referred.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307319	r43(3)	Development Regulations 2008	77. Notification of Decision to a Prescribed Body 77.2 The duty pursuant to and in accordance with Regulation 43(3) of the Regulations to send a copy of a notice of a decision on an application, if or when a development authorisation is issued in relation to a proposed division of land, to the Development Assessment Commission.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307320	r44	Development Regulations 2008	78. Notification of Decision to Owner of Land 78.1 The duty pursuant to and in accordance with Regulation 44 of the	To be read in	Administration Building Support Officer (418),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Regulations to send a copy of any notice issued under Regulation 42 of the Regulations to the owner of land to which a decision on the application relates where the owner is not a party to the application.	conjunction with CAP Delegation Policy.	Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307321	r45(2)	Development Regulations 2008	<p>79. Scheme Description - Community Titles</p> <p>79.1 The duty pursuant to Regulation 45(2) of the Regulations to endorse a scheme description under Section 3 of the Community Titles Act 1996 in the following terms:</p> <p>79.1.1 All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the relevant plan of community division under the Community Titles Act 1996 have been granted.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>OR</p> <p>No consent or approval is required under the Development Act 1993 in relation to the division of land (or a change in the use of the land) in accordance with this scheme description.</p> <p>This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description.</p> <p>Signed:</p> <p>Dated:</p>		
307322	r45(2)	Development Regulations 2008	<p>79. Scheme Description - Community Titles</p> <p>79.2 The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under Section 3 of the Community Titles Act 1996, notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Statutory Planning (326)
307323	r46(1)	Development Regulations 2008	<p>80. Special Provisions Relating to Staged Consents</p> <p>80.1 The duty pursuant to and in accordance with Regulation 46(1) of the Regulations, and in a case where the development is within the ambit of Schedule 1A, subject to, in accordance with Regulations 46(4) and (5) of the Regulations, any step that the Delegate, as the relevant authority considers it needs to take under Section 42 of the Act, to issue a Notice of Approval in the circumstances prescribed by Regulation 46 of the Regulations.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307324	r47	Development Regulations	81. Endorsed Plans		Building Officer (380),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	81.1 The duty pursuant to Regulation 47 of the Regulations to return to a successful applicant, a copy of the plans, drawings, specifications and other documents and information lodged by the applicant duly endorsed with the building rules consent.	To be read in conjunction with CAP Delegation Policy.	Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307426	r47A	Development Regulations 2008	81A. Minor Variation of Development Authorisation 81A.1 The power pursuant to Regulation 47A(1) of the Regulations, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307325	r48(2)	Development Regulations 2008	82. Lapse of Consent or Approval 82.1 The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307326	r51(4)	Development Regulations 2008	83. Width of Roads and Thoroughfares 83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Delegation Policy.	Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307327	r51(6)	Development Regulations 2008	83. Width of Roads and Thoroughfares 83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307328	r52(1)	Development Regulations 2008	84. Road Widening 84.1 The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307329	r53(1), (2)	Development Regulations 2008	85. Requirement as to Forming of Roads 85.1 The power pursuant to Regulation 53(1) and (2) of the Regulations	Subject to receipt of	Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			to specify the width of roads.	advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307330	r53(4)	Development Regulations 2008	85. Requirement as to Forming of Roads 85.2 The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a through road.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307331	r53(6)	Development Regulations 2008	85. Requirement as to Forming of Roads 85.3 The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (82), Team Leader Statutory Planning (326)
307332	r54(1)	Development Regulations 2008	86. Construction of Roads, Bridges, Drains and Services 86.1 The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307333	r55(1)	Development Regulations 2008	87. Supplementary Provisions 87.1 The duty pursuant to Regulation 55(1) of the Regulations to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, water-table, kerbing, culvert and drain.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307334	r55(2)	Development Regulations 2008	87. Supplementary Provisions 87.2 The duty pursuant to Regulation 55(2) of the Regulations to consider, and if appropriate approve, detailed construction plans and	Subject to receipt of advice from Council's	Chief Executive Officer (95), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 of the Regulations.	Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307335	r55(4)	Development Regulations 2008	87. Supplementary Provisions 87.3 The duty pursuant to Regulation 55(4) of the Regulations to consider, and if appropriate accept, that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed.	Subject to receipt of advice from Council's Engineering Department prior to work commencing. To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307336	r58(1)	Development Regulations 2008	88. General Land Division 88.1 The power pursuant to and in accordance with Regulation 58(1) of the Regulations to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)
307337	r58(2)	Development Regulations 2008	88. General Land Division 88.2 The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the Development Assessment Commission that an applicant has entered into appropriate binding arrangements	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development

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			pursuant to Section 51(1) of the Act.		Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307338	r59(1)	Development Regulations 2008	89. Division of Land by Strata Title 89.1 The power pursuant to Regulation 59(1) of the Regulations to advise the Development Assessment Commission that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Act and that the arrangement is supported by adequate security.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307339	r60(1)	Development Regulations 2008	90. General Provisions 90.1 The power pursuant to and in accordance with Regulation 60(1) of the Regulations to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Act.	Subject to receipt of advice from the Director Engineering & Assets. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (82), Team Leader Statutory Planning (326)
307340	r60(7)	Development Regulations 2008	90. General Provisions 90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 60(4) of the Regulations be furnished to the Council by sending a written copy to the Council.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307341	r60(9)	Development Regulations 2008	90. General Provisions 90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the Development Assessment Commission before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307342	s46	Development Regulations 2008	91. Declaration by The Minister - Section 46 91.1 The duty pursuant to and in accordance with Regulation 61(2) of the Regulations, to transmit to the Minister any relevant	Subject to any covering letter being	Chief Executive Officer (95), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			documentation (including the application and any accompanying documentation or information lodged by the proponent with the Council under Division 1 of Part 4 of the Act) within 10 business days after the receipt of a copy of a notice required by Regulation 61(1) of the Regulations.	signed by the CEO. To be read in conjunction with CAP Delegation Policy.	Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307343	s46	Development Regulations 2008	91. Declaration by The Minister - Section 46 91.2 At the same time that documents are transmitted to the Minister under Regulation 61(2) of the Regulations, the duty pursuant to Regulation 61(3) of the Regulations to also transmit to the Minister any fees that have been paid by the proponent under Schedule 6 (less any amount that the Minister determines should be retained by the Council).	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307344	s46	Development Regulations 2008	91. Declaration by The Minister - Section 46 91.3 Where an application lodged with the Minister under Section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to Regulation 61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by Regulation 61(4) of the Regulations.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307345	s48	Development Regulations 2008	92. Referral of Assessment of Building Work 92.1 Where a development application which is subject to the operation of Section 48 of the Act is referred to the Council for assessment in respect of the Building Rules the duty pursuant to and in accordance with Regulation 64(2) of the Regulations, to ensure that the assessment is consistent with any development plan consent previously given under Section 48 of the Act.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307346	r64(1)	Development Regulations 2008	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to:	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307446	r64(1)	Development Regulations 2008	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.1 provide the certification in the form set out in Schedule 12A; and		Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307447	r64(1)	Development Regulations 2008	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2 to the extent that may be relevant and appropriate:	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307456	r64(1)	Development Regulations 2008	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.1 issue a schedule of essential safety provisions under Division 4 of Part 12 of the Act; and	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307449	r64(1)	Development Regulations 2008	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to:	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development

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			92.2.2.2 assign a classification to the building under the Regulations; and		Services (72), Team Leader Building Services (286)
307448	r64(1)	Development Regulations 2008	<p>92. Referral of Assessment of Building Work</p> <p>92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to:</p> <p>92.2.2.3 ensure that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993.</p>	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307347	r64(3)(a)	Development Regulations	92. Referral of Assessment of Building Work		Building Officer (380),

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		2008	92.3 Where the Council issues a certificate in the form set out in Schedule 12A of the Regulations as required by Regulation 64(3)(a) of the Regulations, the duty pursuant to Regulation 64(4) of the Regulations to furnish to the Minister a copy of the certificate together with a copy of any schedule of essential safety provisions.	To be read in conjunction with CAP Delegation Policy.	Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307348	r74(1)(b)	Development Regulations 2008	93. Notifications During Building Work 93.1 The power pursuant to Regulation 74(1)(b) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307349	r74(1)(c)	Development Regulations 2008	93. Notifications During Building Work 93.2 The power pursuant to Regulation 74(1)(c) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307350	r74(4)	Development Regulations 2008	93. Notifications During Building Work 93.3 The duty pursuant to Regulation 74(4) of the Regulations to make a note on the relevant building file of any notice given in accordance with Regulation 74(3)(d) by a person by telephone.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307351	r76(4)	Development Regulations 2008	94. Essential Safety Provisions 94.1 The duty pursuant to Regulation 76(4) of the Regulations, on either the granting of a building rules consent or on application by the owner of a building, to issue a schedule in the form set out in Schedule 16 specifying the essential safety provisions for buildings and the standards and requirements for maintenance and testing in respect of those provisions.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader

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					Building Services (286)
307352	r76(10)	Development Regulations 2008	94. Essential Safety Provisions 94.2 The power pursuant to Regulation 76(10) of the Regulations to require compliance with Regulation 76(7) despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under Section 36(2) of the Act or the building has been the subject of a notice under Section 71 of the Act.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307425	r76D(4a)	Development Regulations 2008	94A Swimming Pool Safety 94A.1 The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of Section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307353	r78(1)	Development Regulations 2008	95. Building Rules: Bushfire Prone Areas 95.1 Where: 95.1.1 application is made for building rules consent for building work in the nature of an alteration to a class 1, 2 or 3 building under the Building Code; and 95.1.2 the building is in a bushfire prone area under Regulation 78(1) of the Regulations; and 95.1.3 the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50% when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)

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			constructed since that time, as it existed at the date of completion of original construction), the power, pursuant to Regulation 78(2) of the Regulations, to require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.		
307354	r79(2)	Development Regulations 2008	96. Construction Industry Training Fund 96.1 The duty pursuant to Regulation 79(2) of the Regulations to withhold issuing a building rules consent until satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or that no such levy is payable.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307355	r79(4)	Development Regulations 2008	96. Construction Industry Training Fund 96.2 The power pursuant to Regulation 79(4) of the Regulations to form an opinion whether the appropriate levy under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that a building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307356	r79(5)(b)	Development Regulations 2008	96. Construction Industry Training Fund 96.3 The power pursuant to and in accordance with Regulation 79(5)(b) of the Regulations to determine that the application has lapsed.	To be read in conjunction with CAP	Building Officer (380), Building Officer (453), Building Officer (73), Chief

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Delegation Policy.	Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307442	r80(1a)	Development Regulations 2008	<p>96A Requirement to Up-grade Building in Certain Cases</p> <p>96A.1 The power pursuant to Regulation 80(1a) of the Regulations, if an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to class 9 building constructed before 1 January 2002, to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition, and to require, as a condition of consent:</p> <p>96A.1.1 that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards; or</p> <p>96A.1.2 that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to the extent reasonably applicable to the building and its condition).</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307357	r82(3)(b)(i)	Development Regulations 2008	<p>97. Classification of Buildings</p> <p>97.1 The power pursuant to Regulation 82(3)(b)(i) of the Regulations to require such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70),

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					Manager Development Services (72), Team Leader Building Services (286)
307358	r82(4)	Development Regulations 2008	<p>97. Classification of Buildings</p> <p>97.2 The power pursuant to Regulation 82(4) of the Regulations and subject to Regulation 82(4a) of the Regulations, to assign the appropriate classification under the Building Code to a building upon being satisfied on the basis of the owner's application and accompanying documents that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307443	r82(4a)	Development Regulations 2008	<p>97. Classification of Buildings</p> <p>97.2A The power pursuant to Regulation 82(4a) of the Regulations, if an application under Regulation 82 of the Regulations is made in respect of an existing class 2 to class 9 building, to require the applicant to satisfy the delegate that Minister's Specification SA: Upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307427	r82(5)	Development Regulations 2008	<p>97. Classification of Buildings</p> <p>97.3 The power pursuant to Regulation 82(5) of the Regulations, on assigning a classification to a building (or part of a building), to, if relevant, determine and specify in the notice to the owner under Section 66(4) of the Act –</p> <p>97.3.1 the maximum number of persons who may occupy the building (or part of the building); and</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)

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			97.3.2 If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.		
307359	r83(2)(c)	Development Regulations 2008	98. Certificates of Occupancy 98.1 The power pursuant to Regulation 83(2)(c) of the Regulations to require from an applicant for a certificate of occupancy reasonable evidence that conditions attached to a development approval have been satisfied.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307360	r83(2)(d)	Development Regulations 2008	98. Certificates of Occupancy 98.2 The power pursuant to Regulation 83(2)(d) of the Regulations where an application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than 1 storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case the building is suitable for occupation.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307361	r83(3)	Development Regulations 2008	98. Certificates of Occupancy 98.3 The power pursuant to Regulation 83(3) of the Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after the commencement of the Development (Building Cladding) Variation Regulations 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) if the Delegate is satisfied that a person required to complete 1 or both parts of the	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)

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			Statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification(s) and it appears to the Delegate that the relevant building is suitable for occupation.		
307362	r83(4)	Development Regulations 2008	<p>98. Certificates of Occupancy</p> <p>98.4 Where:</p> <p>98.4.1 a building is required by the Building Rules:</p> <p>98.4.1.1 to be equipped with a booster assembly for use by a fire authority; or</p> <p>98.4.1.2 to have installed a fire alarm that transmits a signal to a fire station; and</p> <p>98.4.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, the duty pursuant to Regulation 83(4) of the Regulations to not grant a certificate of occupancy unless or until a report has been sought from the fire authority as to whether those facilities have been installed and operate satisfactorily.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307363	r83(5)	Development Regulations 2008	<p>98. Certificates of Occupancy</p> <p>98.5 The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) is not received within 15 business days, to presume that the fire authority does not desire to make a report.</p>	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307364	r83(6)	Development Regulations 2008	98. Certificates of Occupancy 98.6 The duty pursuant to Regulation 83(6) of the Regulations to have regard to any report received from a fire authority under Regulation 83(4) before issuing a certificate of occupancy.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307365	r83(9)	Development Regulations 2008	98. Certificates of Occupancy 98.7 The power pursuant to Regulation 83(9) of the Regulations to revoke a certificate of occupancy.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286)
307366	r88(3)	Development Regulations 2008	99. Certificate of Independent Technical Expert in Certain Case 99.1 The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195),

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					Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307367	r95(2)	Development Regulations 2008	100. Fees 100.1 The power pursuant to Regulation 95(2) of the Regulations to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any other determination for the purposes of Schedule 6.	To be read in conjunction with CAP Delegation Policy.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307368	r95(3)	Development Regulations	100. Fees		Administration Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	100.2 The power pursuant to the provisions of Regulation 95(3) of the Regulations to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.	To be read in conjunction with CAP Delegation Policy.	Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307369	r95(4)	Development Regulations 2008	100. Fees 100.3 The power pursuant to Regulation 95(4) of the Regulations to, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307370	r95(5)	Development Regulations 2008	<p>100. Fees</p> <p>100.4 The duty pursuant to Regulation 95(5) of the Regulations, on a reassessment under Regulation 95(4) of the Regulations:</p> <p>100.4.1 if it appears that an overpayment has occurred, to refund any amount due in accordance with the reassessment; and</p> <p>100.4.2 if it appears that an underpayment has occurred, to charge any further amount payable in accordance with the reassessment.</p>	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Services (286), Team Leader Statutory Planning (326)
307371	r98	Development Regulations 2008	101. Register Of Applications 101.1 The duty pursuant to Regulation 98 of the Regulations to keep available for public inspection a register of applications for consent, approval, or the assignment of building classifications under the Act.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Officer Tech Records (434), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307372	r98(3)	Development Regulations 2008	101. Register Of Applications 101.2 The power pursuant to Regulation 98(3) to fix a fee and upon payment of that fee, make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Customer Service Officer Casual (21), Customer Service Officer Casual (267), Customer Service Officer Casual (281),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Customer Service Officer Casual (359), Customer Service Officer Casual (60), Development Compliance Officer (211), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Executive Assistant Dev'ment and Reg Services (69), Home Services Support Officer (25), Manager Development Services (72), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Senior Statutory Planner (80), Services Coordinator (35), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307373	r99(2)	Development Regulations 2008	102. Registration of Land Management Agreements 102.1 The duty pursuant to and in accordance with Regulation 99(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57(2) of the Act.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Officer Tech Records (434), Manager Development Services (72), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307374	r99(3)	Development Regulations 2008	102. Registration of Land Management Agreements 102.2 The power pursuant to Regulation 99(3) of the Regulations to determine what other information may be contained in the Register.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307375	r100(2)	Development Regulations 2008	103. Land Management Agreements - Development Applications 103.1 The duty pursuant to Regulation 100(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57A of the Act.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Officer Tech Records (434),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Development Services (72), Team Leader Information Management (433)
307376	r100(3)	Development Regulations 2008	103. Land Management Agreements - Development Applications 103.2 The duty pursuant to Regulation 100(3) of the Regulations to include in the register a copy of each agreement entered into by the Council under Section 57A of the Act and other information the Delegate considers appropriate.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Officer Tech Records (434), Manager Development Services (72), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307377	r100(5)	Development Regulations 2008	103. Land Management Agreements - Development Applications 103.3 The duty pursuant to Regulation 100(5) of the Regulations to keep the register at the principal office of the Council.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Officer Tech Records (434), Manager Development Services (72), Team Leader

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Information Management (433), Team Leader Statutory Planning (326)
307378	r100(6)	Development Regulations 2008	103. Land Management Agreements - Development Applications 103.4 The duty pursuant to Regulation 100(6) of the Regulations to keep the register available for public inspection during normal office hours for the office where the register is situated.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Officer Tech Records (434), Manager Development Services (72), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307379	r100(9)	Development Regulations 2008	103. Land Management Agreements - Development Applications 103.5 The duty pursuant to Regulation 100(9) to give a copy of a notice under Regulation 100(8) to any owner of the land who is not a party to the agreement.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307422	r101(a1)	Development Regulations 2008	104. Documents to be Preserved by a Council 104.0 The power and duty pursuant to Regulation 101(a1) of the Regulations to retain a copy of each document provided to the Council by a private certifier in relation to any application for a development plan consent assessed by the private certifier.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82)
307380	r101(1)	Development Regulations 2008	104. Documents to be Preserved by a Council 104.1 The duty pursuant to Regulation 101(1) of the Regulations to retain a copy of the documents listed in Regulation 101 of the Regulations in relation to any building work approved under the Act.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307423	r101(1a)	Development Regulations 2008	104. Documents to be Preserved by a Council 104.1A The power and duty pursuant to Regulation 101(1a) of the Regulations to preserve any document referred to in Regulation 101(a1) for a period of at least 10 years.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Statutory Planning (326)
307381	r101(2)	Development Regulations 2008	104. Documents to be Preserved by a Council 104.2 The duty pursuant to Regulation 101(2) of the Regulations to preserve any document referred to in Regulation 101(1) of the Regulations until the building to which the document relates is demolished or removed.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307382	r101(3)	Development Regulations 2008	104. Documents to be Preserved by a Council 104.3 The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building owner declines the offer, the power to destroy the documents.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Information Management Officer (435)
307383	r101(4)	Development Regulations 2008	<p>104. Documents to be Preserved by a Council</p> <p>104.4 The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under Regulation 101(a1) or (1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307384	r101(5)	Development Regulations 2008	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.1 for inspection under Regulation 101(4)(a) if to do so would:</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307450	r101(5)	Development Regulations 2008	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307457	r101(5)	Development Regulations 2008	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.1.2 constitute a breach of any other law; or</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307452	r101(5)	Development Regulations 2008	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:	To be read in conjunction with CAP	Chief Executive Officer (95), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			104.5.2 for copying under Regulation 101(4)(b) if to do so would:	Delegation Policy.	Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307453	r101(5)	Development Regulations 2008	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307454	r101(5)	Development Regulations 2008	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.2 involve an infringement of copyright in matter contained in a document; or	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307455	r101(5)	Development Regulations 2008	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.2.3 constitute a breach of any other law.</p>	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Manager Development Services (72), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307424	r102(2)	Development Regulations 2008	<p>104A Documents to be Provided by Private Certifier</p> <p>104A.1 The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.</p>	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Applications Coordinator (77), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Planner)(265b), Director Development and Regulatory Services (70), Information Management Admin Officer (436), Information Management Officer Tech Records (434), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Building Services (286), Team Leader Information Management (433), Team Leader Statutory Planning (326), Technical Information Management Officer (435)
307385	r104	Development Regulations 2008	105. Transfer of Development Potential 105.1 The duty pursuant to Regulation 104 of the Regulations, wherever the provisions of the Development Plan provide for the transfer of development potential, to maintain a register of development rights containing the information prescribed in Regulation 104(1) and to make the said register available for public inspection on payment of the appropriate fee.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), CAP (Council's Assessment Panel), Chief Executive Officer (95), Director

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Development and Regulatory Services (70), Manager Development Services (72), Team Leader Information Management (433), Team Leader Statutory Planning (326)
307386	Section 115(1)(a)	Development Regulations 2008	106. System Indicators 106.1 The duty pursuant to Section 115(1)(a) of the Regulations to keep and collate the information specified in the system indicators document on a quarterly basis.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307387	115(1)(b)	Development Regulations 2008	106. System Indicators 106.2 The duty pursuant to Section 115(1)(b) of the Regulations to provide the information for each quarter to the Minister in a manner and form determined by the Minister, within 21 days after the end of the quarter.	To be read in conjunction with CAP Delegation Policy.	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Team Leader Statutory Planning (326)
307388	r115(2)	Development Regulations	106. System Indicators		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	106.3 The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council from a requirement in the system indicators document.	To be read in conjunction with CAP Delegation Policy.	Director Development and Regulatory Services (70)
307389	Schedule 1A	Development Regulations 2008	107. Schedule 1A - Demolition 107.1 The power, pursuant to Clause 12(3) of Schedule 1A of the Regulations, to make an application to the Minister for an area to be declared by the Minister to be a designated area.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307390	Schedule 1A	Development Regulations 2008	107. Schedule 1A - Demolition 107.2 The power pursuant to Clause 12(9) of Schedule 1A of the Regulations, before the Minister takes action to vary or revoke a declaration under Clause 12(3) of Schedule 1A of the Regulations or a condition under Clause 12(7) of Schedule 1A of the Regulations, to in response to a notice in writing from the Minister, show, within the specified time, why the proposed course of action should not be taken.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307391	cl 2B(4)(b)Schedule 4	Development Regulations 2008	108. Schedule 4 - New Dwellings 108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Statutory Planning (326)
307392	Schedule 6	Development Regulations 2008	109. Schedule 6 - Fees 109.1 The power pursuant to Clause 1(7) of Schedule 6 to the Regulations to determine the amount of the fee to be charged to an applicant to cover the Council's reasonable costs in giving public notice of the application under Section 38(5) of the Act.	Subject to Council approval. To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95)
307393	Schedule 8	Development Regulations 2008	110. Schedule 8 - Development Near The Coast 110.1 The power pursuant to Item 1(b) of Clause 2 of Schedule 8 of the Regulations, where development is on coastal land, to form the opinion that the development is of a minor nature only, and comprises the alteration of an existing building or the construction of a building to facilitate the use of an existing building.	NIL	Elected Body
307394	Schedule 8	Development Regulations 2008	111. Schedule 8 - Development Adjacent To Main Roads 111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is likely to: 111.1.1 alter an existing access; or 111.1.2 change the nature of movement through an existing access; or 111.1.3 create a new access; or 111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972, in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			relevant Development Plan).		
307395	Schedule 8	Development Regulations 2008	112. Schedule 8 - State Heritage Places 112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307396	Schedule 8	Development Regulations 2008	113. Schedule 8 - Mining - General 113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is of a minor nature only.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307397	Schedule 8	Development Regulations	114. Schedule 8 - Activity of Environmental Significance		CAP (Council's Assessment

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		2008	114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.	To be read in conjunction with CAP Delegation Policy.	Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307398	Schedule 8	Development Regulations 2008	115. Schedule 8 - Aquaculture Development 115.1 The power pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development involves a minor alteration to an existing or approved development.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307399	Schedule 8	Development Regulations 2008	116. Schedule 8 - Development Within the River Murray Floodplain Area 116.1 The power pursuant to and in accordance with Item 19(b) of Clause 2 of Schedule 8 of the Regulations to form the opinion that	To be read in conjunction with CAP Delegation Policy.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			development materially affects the context within which a State Heritage place is situated.		Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307400	Schedule 8	Development Regulations 2008	117. Schedule 8 - Development Within the River Murray Tributaries Area 117.1 The power pursuant to and in accordance with Item 20(a) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is situated.	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307401	Schedule 9	Development Regulations 2008	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.1 The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.	Delegate report to be countersigned by other statutory planner prior to the decision being made. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307402	Schedule 9	Development Regulations 2008	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.2 The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	Delegate report to be countersigned by other statutory planner prior to the decision being made. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307403	Schedule 9	Development Regulations 2008	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.3 The power pursuant to the following designated sub-paragraphs of Clause 3 of Part 1 to Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that: 118.3.1 the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a); 118.3.2 the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).	Made. To be read in conjunction with CAP Delegation Policy.	Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307404	Schedule 9	Development Regulations 2008	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.1 that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and</p>	<p>Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being Made. To be read in conjunction with CAP Delegation Policy.</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307434	Schedule 9	Development Regulations 2008	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.2 whether the division will change the nature or function of an existing road.</p>	<p>Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Leader Statutory Planning Prior To The Decision Being Made. To be read in conjunction with CAP Delegation Policy.	Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307405	Schedule 9	Development Regulations 2008	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.5 The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being Made. To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307406	Schedule 9	Development Regulations 2008	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only: 118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307435	Schedule 9	Development Regulations 2008	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and</p>	To be read in conjunction with CAP Delegation Policy.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
307436	Schedule 9	Development Regulations 2008	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations</p>	Delegate report to be countersigned by	CAP (Council's Assessment Panel), Chief Executive Officer (95), Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.3 the power to conclude, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.</p>	<p>either the Director Development & Regulatory Services Manager Development Services or Team Leader Statutory Planning prior to the decision being made. To be read in conjunction with CAP Delegation Policy.</p>	<p>Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307407	Schedule 9	Development Regulations 2008	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.1 that in respect of a proposed division of land that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and</p>	<p>Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being Made. To be read in conjunction with CAP Delegation Policy.</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307437	Schedule 9	Development Regulations 2008	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.2 whether the proposed division will change the nature or function of an existing road.</p>	<p>Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being Made. To be read in conjunction with CAP Delegation Policy.</p>	<p>CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>
307458	Clause 2(2) Schedule 1	Development (Waste Reform) Variation Regulations 2019	<p>120. Development Authorisations to Continue</p> <p>120.1 The power pursuant to clause 2(2) of Schedule 1 of the Development (Waste Reform) Variation Regulations 2019 ('the Waste Reform Regulations'), to, on the Delegate's own initiative or on application by an existing authorisee:</p> <p>120.1.1 grant a new development authorisation to the person; or</p> <p>120.1.2 revoke an existing development authorisation; or</p> <p>120.1.3 by notice in writing to the authorisee given within 2 years after the commencement of clause 2 of Schedule 1 of the Waste Reform Regulations:</p> <p>120.1.3.1 vary the terminology or numbering in the existing development authorisation; or</p> <p>120.1.3.2 impose or vary a condition of the existing development authorisation,</p> <p>if, in the opinion of the Delegate, it is necessary or desirable to do so as a consequence of the variation of Schedule 21 or 22 of the principal</p>	<p>To be read in conjunction with CAP Delegation Policy</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			regulations by the Waste Reform Regulations.		
307459	Clause 2(3) Schedule 1	Development (Waste Reform) Variation Regulations 2019	120. Development Authorisations to Continue 120.2 The power pursuant to clause 2(3) of Schedule 1 of the Waste Reform Regulations, if the relevant authority takes action under clause 2(2) of Schedule 1 of the Waste Reform Regulations, to, dispense with the requirement for applications and payment of fees as the Delegate considers appropriate.	To be read in conjunction with CAP Delegation Policy	Chief Executive Officer (95), Director Development and Regulatory Services (70)

Appendix 3

*Instrument of Delegation under the
Local Government Act 1999*

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307947	s12(1)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.1 The power pursuant to Section 12(1) of the Local Government Act 1999 ('the Act') to, by notice in the Gazette, after complying with the requirements of Section 12 of the Act,</p> <p>1.1.1 alter the composition of the Council;</p> <p>1.1.2 divide, or redivide, the area of the Council into wards, alter the division of the area of the Council into wards, or abolish the division of the area of the Council into wards.</p>	Subject to the approval of Council	Chief Executive Officer (95)
307948	s12(2)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.2 The power pursuant to Section 12(2) of the Act, also by notice under Section 12 of the Act, to</p> <p>1.2.1 change the Council from a municipal council to a district council, or change the Council from a district council to a municipal council;</p> <p>1.2.2 alter the name of:</p> <p>1.2.2.1 the Council;</p> <p>1.2.2.2 the area of the Council;</p> <p>1.2.3 give a name to, or alter the name of, a ward, (without the need to comply with Section 13 of the Act).</p>	Subject to the approval of Council	Chief Executive Officer (95)
307949	s12(3)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.3 The duty pursuant to Section 12(3) of the Act to, before publishing a notice, conduct and complete a review under Section 12 of the Act for the purpose of determining whether the Council's community would benefit from an alteration to the Council's composition or ward structure.</p>	NIL	Chief Executive Officer (95)

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307950	s12(4)	Local Government Act 1999	1. Composition and Wards 1.4 The power pursuant to Section 12(4) of the Act to review a specific aspect of the composition of the Council, or of the wards of the Council, or of those matters generally and the duty to ensure that all aspects of the composition of the Council, and the issue of the division, or potential division, of the area of the Council into wards, are comprehensively reviewed at least once in each relevant period that is prescribed by the regulations.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307951	-	Local Government Act 1999	1. Composition and Wards 1.5 Deliberately left blank.	Deliberately left blank	Deliberately left blank
307952	-	Local Government Act 1999	1. Composition and Wards 1.6 Deliberately left blank.	Deliberately left blank	Deliberately left blank
307953	s12(5)	Local Government Act 1999	1. Composition and Wards 1.7 The duty pursuant to Section 12(5) of the Act to initiate the preparation of a representation options paper by a person who, in the opinion of the Delegate, is qualified to address the representation and governance issues that may arise with respect to the matters under review.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307954	s12(7)	Local Government Act 1999	1. Composition and Wards 1.8 The duty pursuant to Section 12(7) of the Act to give public notice of the preparation of a representation options paper and notice in a newspaper circulating within the Council's area, and to ensure that the notice contains an invitation to interested persons to make written submissions to the Council or the Delegate on the subject of the review within a period specified by the Council or the Delegate, being a period of at least six weeks.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307955	s12(8)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.9 The duty pursuant to Section 12(8) of the Act to make copies of the representation options paper available for public inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council during the period that applies under Section 7(a)(ii).</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307956	s12(7)(a)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.10 At the conclusion of public consultation under Section 12(7)(a), the duty pursuant to Section 12(8a) of the Act to prepare a report that:</p> <p>1.10.1 provides information on the public consultation process undertaken by the Council and the Council's or the Delegate's response to the issues arising from the submissions made as part of that process; and</p> <p>1.10.2 sets out:</p> <p>1.10.2.1 any proposals that the Council or the Delegate considers should be carried into effect under Section 12 of the Act; and</p> <p>1.10.2.2 in respect of any such proposal - an analysis of how the proposal relates to the principles under Section 26(1)(c) of the Act and the matters referred to in Section 33 of the Act (to the extent that may be relevant); and</p> <p>1.10.3 sets out the reasons for the Council's or the Delegate's decision insofar as a decision of the Council or the Delegate is not to adopt any change under consideration as part of the representation options paper or the public consultation process.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307957	s12(9)	Local Government Act 1999	1. Composition and Wards 1.11 The duty pursuant to Section 12(9) of the Act to make copies of the report available for public inspection at the principal office of the Council and to give public notice, by way of a notice in a newspaper circulating in its area, informing the public of its preparation of the report and its availability and inviting interested persons to make written submissions on the report to the Council or the Delegate within a period specified by the Council or the Delegate, being not less than three weeks.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307958	s12(10)	Local Government Act 1999	1. Composition and Wards 1.12 The duty pursuant to Section 12(10) of the Act to give any person who makes written submissions in response to an invitation under Section 12(9), an opportunity to appear personally or by representative before the Council or a Council committee or the Delegate and to be heard on those submissions.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307959	s12(11)	Local Government Act 1999	1. Composition and Wards 1.13 The duty pursuant to Section 12(11) of the Act to finalise the report including recommendations with respect to such related or ancillary matters as it sees fit.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307960	s12(11a)	Local Government Act 1999	1. Composition and Wards 1.14 With respect to a proposal within the ambit of Section 12(11a), the power pursuant to Section 12(11b) of the Act: 1.14.1 insofar as may be relevant in the particular circumstances, to separate a proposal (and any related proposal), from any other proposal	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70),

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>contained in the report; and</p> <p>1.14.2 to determine to conduct the relevant poll in conjunction with the next general election for the Council or at some other time.</p>		Director Infrastructure and Operations (114)
307961	s12(11a)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.15 Where a poll is required under Section 12(11a) of the Act the duty pursuant to Section 12(11c)(b) of the Act to:</p> <p>1.15.1 prepare a summary of issues surrounding the proposal to assist persons who may vote at the poll; and</p> <p>1.15.2 obtain a certificate from the Electoral Commissioner that he or she is satisfied that the Council or the Delegate has taken reasonable steps to ensure the summary is a fair and comprehensive overview of the arguments for and against the proposal; and</p> <p>1.15.3 after obtaining the certificate of the Electoral Commissioner, ensure that copies of the summary are made available for public inspection at the principle office of the Council, and on the internet and distributed in any other manner as may be directed by the Electoral Commissioner.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307962	s12(12)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.16 The duty pursuant Section 12(12) of the Act having then taken into account the operation of Section 12(11d) of the Act to refer the report to the Electoral Commissioner.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307963	s12(12a)	Local Government Act 1999	1. Composition and Wards		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			1.17 The duty pursuant to Section 12(12a) of the Act to send with the report copies of any written submissions received by the Council or the Delegate under Section 12(9) of the Act that relate to the subject matter of the proposal.	NIL	Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307964	s12(15)(b)	Local Government Act 1999	1. Composition and Wards 1.18 The power pursuant to Section 12(15)(b) of the Act to provide by notice in the Gazette, for the operation of any proposal that is recommended in the report, where a certificate is given by the Electoral Commissioner.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307965	s12(16)	Local Government Act 1999	1. Composition and Wards 1.19 The power and duty pursuant to Section 12(16) of the Act to take such action as is appropriate in circumstances (including the power, as the Delegate thinks fit, to alter the report) where the matter is referred back to the Council by the Electoral Commissioner and the power to then refer the report back to the Electoral Commissioner.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307966	s12(16)(a)	Local Government Act 1999	1. Composition and Wards 1.20 Where the Council or the Delegate makes an alteration to the report under Section 12(16)(a) of the Act, the duty pursuant to Section 12(17) of the Act to comply with the requirements of Sections 12(9) and (10) of the Act as if the report, as altered, constituted a new report, unless the Council or the Delegate determines the alteration is of a minor nature only.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114)
307967	s12(24)	Local Government Act 1999	<p>1. Composition and Wards</p> <p>1.21 The duty pursuant to Section 12(24) of the Act to undertake a review of ward representation within a period specified by the Electoral Commissioner, where the Electoral Commissioner notifies the Council in writing that the number of electors represented by a councillor for a ward varies from the ward quota by more than 20%.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307968	s13(1)	Local Government Act 1999	<p>2. Status of a Council or Change of Various Names</p> <p>2.1 The power pursuant to Section 13(1) of the Act, to, by notice in the Gazette, after complying with the requirements of Section 13 of the Act:</p> <p>2.1.1 change the Council from a municipal council to a district council, or change the Council from a district council to a municipal council;</p> <p>2.1.2 alter the name of:</p> <p>2.1.2.1 the Council;</p> <p>2.1.2.2 the area of the Council;</p> <p>2.1.3 alter the name of a ward.</p>	NIL	Elected Body
307969	s13(2)	Local Government Act 1999	<p>2. Status of a Council or Change of Various Names</p> <p>2.2 The duty, pursuant to Section 13(2) of the Act, to, before publishing a notice, comply with the following requirements:</p> <p>2.2.1 to give public notice of the proposal and invite any interested persons to make written submissions on the matter within a specified</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>period, being no less than six weeks;</p> <p>2.2.2 publish the notice in a newspaper circulating within the area; and</p> <p>2.2.3 give any person who makes written submissions in response to the invitation an opportunity to appear personally or by representative before the Council, Council committee or the Delegate and be heard on those submissions.</p>		Director Infrastructure and Operations (114)
307970		Local Government Act 1999	3. Deliberately left blank	Deliberately left blank	Deliberately left blank
307971		Local Government Act 1999	4. Deliberately left blank	Deliberately left blank	Deliberately left blank
307972		Local Government Act 1999	5. Council Initiated Proposal 5.1 Deliberately left blank	Deliberately left blank	Deliberately left blank
307973	s27(2)	Local Government Act 1999	5. Council Initiated Proposal 5.2 Deliberately left blank 5.2.1 Deliberately left blank 5.2.2 Deliberately left blank 5.2.3 Deliberately left blank 5.2.4 Deliberately left blank	Deliberately left blank	Deliberately left blank
307974	s27(7)	Local Government Act 1999	5. Council Initiated Proposal 5.3 Deliberately left blank	Deliberately left blank	Deliberately left blank

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			5.3.1 Deliberately left blank 5.3.2 Deliberately left blank		
307975	s28(1)	Local Government Act 1999	6. Commission to Receive Proposals 6.1 The power pursuant to Section 28(1) of the Act to, subject to Section 28 of the Act, refer a proposal for the making of a proclamation under Chapter 3 of the Act to the Commission.	NIL	Chief Executive Officer (95)
307976	s28(3)	Local Government Act 1999	6. Commission to Receive Proposals 6.2 The power pursuant to Section 28(3) of the Act, to in relation to a proposal under Section 28 of the Act: 6.2.1 set out in general terms the nature of the proposal; and 6.2.2 comply with any requirements of the proposal guidelines.	NIL	Chief Executive Officer (95)
308400	s31(2)	Local Government Act 1999	6A Inquiries – General Proposals 6A.1 The power pursuant to Section 31(2) of the Act to make a submission to the Commission on the proposed appointments of investigators to conduct inquiries under Section 31 of the Act.	NIL	Chief Executive Officer (95)
308401	s31(10)	Local Government Act 1999	6A Inquiries – General Proposals 6A.2 The power pursuant to Section 31(10) of the Act to request the Minister consult with the relevant councils about the matter.	NIL	Chief Executive Officer (95)
307977	s36(1)(a)(i)	Local Government Act 1999	7. General Powers and Capacities 7.1 The power pursuant to Section 36(1)(a)(i) of the Act to enter into any kind of contract or arrangement where the common seal of the Council is not required.	NIL	Chief Executive Officer (95)
307978	s36(1)	Local Government Act 1999	7. General Powers and Capacities 7.2 The power pursuant to Section 36(1)(c) of the Act to do anything necessary, expedient or incidental but within any policy or budgetary constraints set by the Council to perform or discharge the Council's functions or duties or to achieve the Council's objectives.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114)
307979	s36(2)	Local Government Act 1999	7. General Powers and Capacities 7.3 The power pursuant to Section 36(2) of the Act to act outside the Council's area: 7.3.1 to the extent considered by the Delegate to be necessary or expedient to the performance of the Council's functions; or 7.3.2 in order to provide services to an unincorporated area of the State.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307980	s36(3)	Local Government Act 1999	7. General Powers and Capacities 7.4 The duty pursuant to Section 36(3) of the Act to take reasonable steps to separate the Council's regulatory activities from its other activities in the arrangement of its affairs.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307981	s37(b)	Local Government Act 1999	8. Provision Relating to Contract and Transactions 8.1 The power pursuant to Section 37(b) of the Act to authorise another officer, employee or agent of the Council to enter into a contract, on behalf of the Council, where the common seal of the Council is not required.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307982	s41(1) s41(2)	Local Government Act 1999	9. Committees 9.1 The power pursuant to Section 41(1) and (2) of the Act to establish committees.	NIL	Elected Body
307983	s41(3)	Local Government Act 1999	9. Committees 9.2 The power pursuant to Section 41(3) of the Act to determine the	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			membership of a committee.		
307984	s41(4)	Local Government Act 1999	9. Committees 9.3 The power pursuant to Section 41(4) of the Act to appoint a person as a presiding member of a committee, or to make provision for the appointment of a presiding member.	NIL	Elected Body
307985	s41(6)	Local Government Act 1999	9. Committees 9.4 The power pursuant to Section 41(6) of the Act to appoint the principal member of the Council as an ex officio member of a committee.	NIL	Elected Body
307986	s41(8)	Local Government Act 1999	9. Committees 9.5 The power and duty pursuant to Section 41(8) of the Act, to, when establishing a committee, determine the reporting and other accountability requirements that are to apply in relation to the committee.	NIL	Elected Body
307987	s44(6)	Local Government Act 1999	10. Delegations 10.1 The duty pursuant to Section 44(6) of the Act to cause a separate record to be kept of all delegations under the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307988	s44(7)	Local Government Act 1999	10. Delegations 10.2 The duty pursuant to Section 44(7) of the Act to make available the record of delegations for inspection (without charge) by the public at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307989	s45(1)	Local Government Act 1999	11. Principal Office	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			11.1 The duty pursuant to Section 45(1) of the Act to nominate a place as the principal office of the Council for the purposes of the Act.		
307990	s45(2)	Local Government Act 1999	11. Principal Office 11.2 The power and duty pursuant to Section 45(2) of the Act to determine the hours the principal office of the Council will be open to the public for the transaction of business and the duty to keep the principal office of Council open to the public for the transaction of business during hours determined by the Delegate or the Council.	NIL	Chief Executive Officer (95)
307991	s45(3)	Local Government Act 1999	11. Principal Office 11.3 The power pursuant to Section 45(3) of the Act to consult with the local community in accordance with Council's public consultation policy about the manner, places and times at which the Council's offices will be open to the public for the transaction of business and about any significant changes to those arrangements.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307992	s46(1)	Local Government Act 1999	12. Commercial Activities 12.1 Subject to the Act, the power pursuant to Section 46(1) of the Act to, in the performance of the Council's functions, engage in a commercial activity or enterprise ('a commercial project').	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307993	s46(2)	Local Government Act 1999	12. Commercial Activities 12.2 The power pursuant to Section 46 (2) of the Act, to, in connection with a commercial project: 12.2.1 establish a business;	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			12.2.2 participate in a joint venture, trust, partnership or other similar body.		Director Infrastructure and Operations (114)
307994	s47(2)(b)	Local Government Act 1999	13. Interests in Companies 13.1 The power pursuant to Section 47(2)(b) of the Act to participate in the formation of, or to become a member of a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest.	NIL	Elected Body
307995	s48(aa1)	Local Government Act 1999	14. Prudential Requirements for Certain Activities 14.00 The power and duty pursuant to Section 48(aa1) of the Act and in accordance with Section 48(a1) of the Act, to develop and maintain prudential management policies, practices and procedures for the assessment of projects to ensure that the Council - 14.00.1 acts with due care, diligence and foresight; and 14.00.2 identifies and manages risks associated with a project; and 14.00.3 makes informed decisions; and 14.00.4 is accountable for the use of Council and other public resources.	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307996	s48(a1)	Local Government Act 1999	14. Prudential Requirements for Certain Activities 14.0 The duty pursuant to Section 48(a1) of the Act to ensure the prudential management policies, practices and procedures developed by the Council for the purposes of Section 48(aa1) of the Act, are consistent with any regulations made for the purposes of Section 48(a1) of the Act.	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307997	s48(aa1)	Local Government Act 1999	14. Prudential Requirements for Certain Activities 14.1 Without limiting Section 48(aa1) of the Act, the power and duty	NIL	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>pursuant to Section 48(1) of the Act to obtain and consider a report, that addresses the prudential issues set out at Section 48(2) of the Act, before the Council:</p> <p>14.1.1 Deliberately left blank.</p> <p>14.1.2 engages in any project (whether commercial or otherwise and including through a subsidiary or participation in a joint venture, trust, partnership or other similar body) -</p> <p>14.1.2.1 where the expected operating expenses calculated on an accrual basis of the Council over the ensuing five years is likely to exceed 20 per cent of the Council's average annual operating expenses over the previous five financial years (as shown in the Council's financial statements); or</p> <p>14.1.2.2 where the expected capital cost of the project over the ensuing five years is likely to exceed \$4,000,000.00 (indexed); or</p> <p>14.1.2.3 where the Council or Delegate considers that it is necessary or appropriate.</p>		
307999	-	Local Government Act 1999	<p>14. Prudential Requirements for Certain Activities</p> <p>14.2 Deliberately left blank.</p>	Deliberately left blank	Deliberately left blank
307998	s48(5)	Local Government Act 1999	<p>14. Prudential Requirements for Certain Activities</p> <p>14.3 The power and duty pursuant to Section 48(5) of the Act to make a report under Section 48(1) of the Act available for public inspection at the principal office of the Council once the Council has made a decision on the relevant project (and the power to make the report available at an earlier time unless the Council orders that the report be kept confidential until that time).</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114)
308000	s49(a1)	Local Government Act 1999	<p>15. Contracts and Tenders Policies</p> <p>15.0 The power and duty pursuant to Section 49(a1) of the Act to develop and maintain procurement policies, practices and procedures directed towards:</p> <p>15.0.1 obtaining value in the expenditure of public money; and</p> <p>15.0.2 providing for ethical and fair treatment of participants; and</p> <p>15.0.3 ensuring probity, accountability and transparency in procurement operations.</p>	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308001	s49(a1)	Local Government Act 1999	<p>15. Contracts and Tenders Policies</p> <p>15.1 Without limiting Section 49(a1) of the Act, the power and duty pursuant to Section 49(1) of the Act to prepare and adopt policies on contracts and tenders including policies on the following:</p> <p>15.1.1 the contracting out of services; and</p> <p>15.1.2 competitive tendering and the use of other measures to ensure that services are delivered cost effectively; and</p> <p>15.1.3 the use of local goods and services; and</p> <p>15.1.4 the sale or disposal of land or other assets.</p>	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308002	s49(2)	Local Government Act 1999	<p>15. Contracts and Tenders Policies</p> <p>15.2 The power and duty pursuant to Section 49(2) of the Act to ensure that any policies on contracts and tenders:</p> <p>15.2.1 identify circumstances where the Council will call for tenders for</p>	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>the supply of goods, the provision of services or the carrying out of works, or the sale or disposal of land or other assets; and</p> <p>15.2.2 provide a fair and transparent process for calling tenders and entering into contracts in those circumstances; and</p> <p>15.2.3 provide for the recording of reasons for entering into contracts other than those resulting from the tender process; and</p> <p>15.2.4 are consistent with any requirement prescribed by the regulations.</p>		Regulatory Services (70), Director Infrastructure and Operations (114)
308003	s49(3)	Local Government Act 1999	<p>15. Contracts and Tenders Policies</p> <p>15.3 The power pursuant to Section 49(3) of the Act to, at any time, alter a policy under Section 49 of the Act, or substitute a new policy or policies (but not so as to affect any process that has already commenced).</p>	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308004	s49(4)	Local Government Act 1999	<p>15. Contracts and Tenders Policies</p> <p>15.4 The duty pursuant to Section 49(4) of the Act to make available for inspection (without charge) a policy adopted under this Section at the principal office of Council during office hours.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308005	s50(1)	Local Government Act 1999	<p>16. Public Consultation Policies</p> <p>16.1 The power and duty pursuant to Section 50(1) and (2) of the Act to prepare and adopt a public consultation policy which sets out the steps</p>	Policy to be adopted by Council	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>the Council will follow:</p> <p>16.1.1 in cases where the Act requires the Council to follow its public consultation policy; and</p> <p>16.1.2 in other cases involving Council decision making, if relevant.</p>		
308006	s50(3)	Local Government Act 1999	<p>16. Public Consultation Policies</p> <p>16.2 The duty pursuant to Section 50(3) of the Act to include in the steps set out in the public consultation policy reasonable opportunities for interested persons to make submissions in cases where the Act requires the Council to follow its public consultation policy and to make other arrangements appropriate to other classes of decisions, within the scope of the policy.</p>	<hr/> <p>Policy to be adopted by Council</p>	Chief Executive Officer (95)
308007	s50(4)	Local Government Act 1999	<p>16. Public Consultation Policies</p> <p>16.3 The duty pursuant to Section 50(4) of the Act to ensure that the public consultation policy, in cases where the Act requires the policy to be followed, provides for:</p> <p>16.3.1 the publication of a notice:</p> <p>16.3.1.1 in a newspaper circulating within the area of the Council; and</p> <p>16.3.1.2 on a website determined by the Chief Executive Officer,</p> <p>describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and</p> <p>16.3.2 the consideration of any submissions made in response to that invitation.</p>	<hr/> <p>Policy to be adopted by Council</p>	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308008	s50(5)	Local Government Act 1999	16. Public Consultation Policies 16.4 The power pursuant to Section 50(5) of the Act, to, from time to time, alter the Council's public consultation policy, or substitute a new policy.	Policy to be adopted by Council	Chief Executive Officer (95)
308009	s50(6)	Local Government Act 1999	16. Public Consultation Policies 16.5 Before the Council or the Delegate adopts a public consultation policy or alters, or substitutes a public consultation policy, the duty pursuant to Section 50(6) of the Act to: 16.5.1 prepare a document that sets out its proposal in relation to the matter; and 16.5.2 publish in a newspaper circulating within the area of the Council, a notice of the proposal inviting interested persons to make submissions on the proposal within a period stated in the notice, which must be at least one month; 16.5.3 consider any submissions made in response to an invitation made under Section 50(6)(d) of the Act.	Policy to be adopted by Council	Chief Executive Officer (95)
308010	s50(7)	Local Government Act 1999	16. Public Consultation Policies 16.6 The power pursuant to Section 50(7) of the Act to determine if the alteration of a public consultation policy is of minor significance that would attract little or no community interest.	Policy to be adopted by Council	Chief Executive Officer (95)
308011	s50(8)	Local Government Act 1999	16. Public Consultation Policies 16.7 The duty pursuant to Section 50(8) of the Act to ensure the public consultation policy is available for inspection (without charge) at the principal office of Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114)
308012	17.1	Local Government Act 1999	17. Deliberately left blank 17.1 Deliberately left blank	Deliberately left blank	Deliberately left blank
308013	17.2	Local Government Act 1999	17. Deliberately left blank 17.2 Deliberately left blank	Deliberately left blank	Deliberately left blank
308014	17.3	Local Government Act 1999	17. Deliberately left blank 17.3 Deliberately left blank	Deliberately left blank	Deliberately left blank
308015	17.4	Local Government Act 1999	17. Deliberately left blank 17.4 Deliberately left blank	Deliberately left blank	Deliberately left blank
308016	17.5	Local Government Act 1999	17. Deliberately left blank 17.5 Deliberately left blank	Deliberately left blank	Deliberately left blank
308017	s70(1)	Local Government Act 1999	18. Inspection of Register 18.1 The duty pursuant to Section 70(1) of the Act to make available for inspection (without charge) the Register of Interests at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308018	s77(1)(b)	Local Government Act 1999	19. Reimbursement of Expenses 19.1 The power pursuant to Section 77(1)(b) of the Act to reimburse to members of the Council expenses of a kind prescribed for the purposes of Section 77(1)(b) of the Act and approved by the Council (either specifically or under a policy established by the Council for these purposes) incurred in performing or discharging official functions and duties.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308019	s77(3)	Local Government Act 1999	19. Reimbursement of Expenses	NIL	Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			19.2 The duty pursuant to Section 77(3) of the Act to make available for inspection (without charge) any policy of Council concerning these reimbursements at the principal office of the Council during ordinary office hours.		Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308020	s79(3)	Local Government Act 1999	20. Register of Allowances and Benefits 20.1 The duty pursuant to Section 79(3) of the Act to make available for inspection (without charge) the Register of Allowances and Benefits, at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308021	s80	Local Government Act 1999	21. Insurance of members 21.1 The duty pursuant to Section 80 of the Act to take out a policy of insurance insuring every member of the Council and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions and duties by members.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308022	s80A(1)	Local Government Act 1999	22. Training and Development 22.1 The power and duty pursuant to Section 80A(1) of the Act to prepare and adopt a training and development policy in accordance with Section 80A(2) of the Act for the Council's members.	Policy to be adopted by Council	Chief Executive Officer (95)
308023	s80A(2)	Local Government Act 1999	22. Training and Development 22.2 The duty pursuant to Section 80A(2) of the Act to ensure that the Council's training and development policy is aimed at assisting the Council's members in the performance and discharge of their functions and duties.	Policy to be adopted by Council	Chief Executive Officer (95)
308024	s80A(3)	Local Government Act 1999	22. Training and Development 22.3 The power pursuant to Section 80A(3) of the Act to, from time to time, alter the Council's training and development policy or substitute a new policy.	Policy to be adopted by Council	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308025	s80A(4)	Local Government Act 1999	22. Training and Development 22.4 The duty pursuant to Section 80A(4) and (5) of the Act to make available the training and development policy for inspection (without charge) at the principal office of the Council during ordinary office hours and for purchase (on payment of a fee fixed by the Council).	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308026	s87(1)	Local Government Act 1999	23. Committee Meetings 23.1 The power pursuant to Section 87(1) of the Act and in accordance with Section 87(2) of the Act to determine the times and places of ordinary meetings of Council committees.	NIL	Elected Body
308027	s87(2)	Local Government Act 1999	23. Committee Meetings 23.2 The duty pursuant to Section 87(2) of the Act in appointing a time for the holding of an ordinary meeting of a Council committee to take into account: 23.2.1 the availability and convenience of members of the committee; and 23.2.2 the nature and purpose of the committee.	NIL	Elected Body
308028	s90(7)	Local Government Act 1999	24. Meetings To Be Held in Public Except in Special Circumstances 24.1 The duty pursuant to Section 90(7) of the Act to make a note in the minutes of the making of an order under Section 90(2) of the Act and the grounds on which it was made.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308352	s90(8a)(a)	Local Government Act 1999	24. Meetings To Be Held in Public Except in Special Circumstances		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			24.2 The power pursuant to Section 90(8a)(a) of the Act to adopt a policy on the holding of informal gatherings or discussions subject to Section 90(8b) of the Act.	NIL	Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308353	s90(8c)	Local Government Act 1999	24. Meetings To Be Held in Public Except in Special Circumstances 24.3 The power pursuant to Section 90(8c) of the Act, to, from time to time, alter the Council's policy or substitute a new policy.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308029	s91(3)	Local Government Act 1999	25. Minutes and Release of Documents 25.1 The duty pursuant to Section 91(3) to supply each member of the Council with a copy of all minutes of the proceedings of the Council or Council committee meeting, within 5 days after that meeting.	NIL	Chief Executive Officer (95)
308030	s91(7)	Local Government Act 1999	25. Minutes and Release of Documents 25.2 Subject to Section 91(7), the duty pursuant to Section 91(4) of the Act to place a copy of the minutes of a meeting of the Council on public display in the principal office of the Council within 5 days after the meeting and to keep those minutes on display for a period of 1 month.	NIL	Chief Executive Officer (95)
308031	s91(7)	Local Government Act 1999	25. Minutes and Release of Documents 25.3 Subject to Section 91(7) of the Act, the duty pursuant to Section 91(5) of the Act to make available for inspection, without payment of a fee, at the principal office of the Council:	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Director Infrastructure and Operations (114)
308396	s91(7)	Local Government Act 1999	25. Minutes and Release of Documents 25.3.1 minutes of the Council and Council committee meetings; and	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308397	s91(7)	Local Government Act 1999	25. Minutes and Release of Documents 25.3.2 reports to the Council or to a Council committee received at a meeting of the Council or Council committee; and	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308398	s91(7)	Local Government Act 1999	25. Minutes and Release of Documents 25.3.3 recommendations presented to the Council in writing and adopted by resolution of the Council; and	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308399	s91(7)	Local Government Act 1999	25. Minutes and Release of Documents 25.3.4 budgetary or other financial statements adopted by the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308033	s92(1)	Local Government Act 1999	26. Access to Meetings and Documents - Code of Practice 26.1 The power and duty pursuant to Section 92(1) of the Act, and subject to Section 92(4) of the Act, to prepare and adopt a Code of Practice relating to the principles, policies, procedures and practices that the Council will apply for the purposes of the operation of Parts 3 and 4 of Chapter 6 of the Act.	Subject To Council Approval	Chief Executive Officer (95)
308032	s92(2)	Local Government Act 1999	26. Access to Meetings and Documents - Code of Practice 26.2 The power and duty pursuant to Section 92(2) of the Act to review the operation of the Council's Code of Practice within 12 months after the conclusion of each periodic election.	Subject To Council Approval	Chief Executive Officer (95)
308034	s92(3)	Local Government Act 1999	26. Access to Meetings and Documents - Code of Practice 26.3 The power pursuant to Section 92(3) of the Act, to, at any time, alter the Council's code of practice or substitute a new code of practice.	Subject To Council Approval	Chief Executive Officer (95)
308035	s92(5)	Local Government Act 1999	26. Access to Meetings and Documents - Code of Practice 26.4 The duty pursuant to Section 92(5) of the Act to ensure that before the Council or the Delegate adopts, alters or substitutes a code of practice that: 26.4.1 copies of the proposed code, alterations or substitute code (as the case may be) are made available for inspection or purchase at the Council's principal office and available for inspection on a website determined by the Chief Executive Officer; and 26.4.2 the relevant steps set out in the Council's Public Consultation Policy are followed.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308036	s92(6)	Local Government Act 1999	26. Access to Meetings and Documents - Code of Practice		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			26.5 The duty pursuant to Section 92(6) and (7) of the Act to ensure that the Code of Practice is available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of Council during ordinary office hours.	NIL	Director Community Capacity (350), Director Corporate Services (41)
308037	s93(1)	Local Government Act 1999	27. Meetings of Electors 27.1 The power pursuant to Section 93(1) of the Act to convene a meeting of electors of the area or part of the area of the Council.	NIL	Chief Executive Officer (95)
308038	s93(11)	Local Government Act 1999	27. Meetings of Electors 27.2 The duty pursuant to Section 93(11) of the Act to provide each member of the Council with a copy of the minutes of any meeting of electors within 5 days of that meeting.	NIL	Chief Executive Officer (95)
308039	s93(14)	Local Government Act 1999	27. Meetings of Electors 27.3 The power pursuant to Section 93(14) of the Act to determine the procedure for the purposes of making a nomination under Sections 93(3)(a)(ii) or 93(3)(b)(ii).	NIL	Chief Executive Officer (95)
308040	s95	Local Government Act 1999	28. Obstructing of Meetings 28.1 The power pursuant to Section 95 of the Act to take proceedings under the Act against a person who intentionally obstructs or hinders proceedings at a meeting of the Council or a Council committee or at a meeting of electors.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308041	s105(3)	Local Government Act 1999	29. Register of Remuneration Salaries and Benefits 29.1 The duty pursuant to Section 105(3) of the Act to make available the Register of Salaries of employees of the Council for inspection by the public at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308042	s106(2) s106(2a)	Local Government Act 1999	30. Certain Periods Of Service To Be Regarded As Continuous 30.1 The duty pursuant to Sections 106(2) and 106(2a) of the Act to ensure any other council receives within one month of the Council having	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			received written notice requiring payment, the appropriate contribution to an employee's service benefits.		Corporate Services (41)
308043	s106(4)	Local Government Act 1999	30. Certain Periods Of Service To Be Regarded As Continuous 30.2 The duty pursuant to Section 106(4) of the Act to supply to any other council, at its request, details of the service of an employee or former employee of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308044	s106(5)	Local Government Act 1999	30. Certain Periods Of Service To Be Regarded As Continuous 30.3 The duty pursuant to Section 106(5) of the Act to hold and apply a payment or contribution received by the Council under Section 106 in accordance with the Regulations.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308045	31.1	Local Government Act 1999	31. Deliberately left blank 31.1 Deliberately left blank	Deliberately left blank	Deliberately left blank
308046	31.2	Local Government Act 1999	31. Deliberately left blank 31.2 Deliberately left blank	Deliberately left blank	Deliberately left blank
308047	31.3	Local Government Act 1999	31. Deliberately left blank 31.3 Deliberately left blank	Deliberately left blank	Deliberately left blank
308048	31.4	Local Government Act 1999	31. Deliberately left blank 31.4 Deliberately left blank	Deliberately left blank	Deliberately left blank
308049	31.5	Local Government Act 1999	31. Deliberately left blank 31.5 Deliberately left blank	Deliberately left blank	Deliberately left blank
308050	31.6	Local Government Act 1999	31. Deliberately left blank 31.6 Deliberately left blank	Deliberately left blank	Deliberately left blank
308051	s111(b)	Local Government Act 1999	32. Application of Division		Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			32.1 The power pursuant to Section 111(b) of the Act to declare any other officer, or any other officer of a class, to be subject to the operation of Chapter 7, Part 4, Division 1 of the Act.	NIL	
308052	s122(6)	Local Government Act 1999	33. Certain Aspects of Strategic Management Plans 33.1 The duty pursuant to Section 122(6) of the Act to develop a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the Council's development and review of its strategic management plans.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308053	s122(7)	Local Government Act 1999	33. Certain Aspects of Strategic Management Plans 33.2 The duty pursuant to Section 122(7) of the Act to ensure that copies of the Council's strategic management plans are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308054	s123(3)	Local Government Act 1999	34. Annual Business Plans and Budgets 34.1 Before the Council adopts an annual business plan, the duty pursuant to Section 123(3) of the Act to, - 34.1.1 prepare a draft annual business plan; and 34.1.2 follow the relevant steps set out in the Council's public consultation policy, taking into account and complying with the requirements of Section 123(4) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308055	s123(5)	Local Government Act 1999	34. Annual Business Plans and Budgets 34.2 The duty pursuant to Section 123(5) of the Act to ensure that copies	NIL	Chief Executive Officer (95), Director Community

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			of the draft annual business plan are available at the meeting arranged pursuant to and in accordance with Section 123(4)(a)(i) and (4)(b) of the Act, and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council and on the website at least 21 days before the date of that meeting.		Capacity (350), Director Corporate Services (41)
308056	s123(5a)	Local Government Act 1999	<p>34. Annual Business Plans and Budgets</p> <p>34.3 The duty pursuant to Section 123(5a) of the Act to ensure that provision is made for:</p> <p>34.3.1 a facility for asking and answering questions; and</p> <p>34.3.2 the receipt of submissions, on the Council's website during the public consultation period.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308057	s123(9)	Local Government Act 1999	<p>34. Annual Business Plans and Budgets</p> <p>34.4 After the Council has adopted an annual business plan and a budget, the duty, pursuant to Section 123(9) of the Act, to:</p> <p>34.4.1 ensure:</p> <p>34.4.1.1 that a summary of the annual business plan is prepared in accordance with the requirements set out at Sections 123(10), (11) and (12) of the Act, so as to assist in promoting public awareness of the nature of the Council's services and the Council's rating and financial management policies, taking into account its objectives and activities for the ensuing financial year; and</p> <p>34.4.1.2 that a copy of the summary of the annual business plan accompanies the first rates notice sent to ratepayers after the declaration of the Council's rates for the financial year; and</p> <p>34.4.2 ensure:</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>34.4.2.1 that copies of the annual business plan and the budget (as adopted) are available for inspection (without charge) or purchase (on payment of a fee fixed by the Council); and</p> <p>34.4.2.2 that copies of the summary of the annual business plan are available for inspection and to take (without charge), at the principal office of the Council.</p>		
308354	s123(9)	Local Government Act 1999	<p>34. Annual Business Plans and Budgets</p> <p>34.4.3 ensure that electronic copies of the annual business plan and the budget (as adopted) are published on a website determined by the Chief Executive Officer.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308058	s124(1)	Local Government Act 1999	<p>35. Accounting Records to be Kept</p> <p>35.1 The duty pursuant to Section 124(1) of the Act to:</p> <p>35.1.1 keep such accounting records as correctly and adequately record and explain the revenues, expenses, assets and liabilities of the Council;</p> <p>35.1.2 keep the Councils accounting records in such manner as will enable:</p> <p>35.1.2.1 the preparation and provision of statements that fairly present financial and other information; and</p> <p>35.1.2.2 the financial statements of the Council to be conveniently and properly audited.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308059	s124(2)	Local Government Act 1999	<p>35. Accounting Records to be Kept</p> <p>35.2 The power pursuant to Section 124(2) to determine the form or forms and the place or places (within the state) to keep the accounting records of the Council.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Financial Services (214)
308060	s125	Local Government Act 1999	36. Internal Control Policies 36.1 The duty pursuant to Section 125 of the Act to ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner, to achieve its objectives, to ensure adherence to management policies, to safeguard the Council's assets, and to secure (as far as possible) the accuracy and reliability of the Council's records.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308061	s126(1)	Local Government Act 1999	37. Audit Committee 37.1 The power and duty pursuant to Section 126(1) of the Act to appoint an audit committee in accordance with Section 126(2) of the Act.	NIL	Elected Body
308062	s126(2)	Local Government Act 1999	37. Audit Committee 37.2 If an audit committee is appointed by the Delegate or the Council, the power to determine the membership of any audit committee in accordance with Section 126(2) of the Act.	NIL	Elected Body
308063	s127(1)	Local Government Act 1999	38. Financial Statements 38.1 The duty pursuant to Section 127(1) of the Act to prepare for each financial year: 38.1.1 financial statements and notes in accordance with standards prescribed by the regulations; and 38.1.2 other statements and documentation referring to the financial affairs of the Council required by the Regulations.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308064	s127(2)	Local Government Act 1999	38. Financial Statements 38.2 The duty pursuant to Section 127(2) of the Act to ensure that the financial statements prepared for the Council pursuant to Section 127(1) of the Act:	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>38.2.1 are prepared as soon as is reasonably practicable after the end of the relevant financial year and in any event before the day prescribed by the Regulations; and</p> <p>38.2.2 comply with standards and principles prescribed by the Regulations; and</p> <p>38.2.3 include the information required by the Regulations.</p>		
308065	s127(3)	Local Government Act 1999	<p>38. Financial Statements</p> <p>38.3 The duty pursuant to Section 127(3) of the Act to submit for auditing by the Council's auditor the statements prepared for each financial year.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308066	s127(4)	Local Government Act 1999	<p>38. Financial Statements</p> <p>38.4 The duty pursuant to Section 127(4) of the Act to submit a copy of the auditor's statements to the persons or bodies prescribed by the Regulations on or before the day prescribed by the Regulations.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308067	s127(5)	Local Government Act 1999	<p>38. Financial Statements</p> <p>38.5 The duty pursuant to Section 127(5) of the Act to ensure that copies of the Council's audited statements are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308068	s128(2), (3), (4), (4a), (5), (6), (7), (8)	Local Government Act 1999	<p>39. The Auditor</p> <p>39.1 The power and duty pursuant to and in accordance with Section 128(2), (3), (4), (4a), (5), (6), (7) and (8) of the Act to appoint an auditor on the recommendation of the Council's audit committee.</p>	Submitted to Audit Committee prior to consideration by Council	Elected Body
308069	s128(8)	Local Government Act 1999	<p>39. The Auditor</p> <p>39.2 The duty pursuant to Section 128(8) of the Act to comply with any requirements prescribed by the Regulations with respect to providing for</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the independence of the auditor.		Services (214)
308070	s128(9)	Local Government Act 1999	<p>39. The Auditor</p> <p>39.3 The duty pursuant to Section 128(9) of the Act to ensure that the following information is included in the Council's annual report:</p> <p>39.3.1 information on the remuneration payable to the Council's auditor for work performed during the relevant financial year, distinguishing between:</p> <p>39.3.1.1 remuneration payable for the annual audit of the Council's financial statements; and</p> <p>39.3.1.2 other remuneration;</p> <p>39.3.2 if a person ceases to be the auditor of the Council during the relevant financial year, other than by virtue of the expiration of his or her term of appointment and is not being reappointed to the office - the reason or reasons why the appointment of the Council's auditor came to an end.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308071	s129(9), s129(3)	Local Government Act 1999	<p>40. Conduct of Audit</p> <p>40.1 The duty pursuant to Section 129(9) of the Act to ensure the opinions under Section 129(3) of the Act provided to Council under Section 129 of the Act accompany the financial statements of the Council.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308072	s130A(1), s130A(2)	Local Government Act 1999	<p>41. Other Investigations</p> <p>41.1 The power, pursuant to and in accordance with Sections 130A(1) and (2) of the Act, as the Delegate thinks fit, to request the Council's auditor, or some other person determined by the Delegate to be suitably qualified in the circumstances, to examine and report on any matter relating to financial management, or the efficiency and economy with</p>	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			which the Council manages or uses its resources to achieve its objectives, that would not otherwise be addressed or included as part of an annual audit under Division 4 of Chapter 8 of the Act and that is considered by the Delegate to be of such significance as to justify an examination under this Section.		
308073	s130A(7)	Local Government Act 1999	<p>41. Other Investigations</p> <p>41.2 Unless Section 130A(7) of the Act applies, the duty pursuant to Section 130A(6) of the Act to place the report prepared pursuant to Section 130A(1) of the Act on the agenda for consideration:</p> <p>41.2.1 unless Section 130A(6)(b) of the Act applies - at the next ordinary meeting of the Council in accordance with Section 130A(6)(a), of the Act;</p> <p>41.2.2 if the agenda for the next ordinary meeting of the Council has already been sent to members of the Council at the time that the report is provided to the principal member of the Council - at the ordinary meeting of the Council next following the meeting for which the agenda has already been sent unless the principal member of the Council determines, after consultation with the Chief Executive Officer, that the report should be considered at the next meeting of the Council as a late item on the agenda in accordance with Section 130A(6)(b) of the Act.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308074	s131(1)	Local Government Act 1999	<p>42. Annual Report to be Prepared and Adopted</p> <p>42.1 The duty pursuant to Section 131(1) of the Act and in accordance with Sections 131(2) and (3) of the Act, to prepare and adopt on or before 30 November each year, an annual report relating to the operations of the Council for the financial year ending on the preceding 30 June.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308075	s131(2) s131(3)	Local Government Act 1999	<p>42. Annual Report to be Prepared and Adopted</p> <p>42.2 The duty pursuant to Section 131(2) and (3) of the Act to include in that report the material, and include specific reports on the matters,</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			specified in Schedule 4 as amended from time to time by regulation.		Corporate Services (41), Manager Financial Services (214)
308076	s131(4)	Local Government Act 1999	42. Annual Report to be Prepared and Adopted 42.3 The duty pursuant to Section 131(4) of the Act to provide a copy of the annual report to each member of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308077	s131(5)	Local Government Act 1999	42. Annual Report to be Prepared and Adopted 42.4 The duty pursuant to Section 131(5) of the Act to submit a copy of the annual report to: 42.4.1 the Presiding Member of both Houses of Parliament; and 42.4.2 to the persons or body prescribed by the Regulations, on or before the date determined under the Regulations.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308078	s131(7)	Local Government Act 1999	42. Annual Report to be Prepared and Adopted 42.5 The power pursuant to Section 131(7) of the Act to provide to the electors for the area an abridged or summary version of the annual report.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308079	s131(8)	Local Government Act 1999	42. Annual Report to be Prepared and Adopted 42.6 The duty pursuant to Section 131(8) of the Act to ensure that copies of Council's annual report are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308080	s132(1)	Local Government Act 1999	43. Access to Documents		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>43.1 The duty pursuant to Section 132(1) of the Act to ensure a member of the public is able:</p> <p>43.1.1 to inspect a document referred to in Schedule 5 of the Act at the principal office of the Council during ordinary office hours without charge; and</p> <p>43.1.2 to purchase a document referred to in Schedule 5 to the Act at the principal office of the Council during ordinary office hours for a fee fixed by the Council.</p>	NIL	Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308081	s132(2)	Local Government Act 1999	<p>43. Access to Documents</p> <p>43.2 The power pursuant to Section 132(2) of the Act to make a document available in electronic form for the purposes of Section 132(1)(a).</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308082	s132(3)	Local Government Act 1999	<p>43. Access to Documents</p> <p>43.3 The power and duty, pursuant to and in accordance with Section 132 (3) of the Act, to make the following documents available for inspection on a website determined by the Chief Executive Officer within a reasonable time after they are available at the principal office of the Council:</p> <p>43.3.1 agendas for meetings of the Council or Council committees;</p> <p>43.3.2 minutes of meetings of the Council or Council committees;</p> <p>43.3.3 codes of conduct or codes of practice adopted by the Council under this Act or the Local Government (Elections) Act 1999;</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>43.3.4 the Council's contract and tenders policies, public consultation policy and order-making policies;</p> <p>43.3.5 the Council's draft annual business plan, annual business plan (as adopted by the council) and the summary of the annual business plan required under Part 2 of this Chapter;</p> <p>43.3.6 the Council's budget (as adopted by the Council for a particular year);</p> <p>43.3.7 a list of fees and charges imposed by the Council under this Act;</p> <p>43.3.8 by-laws made by the Council and any determination in respect of a by-law made under Section 246(3)(e) of the Act;</p> <p>43.3.9 procedures for the review of decisions established by the Council under Part 2 of Chapter 13;</p> <p>43.3.10 the audited financial statements of the Council;</p> <p>43.3.11 the annual report of the Council;</p> <p>43.3.12 the Council's most recent information statement under the Freedom of Information Act 1991, unless the Council provides it as part of the annual report of the Council.</p>		
308083	s132A	Local Government Act 1999	<p>44. Related Administrative Standards</p> <p>44.1 The power and duty pursuant to Section 132A of the Act to ensure that appropriate policies, practices and procedures are implemented and maintained in order:</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			44.1.2 to ensure compliance with any statutory requirements; and 44.1.2 to achieve and maintain standards of good public administration.		Regulatory Services (70), Director Infrastructure and Operations (114)
308084	s133	Local Government Act 1999	45. Sources of Funds 45.1 Subject to the Act, the power pursuant to Section 133 of the Act to obtain funds as permitted under the Act or another Act and as may otherwise be appropriate in order to carry out the Council's functions under the Act or another Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308085	s135(1)	Local Government Act 1999	46. Ability of a Council to Give Security 46.1 The power pursuant to Section 135(1) of the Act and subject to Section 135(2) of the Act to provide various forms of security, including: 46.1.1 guarantees (including guarantees relating to the liability of a subsidiary of the Council); 46.1.2 debentures charged on the general revenue of the Council (including to support a guarantee provided under Section 135(1) of the Act); 46.1.3 bills of sale, mortgages or other charges (including to support a guarantee provided under Section 135(1)(a) of the Act.	NIL	Elected Body
308086	s135(2)	Local Government Act 1999	46. Ability of a Council to Give Security 46.2 The power and duty pursuant to Section 135(2) of the Act, if the Council or the Delegate proposes to issue debentures on the general revenue of the Council to: 46.2.1 assign a distinguishing classification to the debentures to be	NIL	Chief Executive Officer (95), Director Corporate Services (41)

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			included in the issue so as to distinguish them from those included or to be included in previous or subsequent issues; and 46.2.2 if the debentures are being offered generally to members of the public, appoint a trustee for the debenture holders.		
308087	s137	Local Government Act 1999	47. Expenditure of Funds 47.1 Subject to the Act or another Act, the power pursuant to Section 137 of the Act to expend the Council's approved budgeted funds in the exercise, performance or discharge of the Council's powers, functions or duties under the Act or other Acts.	As per Staff Procurement Delegations	Chief Executive Officer (95)
308088	s139(1)	Local Government Act 1999	48. Investment Powers 48.1 The power pursuant to Section 139(1) of the Act to invest money under the Council's control.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308089	s139(2)	Local Government Act 1999	48. Investment Powers 48.2 The duty pursuant to Section 139(2) of the Act in exercising the power of investment, to: 48.2.1 exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and 48.2.2 avoid investments that are speculative or hazardous in nature.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308090	s139(3)	Local Government Act 1999	48. Investment Powers 48.3 The duty pursuant to Section 139(3) of the Act to take into account when exercising the power of investment, so far as is appropriate in the circumstances and without limiting the matters which may be taken into account, the following matters: 48.3.1 the purposes of the investment; 48.3.2 the desirability of diversifying Council investments;	NIL	Chief Executive Officer (95), Director Corporate Services (41)

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			<p>48.3.3 the nature of and risk associated with existing Council investments;</p> <p>48.3.4 the desirability of maintaining the real value of the capital and income of the investment;</p> <p>48.3.5 the risk of capital or income loss or depreciation;</p> <p>48.3.6 the potential for capital appreciation;</p> <p>48.3.7 the likely income return and the timing of income return;</p> <p>48.3.8 the length of the term of a proposed investment;</p> <p>48.3.9 the period for which the investment is likely to be required;</p> <p>48.3.10 the liquidity and marketability of a proposed investment during, and on determination of, the term of the investment;</p> <p>48.3.11 the aggregate value of the assets of the Council;</p> <p>48.3.12 the likelihood of inflation affecting the value of a proposed investment;</p> <p>48.3.13 the costs of making a proposed investment;</p> <p>48.3.14 the results of any review of existing Council investments.</p>		
308091	s139(3)	Local Government Act 1999	<p>48. Investment Powers</p> <p>48.4 Subject to the matters specified in Section 139(3) of the Act, the power pursuant to Section 139(4) of the Act, so far as may be</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)

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			<p>appropriate in the circumstances, to have regard to:</p> <p>48.4.1 the anticipated community benefit from an investment; and</p> <p>48.4.2 the desirability of attracting additional resources into the local community.</p>		
308092	s139(5)	Local Government Act 1999	<p>48. Investment Powers</p> <p>48.5 The power pursuant to Section 139(5) of the Act to obtain and consider independent and impartial advice about the investment of funds or the management of the Council's investments from the person whom the Delegate reasonably believes to be competent to give the advice.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308093	s140	Local Government Act 1999	<p>49. Review of Investment</p> <p>49.1 The duty pursuant to Section 140 of the Act to review the performance (individually and as a whole) of the Council's investments, at least once in each year.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308094	s141	Local Government Act 1999	<p>50. Gifts to a Council</p> <p>50.1 Within the confines of Section 44(3) of the Act:</p> <p>50.1.1 the power pursuant to Section 141(1) of the Act to accept a gift made to the Council;</p> <p>50.1.2 the power pursuant to Section 141(2) of the Act to carry out the terms of any trust (if any) that affects a gift to Council;</p> <p>50.1.3 the power pursuant to Section 141(3) of the Act to apply to the Supreme Court for an order varying the terms of a trust for which the Council has been constituted a trustee;</p> <p>50.1.4 where a variation is sought in the terms of a trust, the duty</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>pursuant to Section 141(4) of the Act to give notice describing the nature of the variation by public notice and in any other such manner as may be directed by the Supreme Court; and</p> <p>50.1.5 the duty pursuant to Section 141(6) of the Act to publish a copy of any order of the Supreme Court to vary the terms of the trust, in the Gazette, within 28 days after that order is made.</p>		
308095	s142	Local Government Act 1999	<p>51. Duty to Insure Against Liability</p> <p>51.1 The duty pursuant to Section 142 of the Act to take out and maintain insurance to cover the Council's civil liabilities at least to the extent prescribed by the Regulations.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308096	s143(1)	Local Government Act 1999	<p>52. Writing off Bad Debts</p> <p>52.1 The power pursuant to Section 143(1) of the Act to write off any debts owed to the Council:</p> <p>52.1.1 if the Council has no reasonable prospect of recovering the debts; or</p> <p>52.1.2 if the costs of recovery are likely to equal or exceed the amount to be recovered, up to and including an amount of \$5,000.00 in respect of any one debt.</p>	Submitted to Audit Committee prior to consideration by Council	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308097	s143(2)	Local Government Act 1999	<p>52. Writing off Bad Debts</p> <p>52.2 The duty pursuant to Section 143(2) of the Act to ensure that no debt is written off unless the Chief Executive Officer has certified:</p> <p>52.2.1 reasonable attempts have been made to recover the debt; or</p> <p>52.2.2 the costs of recovery are likely to equal or exceed the amount to be recovered.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308098	s144(1)	Local Government Act 1999	53. Recovery of Amounts due to Council		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			53.1 The power pursuant to Section 144(1) of the Act to recover as a debt, by action in a Court of competent jurisdiction, any fee, charge, expense or other amount recoverable from a person or payable by a person under this or another Act.	NIL	Director Corporate Services (41), Manager Financial Services (214)
308099	s144(2)	Local Government Act 1999	53. Recovery of Amounts due to Council 53.2 The power pursuant to Section 144(2), (3) and (4) of the Act to recover any fee, charge, expense or other amount as if it were a rate declared on the property, after giving at least 14 days notice requiring payment, where the fee, charge, expense or other amount payable to the Council relates to something done in respect of rateable or other property.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308100	s148(2)	Local Government Act 1999	54. Land Against Which Rates May be Assessed 54.1 The power and duty pursuant to Section 148(2) of the Act to make decisions about the division of land and the aggregation of land for the purposes of Section 148(1) of the Act fairly and in accordance with principles and practices that apply on a uniform basis across the area of the Council.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308101	s151	Local Government Act 1999	55. Basis of Rating 55.1 Before the Council: 55.1.1 changes the basis of the rating of any land (including by imposing differential rates on land that has not been differentially rated in the preceding financial year, or by no longer imposing differential rates on land that has been differentially rated in the preceding financial year); or 55.1.2 changes the basis on which land is valued for the purposes of rating; or 55.1.3 changes the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			any land; the power and duty pursuant to Section 151(5)(d) and (e) of the Act to: 55.1.4 prepare a report on the proposed change in accordance with Section 151(6) of the Act; and 55.1.5 follow the relevant steps set out in its public consultation policy in accordance with Section 151(7) of the Act.		
308102	s151(8) s151(5)(d) s151(7)(a)(i)	Local Government Act 1999	55. Basis of Rating 55.2 The duty pursuant to Section 151(8) of the Act to ensure that copies of the report required under Section 151(5)(d) of the Act are available at the meeting held under Section 151(7)(a)(i) of the Act, and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308103	s152(2)(d) s152(3)	Local Government Act 1999	56. General Rates 56.1 The power pursuant to Section 152(2)(d) and (3) of the Act to determine, on application, if two or more pieces of rateable land within the area of the Council constitute a single farm enterprise.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308104	s155(6)	Local Government Act 1999	57. Service Rates and Service Charges 57.1 The duty pursuant to Section 155(6) of the Act, subject to Section 155(7) of the Act, to apply any amounts held in a reserve established in connection with the operation of Section 155(5) of the Act for purposes associated with improving or replacing Council assets for the purposes of the relevant prescribed service.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308105	s155(7)	Local Government Act 1999	57. Service Rates and Service Charges 57.2 The power pursuant to Section 155(7) of the Act, if a prescribed service under Section 155(6) of the Act is, or is to be, discontinued, to apply any excess funds held by the Council for the purposes of the service (after taking into account any expenses incurred or to be incurred	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			in connection with the prescribed service) for another purpose specifically identified in the Council's annual business plan as being the purpose for which the funds will now be applied.		
308106	s156(3), s156(9), s156(10), s156(11)	Local Government Act 1999	58. Basis of Differential Rates 58.1 The power pursuant to Section 156(3), (9), (10), (11) of the Act to attribute the use of the land for any basis for a differential rate and to decide objections to any of those attributions.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308107	s156(14a)	Local Government Act 1999	58. Basis of Differential Rates 58.2 The power and duty pursuant to Section 156(14a) of the Act, before the Council changes from declaring differential rates in relation to any land on the basis of a differentiating factor under either paragraphs (a), (b) or (c) of Section 156(1) of the Act to a differentiating factor under another of those paragraphs, to - 58.2.1 prepare a report on the proposed change in accordance with Section 156(14b) of the Act; and 58.2.2 follow the relevant steps set out in its public consultation policy in accordance with Section 156(14d) of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308108	s156(14e), 156(14a)(a)	Local Government Act 1999	58. Basis of Differential Rates 58.3 The duty pursuant to Section 156(14e) of the Act to ensure that copies of the report required under Section 156(14a)(a) of the Act are available at the meeting held under Section 156(14d)(a)(i); and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308109	s157	Local Government Act 1999	59. Notice of Differentiating Factors 59.1 If the Council declares differential rates, the duty pursuant to Section 157 of the Act in each rates notice, to specify the differentiating factor or combination of factors that governs the calculation of rates on	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the land to which the account relates.		
308110	s159(1)	Local Government Act 1999	60. Preliminary 60.1 The power pursuant to Section 159(1) of the Act to determine the manner and form and such information as the Delegate may reasonably require, for a person or body to apply to the Council to determine if grounds exist for the person or body to receive a rebate of rates.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308111	s159(3)	Local Government Act 1999	60. Preliminary 60.2 The power pursuant to Section 159(3) to grant a rebate of rates if satisfied that it is appropriate to do so (whether on application or on the Delegate's own initiative).	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308112	s159(4)	Local Government Act 1999	60. Preliminary 60.3 The power pursuant to Section 159(4) of the Act to increase the rebate on the Delegate's initiative, if a rebate specifically fixed by Division 5 Chapter 10 of the Act is less than 100%.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308113	s159(10)	Local Government Act 1999	60. Preliminary 60.4 The power pursuant to Section 159(10) of the Act to determine, for proper cause, that an entitlement to a rebate of rates in pursuance of Division 5 no longer applies.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308114	s161(1) s161(3)	Local Government Act 1999	61. Rebate of Rates - Community Services 61.1 The power pursuant to Section 161(1) and (3) of the Act to grant a rebate of more than 75% of the rates on land being predominantly used for service delivery or administration (or both) by a community service organisation, where that organisation: 61.1.1 is incorporated on a not-for-profit basis for the benefit of the public; and 61.1.2 provides community services without charge or for charge that is below the cost to the body of providing their services; and	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			61.1.3 does not restrict its services to persons who are members of the body.		
308115	s165(1), s165(2)	Local Government Act 1999	<p>62. Rebate of Rates - Educational Purposes</p> <p>62.1 The power pursuant to Section 165(1) and (2) of the Act to grant a rebate of rates at more than 75% on land:</p> <p>62.1.1 occupied by a Government school under a lease or license and being used for educational purposes; or</p> <p>62.1.2 occupied by non-Government school registered under the Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or</p> <p>62.1.3 land being used by University or University College to provide accommodation and other forms of support for students on a not-for-profit basis.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308116	s166(1a)	Local Government Act 1999	<p>63. Discretionary Rebates of Rates</p> <p>63.1 The duty pursuant to Section 166(1a) of the Act to take into account, in deciding an application for a rebate under Section 166(1)(d), (e), (f), (g), (h), (i) or (j):</p> <p>63.1.1 the nature and extent of the Council's services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and</p> <p>63.1.2 the community need that is being met by activities being carried out on the land for which the rebate is sought; and</p> <p>63.1.3 the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons;</p>	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			63.1.4 any other matter considered relevant by the Council or the Delegate.		
308117	s166(1), s166(2), s166(4)	Local Government Act 1999	<p>63. Discretionary Rebates of Rates</p> <p>63.2 The power pursuant to Section 166(1), (2) and (4) of the Act and taking into account Section 166(1a) of the Act and in accordance with Section 166(3b) of the Act to grant a rebate of rates or service charges on such conditions as the Delegate sees fit and such rebate may be up to and including 100% of the relevant rates or service charge, in the following cases:</p> <p>63.2.1 where the rebate is desirable for the purpose of securing the proper development of the area or part of the area;</p> <p>63.2.2 where the rebate is desirable for the purpose of assisting or supporting a business in the area;</p> <p>63.2.3 where the rebate will be conducive to the preservation of buildings or places of historic significance;</p> <p>63.2.4 where the land is being used for educational purposes;</p> <p>63.2.5 where the land is being used for agricultural, horticultural or floricultural exhibitions;</p> <p>63.2.6 where the land is being used for a hospital or health centre;</p> <p>63.2.7 where the land is being used to provide facilities or services for children or young persons;</p> <p>63.2.8 where the land is being used to provide accommodation for the</p>	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>aged or disabled;</p> <p>63.2.9 where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre;</p> <p>63.2.10 where the land is being used by an organisation which, in the opinion of the Delegate, provides a benefit or a service to the local community;</p> <p>63.2.11 where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;</p> <p>63.2.12 where the rebate is considered by the Delegate to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to:</p> <p>63.2.12.1 redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or</p> <p>63.2.12.2 change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.</p> <p>63.2.13 where the rebate is considered by the Delegate to be appropriate to provide relief in order to avoid what would otherwise constitute:</p> <p>63.2.13.1 liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the Council in its annual business plan; or</p>		

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>63.2.13.2 liability that is unfair or unreasonable;</p> <p>63.2.14 where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2; or</p> <p>63.2.15 where the rebate is contemplated under another provision of the Act.</p>		
308118	s166(3)	Local Government Act 1999	<p>63. Discretionary Rebates of Rates</p> <p>63.3 The power pursuant to Section 166(3) of the Act to grant a rebate of rates or charges for a period exceeding 1 year but not exceeding 10 years in the following cases:</p> <p>63.3.1 where the rebate is desirable for the purpose of securing a proper development of the area or part of the area; or</p> <p>63.3.2 where the rebate is desirable for the purpose of assisting or supporting a business in the area; or</p> <p>63.3.3 where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment.</p>	NIL	Elected Body
308119	s166(3a)	Local Government Act 1999	<p>63. Discretionary Rebates of Rates</p> <p>63.4 The power pursuant to Section 166(3a) of the Act to grant a rebate of rates or charges under Section 166(1)(l) of the Act for a period exceeding 1 year but not exceeding 3 years.</p>	NIL	Elected Body
308120	s167(1)	Local Government Act 1999	<p>64. Valuation of Land for the Purposes of Rating</p> <p>64.1 The power pursuant to Section 167(1) of the Act to adopt valuations that are to apply to land within the Council's area, for rating purposes for a particular financial year.</p>	Subject to Council Approval	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308121	s167(2)	Local Government Act 1999	64. Valuation of Land for the Purposes of Rating 64.2 For the purpose of adopting a valuation of land for rating, the duty pursuant to Section 167(2) of the Act and in accordance with Section 167(3), (4) and (5) of the Act, to adopt: 64.2.1 valuations made, or caused to be made, by the Valuer-General; or 64.2.2 valuations made by a valuer employed or engaged by the Council, or by a firm or consortium of valuers engaged by the Council; or a combination of both.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308122	s167(6)	Local Government Act 1999	64. Valuation of Land for the Purposes of Rating 64.3 The duty pursuant to Section 167(6) of the Act to publish a notice of the adoption of valuations in the Gazette, within 21 days after the date of the adoption.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308123	s168(1)	Local Government Act 1999	65. Valuation of Land 65.1 The power pursuant to Section 168(1) of the Act to request the Valuer-General to value any land within the Council's area (being land that is capable of being separately rated).	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308124	s168(2)	Local Government Act 1999	65. Valuation of Land 65.2 The duty pursuant to Section 168(2) of the Act to furnish to the Valuer-General any information requested by the Valuer General for the purposes of valuing land within the area of the Council.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308125	s168(3)(b)	Local Government Act 1999	65. Valuation of Land 65.3 The power and duty pursuant to Section 168(3)(b) and (c) of the Act to enter a valuation in the assessment record, as soon as practicable after the valuation has been made and to give notice of the valuation to the principal ratepayer in accordance with the Regulations.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308126	s169(1), s169(2), s169(3),	Local Government Act 1999	66. Objections to Valuations Made by Council 66.1 The duty pursuant to Section 169(1), (2), (3), (4) and (5) of the Act to refer an objection to a valuation of land to the valuer who made the	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
	s169(4), s169(5)		valuation and to request the valuer to reconsider the valuation, where: 66.1.1 the objection does not involve a question of law; and 66.1.2 the objection is made in writing (setting out a full and detailed statement of the grounds on which the objection is based); and 66.1.3 is made within 60 days after the date of service of the notice of the valuation to which the objection relates (unless the Delegate, in his/her discretion, allows an extension of time for making the objection).		Services (214)
308127	s169(3)(b)	Local Government Act 1999	66. Objections to Valuations Made by Council 66.2 The power pursuant to Section 169(3)(b) of the Act to grant an extension of time for making an objection to a valuation of land.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308128	s169(7)	Local Government Act 1999	66. Objections to Valuations Made by Council 66.3 The duty pursuant to Section 169(7) of the Act to give the objector written notice of the outcome of the reconsideration of the objection.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308129	s169(8)	Local Government Act 1999	66. Objections to Valuations Made by Council 66.4 The duty pursuant to and in accordance with Section 169(8) and (9) of the Act to refer the valuation to the Valuer-General for further review, if the objector remains dissatisfied with the valuation and requests such further review, provided the request is: 66.4.1 in the prescribed manner and form; 66.4.2 made within 21 days after the objector receives notice of the outcome of his or her initial objection; and 66.4.3 accompanied by the prescribed fee.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308349	s169(15)	Local Government Act 1999	66. Objections to Valuations Made by Council 66.5 The power pursuant to Section 169(15)(b) of the Act to apply to SACAT for a review of the decision of a valuer after a further review on a request under Section 169(8) of the Act, in accordance with Section 169(15a) of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308130	s170	Local Government Act 1999	67. Notice of Declaration of Rates 67.1 The duty pursuant to Section 170 of the Act to ensure the notice of declaration of a rate or service charge is published in the Gazette and in a newspaper circulating in the area within 21 days after the date of the declaration.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308131	s173(3), s173(5)	Local Government Act 1999	68. Alterations to Assessment Record 68.1 The power pursuant to Section 173(3) and (5) of the Act to determine the procedure for a review of a decision by the Chief Executive Officer on an application for alteration of the assessment record.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308132	s173(6)	Local Government Act 1999	68. Alterations to Assessment Record 68.2 The duty pursuant to Section 173(6) of the Act to give a person written notice of Council's decision on a review of a decision of the Chief Executive Officer concerning alteration of the assessment record.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308133	s174(1), s174(2)	Local Government Act 1999	69. Inspection of Assessment Record 69.1 The duty pursuant to Section 174(1) and (2) of the Act to ensure that the assessment record is available for inspection and purchase of an entry (on payment of a fee fixed by the Council), by the public at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308134	s178(3), s178(9)	Local Government Act 1999	70. Liability for Rates 70.1 The power pursuant to Section 178(3) of the Act and subject to Section 178(9) of the Act to recover rates as a debt from: 70.1.1 the principal ratepayer; or	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			70.1.2 any other person (not being a principal ratepayer) who is an owner or occupier of the land; or 70.1.3 any other person who was at the time of the declaration of the rates an owner or occupier of the land.		
308135	s178(4)	Local Government Act 1999	70. Liability for Rates 70.2 The power pursuant to Section 178(4) of the Act by written notice to a lessee or a licensee of land in respect of which rates have fallen due, to require him or her to pay to the Council rent or other consideration payable under the lease or a licence in satisfaction of any liability for rates.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308136	s178(4)	Local Government Act 1999	70. Liability for Rates 70.3 Where a notice under Section 178(4) of the Act is given to a lessee or a licensee of land, the power pursuant to Section 178(5) of the Act to make and give notice of an additional charge of 5% of the amount in arrears, as payable and recoverable as part of the debt for unpaid rates.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308137	s178(6)	Local Government Act 1999	70. Liability for Rates 70.4 The power pursuant to Section 178(6) of the Act to remit the charge of 5% of the amount in arrears payable under the Act in whole or in part.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308138	s179(2)	Local Government Act 1999	71. Liability for Rates if Land is Not Rateable for the Whole of the Financial Year 71.1 The power pursuant to Section 179(2) of the Act to adopt a valuation of land that has become rateable after the adoption of valuations by the Council for the relevant financial year.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308139	s179(5)	Local Government Act 1999	71. Liability for Rates if Land is Not Rateable for the Whole of the Financial Year 71.2 The duty pursuant to Section 179(5) of the Act to refund to the principal ratepayer an amount proportionate to the remaining part of the financial year, if land ceases to be rateable during the course of a	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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			financial year and the rates have been paid.		
308140	s180(1), s180(2)	Local Government Act 1999	72. Service of Rate Notice 72.1 The duty pursuant to Section 180(1) of the Act and in accordance with Section 180(2) of the Act to send to the principal ratepayer or, in the case of a service charge, the owner or occupier of the relevant land, a rates notice, as soon as practicable after: 72.1.1 the declaration of a rate; or 72.1.2 the imposition of a service charge; or 72.1.3 a change in the rates liability of land.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308141	s181(2)	Local Government Act 1999	73. Payment of Rates - General Principles 73.1 The power pursuant to Section 181(2) of the Act to determine the day on which each instalment of rates falls due in the months of September, December, March and June of the financial year for which the rates are declared.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308142	s181(3)	Local Government Act 1999	73. Payment of Rates - General Principles 73.2 If the Council declares a general rate for a particular financial year after 31 August in that financial year, the power, pursuant to Section 181(3) of the Act, to adjust the months in which instalments would otherwise be payable under Section 181(1) (taking into account what is reasonable in the circumstances).	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308143	s181(4)(b)	Local Government Act 1999	73. Payment of Rates - General Principles 73.3 The power pursuant to Section 181(4)(b) of the Act to agree with the principal ratepayer that rates will be payable in such instalments falling due on such days as may be specified in the agreement and in that event, the ratepayer's rates will then be payable accordingly.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308144	s181(5)	Local Government Act 1999	73. Payment of Rates - General Principles 73.4 The duty pursuant to Section 181(5) of the Act in relation to each	NIL	Chief Executive Officer (95), Director Corporate Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			instalment of rates to send a rates notice to the principal ratepayer shown in the assessment record in respect of the land setting out in accordance with Sections 181(6) and (7) of the Act: 73.4.1 the amount of the instalment; and 73.4.2 the date on which the instalment falls due, or in the case where payment is to be postponed under another provision of the Act, the information prescribed by the Regulations.		(41), Manager Financial Services (214)
308145	s181(7a)	Local Government Act 1999	73. Payment of Rates - General Principles 73.5 The power pursuant to Section 181(7a) of the Act where the Council has entered into an agreement with a principal rate payer under Section 181(4)(b) of the Act, as part of the agreement, to vary the periods for the provision of a notice under Section 181(7) of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308146	s181(9)	Local Government Act 1999	73. Payment of Rates - General Principles 73.6 The power pursuant to Section 181(9) of the Act to remit any amount payable under Section 181(8) of the Act in whole or in part.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308147	s181(11)	Local Government Act 1999	73. Payment of Rates - General Principles 73.7 The power pursuant to Section 181(11) of the Act to grant discounts or other incentives in order to encourage: 73.7.1 the payment of instalments of rates in advance; or 73.7.2 prompt payment of rates.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308148	s181(12)(b)	Local Government Act 1999	73. Payment of Rates - General Principles 73.8 The power pursuant to Section 181(12)(b) of the Act to impose a surcharge or administrative levy not exceeding 1% of the rates payable in a particular financial year with respect to the payment of rates by instalments under Section 181(4)(b) of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308149	s181(13)	Local Government Act 1999	73. Payment of Rates - General Principles 73.9 The power pursuant to Section 181(13) and subject to Section 44(3)(b) of the Act in relation to the payment of separate rates or service rates, by written notice incorporated in a notice for the payment of those rates sent to the principal ratepayer shown in the assessment record in respect of the land at the address shown in the assessment record, at least 30 days before an amount is payable in respect of the rates for a particular financial year, to impose a requirement that differs from the requirements of Section 181 of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308150	s181(15)	Local Government Act 1999	73. Payment of Rates - General Principles 73.10 The power pursuant to Section 181(15) of the Act to decide that rates of a particular kind will be payable in more than 4 instalments in a particular financial year and in such case: 73.10.1 the instalments must be payable on a regular basis (or essentially a regular basis) over the whole of the financial year, or the remainder of the financial year depending on when the rates are declared; and 73.10.2 the Delegate must give at least 30 days notice before an instalment falls due.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308151	s182(1)	Local Government Act 1999	74. Remission and Postponement of Payment 74.1 The power pursuant to Section 182(1) of the Act to decide on the application of a ratepayer that payment of rates in accordance with the Act would cause hardship and, if so, to: 74.1.1 postpone payment in whole or in part for such period as the Delegate thinks fit; or 74.1.2 remit the rates in whole or in part.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308152	s182(2)	Local Government Act 1999	74. Remission and Postponement of Payment		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>74.2 The power pursuant to Section 182(2) of the Act on a postponement of rates:</p> <p>74.2.1 to grant the postponement on condition that the ratepayer pay interest on the amount affected by the postponement at a rate fixed by the Delegate (but not exceeding the cash advance debenture rate);</p> <p>74.2.2 to grant the postponement on other conditions determined by the Delegate; and</p> <p>74.2.3 to revoke the postponement, at the Delegate's discretion (in which case the Delegate must give the ratepayer at least 30 days written notice of the revocation before taking action to recover rates affected by the postponement).</p>	NIL	Director Corporate Services (41), Manager Financial Services (214)
308153	s182(3)	Local Government Act 1999	<p>74. Remission and Postponement of Payment</p> <p>74.3 The power pursuant to Section 182(3) of the Act to grant other or additional postponements of rates:</p> <p>74.3.1 to assist or support a business in the Council's area; or</p> <p>74.3.2 to alleviate the affects of anomalies that have occurred in valuations under the Act.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308154	s182(4)	Local Government Act 1999	<p>74. Remission and Postponement of Payment</p> <p>74.4 The power pursuant to Section 182(4) of the Act to grant other or additional remissions of rates on the same basis as applies under the Rates and Land Tax Remission Act 1986, (such remissions will be in addition to the remissions that are available under that Act).</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308155	s182(5)	Local Government Act 1999	<p>74. Remission and Postponement of Payment</p> <p>74.5 The power pursuant to Section 182(5) of the Act to require a ratepayer who claims to be entitled to a remission of rates by virtue of a</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			determination under Section 182(4) of the Act to provide evidence to the satisfaction of the Delegate verifying that entitlement.		Services (214)
308156	s182(6)	Local Government Act 1999	74. Remission and Postponement of Payment 74.6 The power pursuant to Section 182(6) of the Act to revoke a determination under Section 182(4) of the Act at any time (but the revocation will not affect an entitlement to remission in relation to rates declared before the revocation takes effect).	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308157	s182A(2)	Local Government Act 1999	75. Postponement of Rates - Seniors 75.1 The power pursuant to Section 182A(2) of the Act to require that an application pursuant to Section 182A(1) of the Act be accompanied by such information as the Delegate may reasonably require.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308158	s182A(3)	Local Government Act 1999	75. Postponement of Rates - Seniors 75.2 The power pursuant to Section 182A(3) of the Act, on an application for a postponement of the payment of the prescribed proportion of rates for the current or future financial made in accordance with Sections 182A(1) and (2) of the Act to: 75.2.1 reject an application for the postponement of rates; or 75.2.2 impose conditions on the postponement of rates but only in accordance with the Regulations.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308159	s183	Local Government Act 1999	76. Application of money in respect of rates 76.1 The power and the duty to apply monies received or recovered in respect of rates pursuant to and in accordance with Section 183 of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
308160	s184(1)	Local Government Act 1999	77. Sale of Land for Non-Payment of Rates 77.1 The power pursuant to Section 184(1) of the Act to sell land, if an amount payable by way of rates in respect of the land, has been in arrears for 3 years or more.	Subject to Council Approval	Chief Executive Officer (95), Director Corporate Services (41)
308161	s184(2)	Local Government Act 1999	77. Sale of Land for Non-Payment of Rates		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>77.2 The duty pursuant to Section 184(2) of the Act before selling land for non-payment of rates, to send a notice to the principal ratepayer at the address appearing in the assessment record:</p> <p>77.2.1 stating the period for which the rates have been in arrears; and</p> <p>77.2.2 stating the amount of the total liability for rates presently outstanding in relation to the land; and</p> <p>77.2.3 stating that if that amount is not paid in full within 1 month of service of the notice (or such longer time as the Delegate may allow), the Council intends to sell the land for non-payment of rates.</p>	NIL	Director Corporate Services (41)
308162	s184(3)	Local Government Act 1999	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.3 The duty pursuant to Section 184(3) of the Act to send a copy of a notice sent to a principal ratepayer under Section 184(2) of the Act:</p> <p>77.3.1 to any owner of the land who is not the principal ratepayer; and</p> <p>77.3.2 to any registered mortgagee of the land; and</p> <p>77.3.3 if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308163	s184(2), s184(3)	Local Government Act 1999	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.4 If:</p> <p>77.4.1 the Delegate cannot, after making reasonable enquiries, ascertain the name and address of a person to whom a notice is to be sent under Section 184(2) or (3) of the Act; or</p> <p>77.4.2 the Delegate considers that it is unlikely that a notice sent under</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>Section 184(2) or (3) of the Act would come to the attention of the person to whom it is to be sent, the power pursuant to Section 184(4) of the Act to effect service of the notice by:</p> <p>77.4.3 placing a copy of the notice in a newspaper circulating throughout the State; and</p> <p>77.4.4 leaving a copy of the notice in a conspicuous place on the land.</p>		
308164	s184(5)	Local Government Act 1999	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.5 The power pursuant to Section 184(5) of the Act to proceed to have the land sold, if the outstanding amount of rates is not paid in full within the time allowed in the notice given to the ratepayer under Section 184(2) of the Act.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308165	s184(6)	Local Government Act 1999	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.6 The duty pursuant to Section 184(6) and (7) of the Act to conduct the sale of land for non-payment of rates by public auction and the power to set the reserve price for the purposes of the auction, except in the case of land held from the Crown under a lease, licence or agreement to purchase, unless the Minister responsible for the administration of the Crown Lands Act 1929 grants consent to sale by public auction.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308166	s184(8)	Local Government Act 1999	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.7 The duty pursuant to Section 184(8) of the Act to advertise the auction of land under Section 184 of the Act on at least 2 separate occasions in a newspaper circulating throughout the State.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308167	s184(9)	Local Government Act 1999	<p>77. Sale of Land for Non-Payment of Rates</p> <p>77.8 The duty pursuant to Section 184(9) of the Act to call off the auction, if before the date of such an auction, the outstanding amount and the costs incurred by the Council in proceeding under this Section are paid to the Council.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308168	s184(10)	Local Government Act 1999	77. Sale of Land for Non-Payment of Rates 77.9 The power pursuant to Section 184(10) of the Act to sell the land by private contract for the best price that can be reasonably obtained, if an auction fails or an auction is not held because the land is held from the Crown under a lease, licence or agreement to purchase.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308169	s184(11)	Local Government Act 1999	77. Sale of Land for Non-Payment of Rates 77.10 The power and duty to apply monies received by the Council in respect of the sale of land for non-payment of rates pursuant to and in accordance with Section 184(11) of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308170	s184(12)	Local Government Act 1999	77. Sale of Land for Non-Payment of Rates 77.11 The duty pursuant to Section 184(12) of the Act to make reasonable enquiries to find the owner of land to be sold for non-payment of rates and where the owner cannot be found, the power to deal with the amount payable to the owner as unclaimed money under the Unclaimed Moneys Act 1981.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308171	s186(3), s186(4), s186(5)	Local Government Act 1999	78. Objection, Review or Appeal 78.1 If an objection, review or appeal in respect of a valuation of land results in the alteration of a valuation or of a decision to attribute a particular land use to land, and a due adjustment is made, the power pursuant to Section 186(2) of the Act and subject to Section 186(3), (4) and (5) of the Act: 78.1.1 to refund or credit the overpaid amount against future liabilities for rates on the land subject to the rates; or 78.1.2 to recover an additional amount payable on account of an alteration of the value as arrears after at least 30 days have expired from the date on which notification of the alteration is given to the person who initiated the objection, review or appeal.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308172	s187(1)	Local Government Act 1999	79. Certificate of Liabilities		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>79.1 The power pursuant to Section 187(1) of the Act to issue a certificate, on application by or on behalf of a person who has an interest in land within the area, stating that:</p> <p>79.1.1 the amount of any liability for rates or charges on the land imposed under Part 1 of Chapter 10 or Schedule 1B of the Act (including rates and charges under Part 1 of Chapter 10 or Schedule 1B of the Act that have not yet fallen due for payment, and outstanding interest or fines payable in respect of rates and charges under Part 1 of Chapter 10 or Schedule 1B of the Act); and</p> <p>79.1.2 any amount received on account of rates or charges on the land imposed under this part, that is held in credit against future liabilities for rates or charges in relation to the land.</p>	NIL	Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45)
308173	s187B(6)	Local Government Act 1999	<p>80. Investigation by Ombudsman</p> <p>80.1 The duty pursuant to Section 187B(6) of the Act if the Ombudsman's report prepared pursuant to Section 187B(3) of the Act makes any recommendations as to action that should be taken by the Council, to within 2 months after receipt of that report, provide a written response to:</p> <p>80.1.1 the Ombudsman; and</p> <p>80.1.2 if relevant, the person who made the complaint.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308174	s187B(7)	Local Government Act 1999	<p>80. Investigation by Ombudsman</p> <p>80.2 The power pursuant to Section 187B(7) of the Act to grant a rebate or remission of any rate or service charge, or of any charge, fine or interest under Part 1 of Chapter 10 of the Act, if the Ombudsman recommends that the Council do so on the ground of special circumstances pertaining to a particular ratepayer.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308175	s188(1), s188(2)	Local Government Act 1999	<p>81. Fees and Charges</p> <p>81.1 The power pursuant to Section 188(1) and (2) of the Act to impose fees and charges:</p> <p>81.1.1 for the use of any property or facility owned, controlled, managed or maintained by the Council;</p> <p>81.1.2 for services supplied to a person at his or her request;</p> <p>81.1.3 for carrying out work at a person's request;</p>	NIL	<p>Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308176	s188(3)	Local Government Act 1999	81. Fees and Charges 81.2 The power pursuant to Section 188(3) of the Act to provide for: 81.2.1 specific fees and charges; 81.2.2 maximum fees and charges and minimum fees and charges; 81.2.3 annual fees and charges; 81.2.4 the imposition of fees or charges according to specified factors;	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Organisational Development (310), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308351	s188(3)	Local Government Act 1999	<p>81. Fees and Charges</p> <p>81.2 The power pursuant to Section 188(3) of the Act to provide for:</p> <p>81.2.5 the variation of fees or charges according to specified factors in respect of fees and charges set under Section 188(1)(a) - (c) of the Act inclusive; and</p>	NIL	<p>Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308350	s188(3)	Local Government Act 1999	81. Fees and Charges 81.2.6 the reduction, waiver or refund, in whole or in part, of any fees and charges.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308177	s188(5)	Local Government Act 1999	81. Fees and Charges 81.3 The power pursuant to Section 188(5) of the Act to fix, vary or revoke those fees and charges set under Section 188(1)(a), (b) and (c) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Communications

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(196), Team Leader Statutory Planning (326)
308178	s188(6)	Local Government Act 1999	81. Fees and Charges 81.4 The duty pursuant to Section 188(6) of the Act to keep a list of fees and charges imposed under this Section on public display during ordinary office hours at the principal office of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308179	s188(7)	Local Government Act 1999	81. Fees and Charges 81.5 The duty pursuant to Section 188(7) of the Act to, if the Council fixes or varies a fee imposed under this Section, up-date the list referred to in Section 188(6) of the Act and take reasonable steps to bring the fee or charge, or variation of the fee or charge, to the notice of persons who may be affected.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Executive Manager Governance and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Performance (349), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Supervisor Parks and Reserves (115), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308180	s190	Local Government Act 1999	82. Acquisition of Land by Agreement 82.1 The power pursuant to Section 190 of the Act to acquire land by agreement.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308181	s191(1)	Local Government Act 1999	83. Compulsory Acquisition of Land 83.1 The power pursuant to Section 191(1) of the Act to acquire land compulsorily, in circumstances which require the Minister's written approval, after the Council has obtained the Minister's approval.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308182	s191(2)	Local Government Act 1999	83. Compulsory Acquisition of Land 83.2 The power pursuant to Section 191(2) of the Act to acquire land compulsorily for a purpose classified by the Regulations as an approved purpose.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Director Infrastructure and Operations (114)
308183	s192(1)	Local Government Act 1999	84. Assumption of Care, Control and Management of Land 84.1 The power pursuant to Section 192(1) of the Act to assume the care, control and management of land in the Council area that has been set aside for the use or enjoyment of the public or a section of the public under the circumstances specified in Section 192(1)(a) and (b) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308184	s192(4)	Local Government Act 1999	84. Assumption of Care, Control and Management of Land 84.2 The duty pursuant to Section 192(4) of the Act to immediately cause a copy of a resolution under Section 192(1) of the Act to assume the care, control and management of land to be published in the Gazette.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308185	s193(6)	Local Government Act 1999	85. Classification 85.1 The duty pursuant to Section 193(6) of the Act to give notice in the Gazette of a resolution: 85.1.1 to exclude land from classification as community land under Section 193(4) of the Act; or 85.1.2 to classify as community land, land that had previously been excluded from classification as such under Section 193(5) of the Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Property Services (394)
308186	s194(2)	Local Government Act 1999	86. Revocation of Classification of Land as Community Land 86.1 The duty pursuant to Section 194(2) of the Act before the Council	NIL	Chief Executive Officer (95), Director Corporate Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>revokes the classification of land as community land to:</p> <p>86.1.1 prepare and make publicly available a report on the proposal containing:</p> <p>86.1.1.1 a summary of reasons for the proposal; and</p> <p>86.1.1.2 a statement of any dedication, reservation or trust to which the land is subject; and</p> <p>86.1.1.3 a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and the statement of how the Council proposes to use the proceeds; and</p> <p>86.1.1.4 an assessment of how implementation of the proposal would affect the area and the local community; and</p> <p>86.1.1.5 if the Council is not the owner of the land, a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification; and</p> <p>86.1.2 follow the relevant steps set out in the Council's public consultation policy.</p>		(41), Manager Property Services (394), Property Officer (113)
308187	s194(2)	Local Government Act 1999	<p>86. Revocation of Classification of Land as Community Land</p> <p>86.2 After complying with the requirements of Section 194(2) of the Act, the duty pursuant to Section 194(3) of the Act to prepare a report on all submissions made on it as part of the public consultation process.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)
308188	s194(4)	Local Government Act 1999	<p>86. Revocation of Classification of Land as Community Land</p> <p>86.3 The power pursuant to Section 194(4) of the Act to consult with the</p>	NIL	Chief Executive Officer (95), Director Corporate Services

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			Minister in relation to a regulation made under Section 194(1) over a specific piece of land.		(41), Manager Property Services (394)
308189	s195(2)	Local Government Act 1999	87. Effect of Revocation of Classification 87.1 If it appears from the Register Book that the land is subject to a dedication, reservation or trust, other than a dedication, reservation or trust under the Crown Lands Act 1929, the duty pursuant to Section 195(2) of the Act immediately after the revocation of the classification of the land as community land, to give notice of the revocation to the Registrar-General in the manner and form approved by the Registrar General.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)
308190	s196(1), s196(2), s196(3), s196(7),	Local Government Act 1999	88. Management Plans 88.1 The power and duty pursuant to and in accordance with Section 196(1), (2), (3) and (7) of the Act to prepare and adopt management plan or management plans for the Council's community land, for which a management plan must be prepared, that: 88.1.1 identifies the land to which it applies; and 88.1.2 states the purpose for which the land is held by the Council; and 88.1.3 states the Council's objectives, policies (if any) and proposals for the management of the land; and 88.1.4 states performance targets and how the Council proposes to measure its performance against its objectives and performance targets.	Subject to Council Approval	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)
308191	s196(4)	Local Government Act 1999	88. Management Plans 88.2 If a management plan relates to land that is not in the Council's ownership, the power and duty pursuant to Section 196(4) of the Act to consult with the owner of the land at an appropriate stage during the preparation of the plan and the plan must:	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)

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			<p>88.2.1 identify the owner of the land; and</p> <p>88.2.2 state the nature of any trust, dedication or restriction to which the land is subject apart from the Act; and</p> <p>88.2.3 contain any provisions that the owner reasonably requires and identify those provisions as provisions required by the owner.</p>		
308192	s196(5)	Local Government Act 1999	<p>88. Management Plans</p> <p>88.3 The duty pursuant to Section 196(5) of the Act to ensure (as far as practicable) that the management plan is consistent with other relevant official plans and policies about conservation, development and use of the land and contains any special provisions required under the Regulations.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)
308193	s197(1)	Local Government Act 1999	<p>89. Public Consultation on Proposed Management Plan</p> <p>89.1 Before the Council adopts a management plan for community land, the duty to pursuant to Section 197(1) of the Act and subject to Section 197(2) of the Act:</p> <p>89.1.1 make copies of the proposed plan available for inspection or purchase at the Council's principal office; and</p> <p>89.1.2 follow the relevant steps set out in Council's public consultation policy.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)
308194	s197(3)	Local Government Act 1999	<p>89. Public Consultation on Proposed Management Plan</p> <p>89.2 The duty pursuant to Section 197(3) of the Act to give public notice of the adoption of a management plan.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41)
308195	s198(1)	Local Government Act 1999	<p>90. Amendment or Revocation of Management Plan</p> <p>90.1 The power pursuant to Section 198(1) of the Act and in accordance with Section 198(2) and (3) of the Act to amend or revoke a management</p>	NIL	Elected Body

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			plan by the adoption of a proposal for its amendment or revocation.		
308196	s198(2), s198(3)	Local Government Act 1999	90. Amendment or Revocation of Management Plan 90.2 The power pursuant to Section 198(2) and (3) of the Act to conduct public consultation prior to the Council or the Delegate adopting a proposal for amendment to or revocation of a management plan, unless in the opinion of the Delegate the amendment has no impact or no significant impact on the interests of the community.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308197	s198(4)	Local Government Act 1999	90. Amendment or Revocation of Management Plan 90.3 The duty pursuant to Section 198(4) of the Act to give public notice of Council's or the Delegate's adoption of a proposal for the amendment or revocation of a management plan.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308198	s199	Local Government Act 1999	91. Effect of Management Plan 91.1 The duty pursuant to Section 199 of the Act to manage community land in accordance with any management plan for the relevant land.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Property Services (394), Property Officer (113)
308199	s200(1), s200(2), s200(3)	Local Government Act 1999	92. Use of Community Land for Business Purposes 92.1 The power pursuant to Section 200(1), (2) and (3) of the Act to approve a person's use of community land for a business purpose,	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			consistent with provisions of the management plan and on any conditions the Delegate considers appropriate.		Services (394), Property Officer (113)
308200	s201(1)	Local Government Act 1999	<p>93. Sale or Disposal of Local Government Land</p> <p>93.1 The power pursuant to Section 201(1) of the Act to sell or otherwise dispose of an interest in land:</p> <p>93.1.1 vested in the Council in fee simple; or</p> <p>93.1.2 vested in the Council as lessee.</p>	NIL	Elected Body
308201	s201(2)	Local Government Act 1999	<p>93. Sale or Disposal of Local Government Land</p> <p>93.2 The power pursuant to Section 201(2) of the Act to:</p> <p>93.2.1 grant an easement (including a right of way) over community land; and</p> <p>93.2.2 grant an easement (excluding a right of way) over a road or part of a road.</p>	NIL	Elected Body
308202	s202(1)	Local Government Act 1999	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.1 The power pursuant to Section 202(1) and (5) of the Act and subject to Section 202(7) of the Act to grant a lease or licence over community land (including community land that is, or forms part of, a park or reserve), and to make provision in a lease or licence for:</p> <p>94.1.1 the erection or removal of buildings and other structures for the purpose of activities conducted under the lease or licence;</p> <p>94.1.2 the exclusion, removal or regulation of persons, vehicles or animals from or on the land, and the imposition of admission or other charges (subject to the fixing or varying of the charge by Council, pursuant to Section 44(3)(j) of the Act);</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Manager Development

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			94.1.3 any other matter relevant to the use or maintenance of the land.		Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)
308203	s202(2)	Local Government Act 1999	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.2 The duty pursuant to Section 202(2) and (3) of the Act and subject to Section 202(7) of the Act before granting a lease or licence relating to community land to follow the relevant steps set out in Council's public consultation policy, unless:</p> <p>94.2.1 the grant of the lease or the licence is authorised in an approved management plan for the land and the term of the proposed lease or licence is 5 years or less; or</p> <p>94.2.2 the Regulations provide, in the circumstances of the case, for an exemption from compliance with the public consultation policy.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Property Services (394)
308204	s202(4)	Local Government Act 1999	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.3 The power and duty pursuant to Section 202(4) of the Act and subject to Section 202(4a) and Section 202(7) of the Act to grant or renew a lease or a licence for a term (not exceeding 42 years) and to extend the term of the lease or licence but not so that the term extends beyond a total of 42 years.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Property Services (394)
308205	s202(6)	Local Government Act 1999	<p>94. Alienation of Community Land by Lease or Licence</p> <p>94.4 The duty pursuant to Section 202(6) of the Act and subject to Section 202(7) of the Act to ensure that a lease or licence relating to community land is consistent with any relevant management plan.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Property Services (394)
308206	s207(1)	Local Government Act 1999	95. Register 95.1 The duty pursuant to Section 207(1) of the Act to keep a register of all community land in Council's area.	NIL	Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Property Officer (113), Sport and Recreation Planner (391)
308207	s207(2)(a), s207(2)(b)	Local Government Act 1999	95. Register 95.2 The duty pursuant to Section 207(2)(a) and (b) of the Act to ensure that the register: 95.2.1 contains the information required by the Regulations; and 95.2.2 contains copies of current management plans.	NIL	Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Property Officer (113), Sport and Recreation Planner (391)
308208	s207(2)(c)	Local Government Act 1999	95. Register 95.3 The power pursuant to Section 207(2)(c) of the Act to include in the register (if the Delegate so decides) a computer record of the relevant information.	NIL	Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services

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					(41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Property Officer (113), Sport and Recreation Planner (391)
308209	s207(3), s207(4)	Local Government Act 1999	95. Register 95.4 The duty pursuant to Section 207(3) and (4) of the Act to make available the register of all community land in the Council's area for inspection (without charge) or purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council during ordinary office hours.	NIL	Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Property Officer (113), Sport and Recreation Planner (391)
308210	s208(4)	Local Government Act 1999	96. Ownership of Public Roads 96.1 The duty pursuant to Section 208(4) of the Act to cause a copy of a resolution declaring a road or land to be a public road, or preserving an easement under Section 208(3), to be published in the Gazette.	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Project Officer (421), Project Officer (422), Technical Officer (104)

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308211	s209(3)	Local Government Act 1999	<p>97. Ownership of Fixtures and Equipment Installed on Public Roads</p> <p>97.1 The power pursuant to Section 209(3) of the Act to enter into an agreement with the provider of public infrastructure or the holder of an authorisation or permit under Section 209(1) and (2) of the Act which provides for the vesting of property in fixtures and equipment in the Council.</p>	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Project Officer (421), Project Officer (422), Technical Officer (104)
308212	s210(1)(b)	Local Government Act 1999	<p>98. Conversion of Private Road to Public Road</p> <p>98.1 The duty pursuant to Section 210(1)(b) of the Act to make reasonable enquiries to find the owner of a private road which the Council is seeking to declare be a public road.</p>	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Project Officer (421), Project Officer (422), Property Officer (113), Technical Officer (104)
308213	s210(2)	Local Government Act 1999	<p>98. Conversion of Private Road to Public Road</p> <p>98.2 The duty pursuant to Section 210(2) of the Act at least 3 months before the Council makes a declaration under Section 210 of the Act to:</p> <p>98.2.1 if the identity and whereabouts of the owner of the road are known to the Council, give written notice to the owner of land subject to the proposed declaration; and</p>	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>98.2.2 if a person has some other form of registered legal interest over the road and the identity and whereabouts of that person are known to the Council - give written notice to the person of the proposed declaration; and</p> <p>98.2.3 give public notice of the proposed declaration.</p>		<p>Manager Property Services (394), Project Officer (421), Project Officer (422), Property Officer (113), Technical Officer (104)</p>
308214	s210(5)	Local Government Act 1999	<p>98. Conversion of Private Road to Public Road</p> <p>98.3 The duty pursuant to Section 210(5) to publish in the Gazette a declaration of the Council made in accordance with Section 210(1) of the Act.</p>	NIL	<p>Chief Executive Officer (95), Coordinator Civil Projects (109), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Project Officer (421), Project Officer (422), Property Officer (113), Technical Officer (104)</p>
308215	s210(7)	Local Government Act 1999	<p>98. Conversion of Private Road to Public Road</p> <p>98.4 The duty pursuant to Section 210(7) of the Act to furnish to the Registrar-General a copy of any declaration under Section 210 of the Act in a manner and form approved by the Registrar-General immediately after it is made.</p>	NIL	<p>Chief Executive Officer (95), Coordinator Civil Projects (109), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Project Officer (421), Project Officer (422),</p>

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					Property Officer (113), Technical Officer (104)
308216	s211(1)(a)	Local Government Act 1999	99. Highways 99.1 The power pursuant to Section 211(1)(a) of the Act to enter into an agreement with the Commissioner of Highways in order for the Council to exercise its powers under Part 2 of Chapter 11 of the Act in relation to a highway.	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Project Officer (421), Project Officer (422)
308217	s212(1)	Local Government Act 1999	100. Power to Carry Out Roadwork 100.1 The power pursuant to Section 212(1) of the Act to have road works carried out in the Council's area or, by agreement with another Council, in the area of another Council.	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Project Officer (421), Project Officer (422)
308218	s212(3)	Local Government Act 1999	100. Power to Carry Out Roadwork 100.2 The power pursuant to Section 212(3) of the Act to do anything reasonably necessary for, or incidental, to roadwork pursuant to Section 212(2) of the Act, providing that: 100.2.1 the roadwork is carried out in compliance with any relevant requirement under the Road Traffic Act 1961; and 100.2.2 before carrying out roadwork in relation to a road that runs into or intersects with a highway (and that may have an effect on the users of	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Project Officer (421), Project Officer (422)

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			<p>that highway), consult with the Commissioner of Highways; and</p> <p>100.2.3 the roadwork in relation to a private road is only carried out if:</p> <p>100.2.3.1 the owner agrees; or</p> <p>100.2.3.2 the Council has given the owner reasonable notice of the proposed roadwork and a reasonable opportunity to make representations and has considered any representations made in response to the notice; or</p> <p>100.2.3.3 the identity or whereabouts of the owner is unknown; and</p> <p>100.2.4 the roadwork on other private land is carried out with the agreement of the owner (unless otherwise provided in the Act).</p>		
308219	s213(1)	Local Government Act 1999	<p>101. Recovery of Cost of Roadwork</p> <p>101.1 Where roadwork has been carried by agreement, the power pursuant to Section 213(1) of the Act to recover the whole of the cost or an agreed contribution determined by the Delegate under the terms of the agreement.</p> <p>101.2 Where roadwork has been carried out to repair damage to a road, the power pursuant to Section 213(2) of the Act to recover the cost of carrying out the work, as a debt, from:</p> <p>101.2.1 the person who caused the damage; or</p> <p>101.2.2 in the case of damage caused by the bursting, explosion or fusion of any pipe, wire, cable, fitting or other object - the person who is the owner, or who has control of that infrastructure.</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Financial Services (214), Manager Open Space (409), Manager Strategic Assets (403)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			101.3 If the Council carries out roadwork on a private road, the power pursuant to Section 213(3) of the Act to recover the cost of the work or a contribution towards the cost of the work determined by the Delegate as a debt from the owner of the private road.		
308220	s214	Local Government Act 1999	102. Contribution Between Councils where Road is on Boundary Between Council Areas 102.1 Where roadwork is a carried out on a road on the boundary between 2 Council areas, the power pursuant to Section 214(1) and (2) of the Act to recover a reasonable contribution from the other Council towards the cost of the work, being an amount agreed between the Councils or, in the absence of an agreement, an amount determined by the Court in which the action for contribution is brought.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Financial Services (214), Manager Open Space (409), Manager Strategic Assets (403)
308221	s215(1)	Local Government Act 1999	103. Special Provisions for Certain Kinds of Roadwork 103.1 If the Council changes the level of a road, the duty pursuant to Section 215(1) of the Act to: 103.1.1 ensure that adjoining properties have adequate access to the road; and 103.1.2 construct any retaining walls, embankments or other structures necessary to provide protection required in consequence of the change of level.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308222	s215(2)	Local Government Act 1999	103. Special Provisions for Certain Kinds of Roadwork 103.2 The power pursuant to Section 215(2) of the Act to carry out road work to allow water from a road to drain into adjoining property if, in the Delegate's opinion: 103.2.1 there is no significant risk of damage to the adjoining property; or	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214),

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			103.2.2 the road work does not significantly increase the risk of damage to adjoining property.		Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308223	s215(4)	Local Government Act 1999	103. Special Provisions for Certain Kinds of Roadwork 103.3 The duty pursuant to Section 215(4) of the Act to give reasonable notice of proposed action to drain water into land under Section 215(2) of the Act to the owner of the land, except in a case of urgency.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308224	s216(1)	Local Government Act 1999	104. Power to Order Owner of Private Road to Carry out Specific Roadwork 104.1 The power pursuant to Section 216(1) of the Act to, by order in writing in accordance with Section 216(2) of the Act to the owner of a private road, require the owner to carry out specified roadwork to repair or improve the road.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308225	s216(2)	Local Government Act 1999	104. Power to Order Owner of Private Road to Carry out Specific Roadwork 104.2 The duty pursuant to Section 216(2) of the Act to apply Divisions 2 and 3 of Part 2 of Chapter 12 of the Act with respect to:	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41),

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			<p>104.2.1 any proposal to make an order; and</p> <p>104.2.2 if an order is made, any order, under Section 216(1) of the Act.</p>		Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308226	s217(1)	Local Government Act 1999	<p>105. Power to Order Owner of Infrastructure on Road to Carry Out Specified Maintenance or Repair Work.</p> <p>105.1 The power pursuant to Section 217(1) of the Act by order in writing to the owner of a structure or equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a road, to require the owner:</p> <p>105.1.1 to carry out specified work by way of maintenance or repair; or</p> <p>105.1.2 to move the structure or equipment in order to allow the Council to carry out roadwork.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308227	s217(1)	Local Government Act 1999	<p>105. Power to Order Owner of Infrastructure on Road to Carry Out Specified Maintenance or Repair Work.</p> <p>105.2 Where the order made pursuant to Section 217(1) of the Act is not complied with within a reasonable time fixed in the order, the power pursuant to Section 217(2)(a) of the Act to take action required by the order and to recover the cost of doing so as a debt from the owner.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308228	s218(1)	Local Government Act 1999	106. Power to Require Owner of Adjoining Land to Carry Out Specific		Chief Executive Officer (95),

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			<p>Work</p> <p>106.1 The power pursuant to Section 218(1) of the Act to, by order in writing in accordance with Section 218(2) of the Act to the owner of land adjoining the road, require the owner to carry out specified work to construct, remove or repair a crossing place from the road to the land.</p>	NIL	<p>Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)</p>
308229	s218(2)	Local Government Act 1999	<p>106. Power to Require Owner of Adjoining Land to Carry Out Specific Work</p> <p>106.2 The duty pursuant to Section 218(2) of the Act to apply Divisions 2 and 3 of Part 2 of Chapter 12 of the Act with respect to:</p> <p>106.2.1 any proposal to make an order; and</p> <p>106.2.2 if an order is made, any order under Section 218(1) of the Act.</p>	NIL	<p>Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)</p>
308230	s219(1)	Local Government Act 1999	<p>107. Power to Assign a Name, or Change the Name, of a Road or Public Place</p> <p>107.1 The power pursuant to Section 219(1) of the Act to assign a name to a public or private road, or to a public place, or change the name of a public or private road, or of a public place.</p>	NIL	<p>Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45),</p>

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					Technical Officer (104)
308231	s219(1a)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.2 The duty pursuant to Section 219(1a) of the Act to assign a name to a public road created after the commencement of Section 219(1a) of the Act by land division.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308232	s219(2)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.3 Where it is proposed to change the name of a public road that runs into the area of an adjoining council, the duty pursuant to Section 219(2) of the Act to: 107.3.1 give the adjoining council at least 2 months notice of the proposed change; and 107.3.2 consider any representations made by the adjoining council in response to that notice.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308233	s219(3)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.4 The duty pursuant to Section 219(3) of the Act to: 107.4.1 immediately notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a name, or the change of a name, under Section 219 of the Act; and	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			107.4.2 on request by the Registrar-General, the Surveyor-General or the Valuer-General, provide information about the names of roads or public places in the Council's area.		Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)
308234	s219(4)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.5 The duty pursuant to Section 219(4) of the Act to give public notice of the assigning or changing of a name under Section 219(1) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308235	s219(5)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.6 The power pursuant to Section 219(5) of the Act to prepare and adopt a policy relating to the assigning of names under Section 219 of the Act.	Subject to Council Approval	Chief Executive Officer (95), Director Infrastructure and Operations (114)
308236	s219(6)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.7 The power pursuant to Section 219(6) of the Act to, at any time, alter a policy or substitute a new policy.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114)
308237	s219(7)	Local Government Act 1999	107. Power to Assign a Name, or Change the Name, of a Road or Public Place 107.8 The duty pursuant to Section 219(7) of the Act to publish notice of the adopting or altering of a policy under Section 219 of the Act: 107.8.1 in the Gazette; and 107.8.2 in a newspaper circulating in the area of the council; and 107.8.3 on a website determined by the Chief Executive Officer.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Rates Officer (45), Technical Officer (104)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308238	s220(1)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.1 The power pursuant to Section 220(1) of the Act to adopt a numbering system for buildings and allotments adjoining a road.	NIL	Asset Management System Analyst (455), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308239	s220(1a)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.2 The duty pursuant to Section 220(1a) of the Act to assign a number (as part of its primary street address) to all buildings or allotments adjoining a public road created after the commencement of Section 220(1a) of the Act by land division.	NIL	Asset Management System Analyst (455), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308240	s220(1b)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.3 The duty pursuant to Section 220(1b) of the Act to ensure that an assignment under Section 220(1a) of the Act occurs within 30 days after	NIL	Asset Management System Analyst (455), Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the issue of certificate of title in relation to the relevant land division in accordance with any requirements prescribed by regulations made for the purposes of Section 220(1b) of the Act.		Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308241	s220(2)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.4 The power pursuant to Section 220(2) of the Act to, from time to time, alter a numbering system, or substitute a new numbering system, under Section 220 of the Act.	NIL	Asset Management System Analyst (455), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308242	s220(3)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.5 The duty pursuant to Section 220(3) of the Act to give public notice of the adopting, altering or substituting of a numbering system for a particular road.	NIL	Asset Management System Analyst (455), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308243	s220(4)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.6 The duty pursuant to Section 220(4) of the Act to notify the Valuer-General of the decision to adopt, alter or substitute a numbering system.	NIL	Asset Management System Analyst (455), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308244	s220(6)	Local Government Act 1999	108. Numbering of Premises and Allotments 108.7 The power pursuant to Section 220(6) of the Act to request an owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the Delegate.	NIL	Asset Management System Analyst (455), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Infrastructure and Operations (114), Manager Financial Services (214),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Strategic Assets (403), Rates Officer (43), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45)
308245	s221(1)	Local Government Act 1999	<p>109. Alteration of Road</p> <p>109.1 The power pursuant to Section to 221(1) and (2) of the Act to authorise a person (other than the Council or a person acting under some other statutory authority) to make an alteration to a public road, such as:</p> <p>109.1.1 altering the construction or arrangement of the road to permit or facilitate access from an adjacent property; or</p> <p>109.1.2 erecting or installing a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or</p> <p>109.1.3 changing or interfering with the construction, arrangement or materials of the road; or</p> <p>109.1.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings and other objects) associated with the road; or</p> <p>109.1.5 planting a tree or other vegetation on the road, interfering with vegetation on the road or removing vegetation from the road.</p>	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Project Officer (421), Project Officer (422), Property Officer (113), Senior Civil Engineer (184)
308246	s221(2)(b)	Local Government Act 1999	<p>109. Alteration of Road</p> <p>109.2 Before authorising the erection or installation of a structure under Section 221(2)(b) of the Act the duty pursuant to Section 221(4) of the Act to give consideration as to whether the structure will:</p>	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>109.2.1 unduly obstruct the use of the road; or</p> <p>109.2.2 unduly interfere with the construction of the road; or</p> <p>109.2.3 have an adverse effect on road safety.</p>		<p>Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Project Officer (421), Project Officer (422), Property Officer (113), Senior Civil Engineer (184)</p>
308247	s221(6)	Local Government Act 1999	<p>109. Alteration of Road</p> <p>109.3 The power pursuant to Section 221(6) of the Act to grant an authorisation under Section 221 of the Act:</p> <p>109.3.1 for a particular act or occasion; or</p> <p>109.3.2 for a term which is, subject to revocation for breach of a condition, to remain in force for a term (not exceeding 42 years) stated in the authorisation and, at the expiration of the term, the power to renew the term for a further term (not exceeding 42 years) fixed by the Delegate at the time of the renewal.</p>	NIL	<p>Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Project Officer (421), Project Officer (422), Property Officer (113), Senior Civil Engineer (184)</p>
308248	s222(1)	Local Government Act 1999	<p>110. Permits for Business Purposes</p> <p>110.1 The power pursuant to Section 222(1) of the Act to authorise a person to use a public road for business purposes and to give a permit to do so.</p>	NIL	<p>Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70),</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308249	s222(2)	Local Government Act 1999	110. Permits for Business Purposes 110.2 Subject to the Act, the power pursuant to Section 222(2) of the Act to issue a permit that grants rights of exclusive occupation in relation to part of a public road.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308250	s222(3)	Local Government Act 1999	110. Permits for Business Purposes 110.3 The power pursuant to Section 222(3) of the Act to issue a permit to use a public road for a particular occasion or for a term stated in the permit.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308251	s223(1)	Local Government Act 1999	<p>111. Public Consultation</p> <p>111.1 The duty pursuant to Section 223(1) of the Act before granting the authorisation to alter a public road or the permit to use a public road for business purposes, to follow the relevant steps set out in Council's public consultation policy, if the Delegate proposes to grant an authorisation or permit:</p> <p>111.1.1 that confers a right of exclusive occupation; or</p> <p>111.1.2 that would have the effect of restricting access to a road; or</p> <p>111.1.3 in relation to a use or activity for which public consultation is</p>	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			required under the Regulations.		Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308252	s223(2)	Local Government Act 1999	111. Public Consultation 111.2 The duty pursuant to Section 223(2) of the Act to give written notice of the proposal to agencies that are, under the Regulations, to be notified of the proposal to grant an authorisation to alter a public road or to permit the use of a public road for business purposes.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					<p>Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)</p>
308253	s224	Local Government Act 1999	<p>112. Conditions of Authorisation or Permit</p> <p>112.1 The power pursuant to Section 224 of the Act subject to Sections 224(2) and (4) of the Act to grant an authorisation or permit under Division 6 of Part 2, Chapter 11 on conditions the Delegate considers appropriate.</p>	NIL	<p>Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308254	s225(1)	Local Government Act 1999	<p>113. Cancellation of Authorisation or Permit</p> <p>113.1 The power pursuant to Section 225(1) of the Act by notice in writing to the holder of an authorisation or permit:</p> <p>113.1.1. in the case of a permit for the purposes of a mobile food vending business under Section 222 of the Act – cancel the permit for breach of a condition if the breach is sufficiently serious to justify cancellation of the permit; or</p> <p>113.1.2 in the any other case - cancel the authorisation or permit for breach of a condition.</p>	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308255	s225(2)	Local Government Act 1999	<p>113. Cancellation of Authorisation or Permit</p> <p>113.2 The duty pursuant to Section 225(2) of the Act before cancelling an authorisation or permit, to:</p> <p>113.2.1 give the holder of the authorisation or permit a written notice of the proposed cancellation stating the grounds on which the Delegate proposes to act and allowing the holder a reasonable period to make written representations to the Delegate on the proposed cancellation; and</p> <p>113.2.2 consider any representations made in response to the notice.</p>	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308392	s225(3)	Local Government Act 1999	113. Cancellation of Authorisation or Permit 113.3 The power pursuant to Section 225(3) of the Act to determine if a shorter period of notice should apply under Section 225(2)(a) of the Act, to protect the health or safety of the public, or otherwise to protect the public interest.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308393	s225(4)	Local Government Act 1999	<p>113. Cancellation of Authorisation or Permit</p> <p>113.4 The power pursuant to Section 225(4) of the Act if the Council cancels a permit under Section 225(1)(a) of the Act, to specify at the time of cancellation a period (not exceeding six months) that an application for a permit for the purposes of a mobile food vending business under Section 222 of the Act must not be made by or on behalf of the person who, before the cancellation, held the permit.</p>	NIL	<p>Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308394	s225A(1)	Local Government Act 1999	<p>113A Location Rules – General</p> <p>113A.1 The power pursuant to Section 225A(1) of the Act and subject to Section 225A(2) of the Act, to prepare and adopt rules (location rules) that set out locations within the Council area in which mobile food vending businesses may operate.</p>	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste &

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308395	s225A(4)	Local Government Act 1999	<p>113A Location Rules – General</p> <p>113A.2 The power pursuant to Section 225A(4) of the Act to:</p> <p>113A.2.1 from time to time amend the Council's location rules;</p> <p>113A.2.2 amend its location rules in order that the rules comply with:</p> <p>113A.2.2.1 any requirement specified by the Minister under Section 225A(2)(b) of the Act; or</p> <p>113A.2.2.2 any direction given by the Small Business Commissioner under Section 225A(7) of the Act.</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Team Leader Regulatory Services (196)
308256	s231(1)	Local Government Act 1999	<p>114. Register</p> <p>114.1 The power and duty pursuant to Section 231(1) and (2) of the Act to keep a register of public roads in the Council's area, which:</p> <p>114.1.1 includes the information required by regulation; and</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Property Services (394), Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			114.1.2 may consist (if the Delegate so decides) of a computer record of the relevant information.		Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Team Leader Regulatory Services (196)
308257	s231(3)	Local Government Act 1999	114. Register 114.2 The duty pursuant to Section 231(3) and (4) of the Act to make the register available for public inspection (without charge) and purchase of extracts (upon payment of a fee fixed by the Council) at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308258	s232	Local Government Act 1999	115. Trees The power pursuant to Section 232 of the Act to plant vegetation or authorise or permit the planting of vegetation, on a road, only after complying with the following matters (in addition to complying with any other statutory requirement): 115.1 giving consideration to whether the vegetation is, on balance, appropriate to the proposed site taking into account - 115.1.1 environmental and aesthetic issues; and 115.1.2 the use and construction of the road (including the potential for interference with the construction of the road or with structures (including pipes, wires, cables, fixtures, fittings or other objects) in the road); and 115.1.3 road safety matters; and 115.1.4 other matters (if any) considered relevant by the Delegate; and 115.2 where the vegetation may have a significant impact on residents,	NIL	Biodiversity Officer (327), Biodiversity Officer (85), Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Field Supervisor (381), Field Supervisor (388), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Civil Engineer (184), Supervisor Parks and Reserves (115)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			the proprietors of nearby businesses or advertisers in the area, to follow the relevant steps set out in its public consultation policy.		
308259	s233(1), s233(2)	Local Government Act 1999	<p>116. Damage</p> <p>116.1 The power pursuant to Section 233(1) and (2) of the Act to recover damages, in the same way as damages for a tort, where a person, without the Council's permission, intentionally or negligently damages a road or a structure (including pipes, wires, cables, fixtures, fittings and other objects) belonging to the Council associated with the road.</p>	NIL	Biodiversity Officer (327), Biodiversity Officer (85), Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Field Supervisor (381), Field Supervisor (388), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Civil Engineer (184), Supervisor Parks and Reserves (115)
308260	s234(1)	Local Government Act 1999	<p>117. Council's Power to Remove Objects etc from Roads</p> <p>117.1 The power pursuant to Section 234(1) of the Act to remove and dispose of any structure, object or substance from a road if:</p> <p>117.1.1 it has been erected, placed or deposited on the road without the authorisation or permit required under Part 2 of Chapter 11 of the Act; or</p> <p>117.1.2 an authorisation or permit has been granted but has later expired or been cancelled.</p>	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Environmental Health Project Officer (97), Manager Civil Services (402), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308261	s234(2)	Local Government Act 1999	117. Council's Power to Remove Objects etc from Roads 117.2 The power pursuant to Section 234(2) of the Act to recover the cost of acting under Section 234 of the Act as a debt from the person who erected, placed or deposited the structure, object or substance on the road.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Environmental Health Project Officer (97), Manager Civil Services (402), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308262	s234(3)	Local Government Act 1999	117. Council's Power to Remove Objects etc from Roads 117.3 Where, as a result of an accident involving a vehicle or vehicles, any wreckage, objects or materials are left on a road, the power pursuant to Section 234(3) of the Act to clear the area and to recover the cost from the driver of the vehicle or, if more than one vehicle was involved, the driver of any one of the vehicles.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Environmental Health Project Officer (97), Manager Civil Services (402), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308263	s236(2)	Local Government Act 1999	119. Abandonment of Vehicles and Farm Implements 119.1 The power pursuant to Section 236(2) of the Act to seek an order from the court by which a person is convicted of an offence against Section 236(1) of the Act, that the convicted person pay to the Council any costs incurred by the Council in removing or disposing of a vehicle abandoned on a public road or public place.	NIL	Building Management Officer (108), Chief Executive Officer (95), CWMS Officer (423), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Environmental Health Project Officer (97), Manager Civil Services (402), Manager Development Services (72), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Technical Officer (104)
308264	s237(4)	Local Government Act 1999	<p>120. Removal of Vehicles</p> <p>120.1 The duty pursuant to Section 237(4) of the Act to ensure that the owner of the vehicle is notified of the removal of the vehicle:</p> <p>120.1.1 by written notice in the prescribed form:</p> <p>120.1.1.1 served on the owner personally; or</p> <p>120.1.1.2 served on the owner by the use of person-to-person registered post, as soon as practicable after the removal of the vehicle; or</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			120.1.2 if the owner is unknown or cannot be found - by public notice published in a newspaper circulating generally in the State within 14 days after the removal of the vehicle.		
308265	s237(5)	Local Government Act 1999	120. Removal of Vehicles 120.2 If the owner of a removed vehicle does not, within 1 month after service or publication of the notice, pay all expenses in connection with the removal, custody and maintenance of the vehicle, and of serving, publishing or posting the notice, and take possession of the vehicle, the power and duty pursuant to Section 237(5) of the Act to, subject to Section 237(6)(b) of the Act, offer the vehicle for sale by public auction or public tender.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)
308266	s237(6)	Local Government Act 1999	120. Removal of Vehicles 120.3 The power pursuant to Section 237(6) of the Act to dispose of the vehicle in such manner as the Delegate thinks fit if: 120.3.1 the vehicle is offered for sale but not sold; or 120.3.2 the Delegate reasonably believes that the proceeds of the sale of the vehicle would be unlikely to exceed the costs incurred in selling the vehicle or the costs incidental to removing or holding the vehicle, or those costs combined.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)
308267	s237(7)	Local Government Act 1999	120. Removal of Vehicles 120.4 The duty pursuant to Section 237(7) of the Act, where the vehicle is sold, to apply the proceeds of sale as follows: 120.4.1 firstly, in payment of the costs of and incidental to the sale; 120.4.2 secondly, in payment of the costs of and incidental to the removal, custody and maintenance of the vehicle and of the notice	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			served, posted or published under Section 237 of the Act; 120.4.3 thirdly, in payment of the balance to the owner of the vehicle.		Services (196)
308268	s237(8)	Local Government Act 1999	120. Removal of Vehicles 120.5 The duty pursuant to Section 237(8) of the Act to make reasonable inquiry to find the owner of the vehicle following sale and, if after that reasonable inquiry, the owner cannot be found, the duty to pay the balance of the proceeds of sale to the Council.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)
308269	s237(9)	Local Government Act 1999	120. Removal of Vehicles 120.6 The duty pursuant to Section 237(9) of the Act to take reasonable steps to return property found in the vehicle, and where the property cannot be returned, the duty to deal with the property as unclaimed goods under the Unclaimed Goods Act 1987 as if the Council were the bailee of those goods.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)
308270	s242(1), s242(2)	Local Government Act 1999	121. Time Limits for Dealing with Certain Applications 121.1 Where the power to decide upon certain applications to which the Section applies has been delegated, the duty pursuant to Section 242(1) and (2) of the Act within two months after the relevant date, to make a decision in respect of the application and, if not so decided, it is taken to have been refused.	NIL	Chief Executive Officer (95), CWMS Officer (423), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Environmental Health (96), Team Leader Regulatory Services (196)
308271	s242(3)	Local Government Act 1999	121. Time Limits for Dealing with Certain Applications 121.2 The duty pursuant to Section 242(3) of the Act to notify the applicant in writing as soon as practicable of a decision or presumptive decision on an application to which Section 242 of the Act applies.	NIL	Chief Executive Officer (95), CWMS Officer (423), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)
308272	s243(1)	Local Government Act 1999	122. Registrar-General to Issue Certificate of Title 122.1 The duty pursuant to Section 243(1) of the Act to apply to the Registrar-General for the issue of a Certificate of Title for the land under the Real Property Act 1896, where land vests for an estate in fee simple in the Council under this Act.	NIL	Building Management Officer (108), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Property Officer (113)
308273	s243(2)	Local Government Act 1999	122. Registrar-General to Issue Certificate of Title		Building Management

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>122.2 The duty pursuant to Section 243(2) of the Act to make such application to the Registrar-General for the issue of a Certificate of Title as follows:</p> <p>122.2.1 in a manner and form approved by the Registrar-General; and</p> <p>122.2.2 accompanied by:</p> <p>122.2.2.1 Deliberately left blank.</p> <p>122.2.2.2 any surveys of the land and other materials that the Registrar-General may reasonably require; and</p> <p>122.2.2.3 a fee fixed by the Registrar-General.</p>	NIL	Officer (108), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Property Officer (113)
308274	s245	Local Government Act 1999	<p>123. Liability for Injury, Damage or Loss Caused by Certain Trees</p> <p>123.1 The power and duty pursuant to Section 245 of the Act to take reasonable action in response to a written request by an owner or occupier of property adjacent to a road for the Council to take reasonable action to avert a risk of damage to property of the owner or occupier from a tree growing in the road (whether planted by the Council or not).</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Field Supervisor (381), Field Supervisor (388), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Supervisor Parks and Reserves (115)
308275	s245A	Local Government Act 1999	<p>124. Council May Require Bond or Other Security in Certain Circumstances</p> <p>124.1 Subject to Section 245A of the Act, if,</p> <p>124.1.1 a person has approval to carry out development under the Development Act 1993; and</p> <p>124.1.2 the delegate has reason to believe that the performance of work</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Field Supervisor (381), Field Supervisor (388), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			in connection with the development could cause damage to any local government land (including a road) within the vicinity of the site of the development, the power, pursuant to Section 245A of the Act, to, by notice in writing serve on the person who has the benefit of the approval, require the person to enter into an agreement that complies with any requirements prescribed by the regulations so as to ensure that money is available to address the cost of any damage that may be caused.		(403), Supervisor Parks and Reserves (115)
308276	s37(b)	Local Government Act 1999	124. Council May Require Bond or Other Security in Certain Circumstances 124.2 The power pursuant to Sections 37(b) and 245A of the Act, where a person has approval to carry out development under the Development Act 1993 and a notice in writing has been served pursuant to Section 245A of the Act on the person who has the benefit of the approval, to enter into an agreement that complies with any requirements prescribed by the regulations so as to ensure that money is available to address the cost of any damage that may be caused.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Field Supervisor (381), Field Supervisor (388), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Supervisor Parks and Reserves (115)
308277	s246(4a)	Local Government Act 1999	125. Power to Make By-Laws 125.1 The duty pursuant to Section 246(4a) of the Act, if the Council makes a determination under Section 246(3)(e) of the Act, to ensure that notice of the determination is published in the Gazette and in a newspaper circulating in the area of the Council.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308278	s249(1)	Local Government Act 1999	126. Passing By-Laws 126.1 If it is proposed that the Council make a by-law, then at least 21 days before the Council resolves to make the by-law, the duty pursuant to Section 249(1) of the Act to: 126.1.1 make copies of the proposed by-law (and any code, standard or	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>other document proposed to be applied or incorporated by the by-law) available for public inspection, without charge and during ordinary office hours, at the principal office of the Council, and so far as is reasonable practicable on the Internet; and</p> <p>126.1.2 by notice in a newspaper circulating in the area of the Council:</p> <p>126.1.2.1 inform the public of the availability of the proposed by law; and</p> <p>126.1.2.2 set out the terms of the by-law, or describe in general terms the by-law's nature and effect.</p>		
308279	s249(4)	Local Government Act 1999	<p>126. Passing By-Laws</p> <p>126.2 Before the Council makes a by-law, the duty pursuant to Section 249(4) of the Act to obtain a certificate, in the prescribed form, signed by a legal practitioner certifying that, in the opinion of the legal practitioner:</p> <p>126.2.1 the Council has power to make the by-law by virtue of a statutory power specified in the certificate; and</p> <p>126.2.2 the by-law is not in conflict with the Act.</p>	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308280	s249(5)	Local Government Act 1999	<p>126. Passing By-Laws</p> <p>126.3 The duty pursuant to Section 249(5) of the Act to publish a by-law in the Gazette.</p>	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308281	s249(7)	Local Government Act 1999	<p>126. Passing By-Laws</p> <p>126.4 The duty pursuant to Section 249(7) of the Act to publish a notice of the making of a by-law under Section 249 of the Act in a newspaper circulating in the area of the Council.</p>	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Waste & Emergency Mgmt (93)
308282	s250(5)	Local Government Act 1999	127. Model By-Laws 127.1 The duty pursuant to Section 250(5) of the Act to publish the resolution adopting a model by-law or alteration made under Section 250 of the Act in the Gazette.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308283	s250(7)	Local Government Act 1999	127. Model By-Laws 127.2 The duty pursuant to Section 250(7) of the Act to publish a notice of the adoption of a model by-law or alteration made under Section 250 of the Act in a newspaper circulating in the area of the Council.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308284	s252(1)	Local Government Act 1999	128. Register of By-Laws and Certified Copies 128.1 The duty pursuant to Section 252(1) and (2) to cause a separate register to be kept of all by-laws made or adopted by the Council; such register to include a copy of any code, standard or other document referred to or incorporated in a by-law.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308285	s252(3)	Local Government Act 1999	128. Register of By-Laws and Certified Copies 128.2 The duty pursuant to Section 252(3) and (4) of the Act to make available the register of by-laws for inspection or purchase an extract from the register (on payment of a fee fixed by the Council) by the public at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308286	s252(5)	Local Government Act 1999	128. Register of By-Laws and Certified Copies 128.4 The duty pursuant to Section 252(5) of the Act to make available, on payment of a fee fixed by the Council, a certified copy of a by-law of the Council in force at the particular time.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Waste & Emergency Mgmt (93)
308287	s254	Local Government Act 1999	<p>129. Power to Make Orders</p> <p>129.1 The power pursuant to Section 254 of the Act to order a person to do or to refrain from doing a thing specified in Column 1 of the Table in Part 2 of Chapter 12, if in the opinion of the Delegate, the circumstances specified in Column 2 of the Table exist and the person is within the description in Column 3 of the Table.</p>	NIL	<p>Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)</p>
308288	s255(1)	Local Government Act 1999	<p>130. Procedures to be Followed</p> <p>130.1 The duty pursuant to Section 255(1) of the Act before taking action to make an order under Part 2 of Chapter 12 (but subject to this Section),</p>	NIL	<p>Chief Executive Officer (95), CWMS Officer (423), Development Compliance</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>to give the person to whom it is proposed that the order be directed a notice in writing:</p> <p>130.1.1 stating the proposed action, including the terms of the proposed order and the period within which compliance with the order will be required; and</p> <p>130.1.2 stating the reasons for the proposed action; and</p> <p>130.1.3 inviting the person to show, within a specified time (being a reasonable period), why the proposed action should not be taken (by making representations to the Delegate).</p>		<p>Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)</p>
308289	s255(2)	Local Government Act 1999	<p>130. Procedures to be Followed</p> <p>130.2 If a notice of intention to make an order is directed to a person who is not the owner of the relevant land, the duty pursuant to Section 255(2) of the Act to take reasonable steps to serve a copy of the notice on the owner.</p>	NIL	<p>Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308290	s255(3)	Local Government Act 1999	<p>130. Procedures to be Followed</p> <p>130.3 The power pursuant to Section 255(3) of the Act after considering representations made within the time specified under Section 255(1) of the Act:</p> <p>130.3.1 to make an order in accordance with the terms of the original proposal; or</p> <p>130.3.2 to make an order with modifications from the terms of the original proposal; or</p> <p>130.3.3 to determine not to proceed with an order.</p>	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308291	s255(5)	Local Government Act 1999	<p>130. Procedures to be Followed</p> <p>130.4 The power pursuant to Section 255(5) of the Act to:</p> <p>130.4.1 include two or more orders in the same instrument;</p> <p>130.4.2 direct two or more persons to do something specified in the order jointly.</p>	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308292	s255(6)	Local Government Act 1999	<p>130. Procedures to be Followed</p> <p>130.5 The duty pursuant to Section 255(6) of the Act to ensure that the order:</p> <p>130.5.1 subject to Section 255 of the Act, specifies a reasonable period within which compliance with the order is required; and</p> <p>130.5.2 states the reasons for the order.</p>	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (196), Team Leader Statutory Planning (326)
308293	s255(7)	Local Government Act 1999	130. Procedures to be Followed 130.6 The duty pursuant to Section 255(7) of the Act to serve an order in accordance with Part 2 of Chapter 14 of the Act on the person to whom it is addressed.	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308294	s255(8)	Local Government Act 1999	130. Procedures to be Followed 130.7 If an order is directed to a person who is not the owner of the	NIL	Chief Executive Officer (95), CWMS Officer (423),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			relevant land, the duty pursuant to Section 255(8) of the Act to take reasonable steps to serve a copy of the order on the owner.		Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308295	s255(11)	Local Government Act 1999	130. Procedures to be Followed 130.8 The power pursuant to Section 255(11) of the Act at the request or with the agreement of the person to whom an order is directed, to vary the order on the Delegate's own initiative, or to revoke an order if satisfied that it is appropriate to do so.	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308296	s255(12)	Local Government Act 1999	<p>130. Procedures to be Followed</p> <p>130.9 If the Delegate, in the circumstances of a particular case, considers:</p> <p>130.9.1 that an activity constitutes, or is likely to constitute, a threat to life or an immediate threat to public health or public safety; or</p> <p>130.9.2 that an emergency situation otherwise exists, the Delegate has the power pursuant to Section 255(12) of the Act to:</p> <p>130.9.3 Proceed immediately to make an order under this Section without giving notice under Section 255(1); and</p> <p>130.9.4 require immediate compliance with an order despite Section</p>	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			255(6)(a).		Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308297	s256(1) and (2)	Local Government Act 1999	131. Rights of Review 131.1 The duty pursuant to Section 256(1) and (2) of the Act to ensure that an order made under Part 2 of Chapter 12 includes a statement setting out the rights of the person to seek review of the order under the Act, and to include the information specified by the Regulations to the Act.	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Mgmt (93), Property Officer (113), Ranger (333), Ranger (357),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Ranger (358), Ranger (99), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308298	s257(1)	Local Government Act 1999	<p>132. Action on Non-Compliance</p> <p>132.1 The power pursuant to Section 257(1) of the Act, where the requirements of an order are not complied with within the time fixed for compliance, or if there is an application for review, within 14 days after the determination of the review, to (subject to the outcome of any review) take the action required by the order.</p>	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308299	s257(2)	Local Government Act 1999	<p>132. Action on Non-Compliance</p> <p>132.2 The power pursuant to Section 257(2) of the Act to authorise an employee or another person to take action under Section 257(1) of the Act.</p>	NIL	<p>Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)</p>
308300	s257(3)	Local Government Act 1999	<p>132. Action on Non-Compliance</p> <p>132.3 The power pursuant to Section 257(3) of the Act to take action to recover the reasonable costs and expenses incurred by the Council in taking action for the non-compliance with an order, as a debt from the person who failed to comply with the requirements of the order.</p>	NIL	<p>Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308301	s257(5)	Local Government Act 1999	<p>132. Action on Non-Compliance</p> <p>132.4 The power pursuant to Section 257(5) of the Act where an amount is recoverable from a person by the Council for action of non-compliance with an order, by notice in writing to the person, to fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid and, if the amount is not paid by the person within that period:</p> <p>132.4.1 the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and</p> <p>132.4.2 if the person is the owner of the land to which the order relates - the power, in accordance with Schedule 6, to impose a charge over the land for the unpaid amount, together with interest.</p>	NIL	Chief Executive Officer (95), CWMS Officer (423), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Mgmt (93), Ranger (333), Ranger (357),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)
308302	s259(1)	Local Government Act 1999	133. Councils to Develop Policies 133.1 The power and duty pursuant to Section 259(1) of the Act to take reasonable steps to prepare and adopt policies concerning the operation of Part 2 of Chapter 12 of the Act.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308303	s259(2)	Local Government Act 1999	133. Councils to Develop Policies 133.2 The power and duty pursuant to Section 259(2) of the Act to: 132.2.1 prepare a draft of a Policy; and 133.2.2 by notice in a newspaper circulating in the area of the Council, give notice of the place or places at which copies of the draft are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) and invite interested persons to make written representations on the draft within a period specified by the Council or the Delegate (being at least four weeks).	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308304	s259(3)	Local Government Act 1999	133. Councils to Develop Policies 133.3 The duty pursuant to Section 259(3) of the Act to consider any submission made on a proposed policy in response to an invitation under Section 259(2) of the Act.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308305	s259(4)	Local Government Act 1999	133. Councils to Develop Policies 133.4 The power pursuant to Section 259(4) of the Act to amend a policy at any time.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308306	s259(5)	Local Government Act 1999	133. Councils to Develop Policies 133.5 The duty pursuant to Section 259(5) of the Act before adopting an amendment to a policy, to take the steps specified in Section 259(2) and (3) (as if the amendment were a new policy), unless the Council or the Delegate determines the amendment is only of minor significance.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308307	s259(6), s259(7)	Local Government Act 1999	133. Councils to Develop Policies 133.6 The duty pursuant to Sections 259(6) and (7) of the Act to make a policy available for inspection (without charge) and purchase (upon payment of a fee fixed by the Council) at the principal office of the Council during ordinary office hours.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308308	s259(8)	Local Government Act 1999	133. Councils to Develop Policies 133.7 The duty pursuant to Section 259(8) of the Act in considering whether to make an order under Part 2 of Chapter 12 of the Act, to deal with the particular case on its merits and the duty to take into account any relevant policy under Division 3 of Part 2, Chapter 12 of the Act.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Mgmt (93)
308309	s260(1)	Local Government Act 1999	134. Appointment of Authorised Persons 134.1 The power, pursuant to Section 260(1) of the Act by instrument in writing, to appoint a person (other than a member of the Council) to be an authorised person.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Director Infrastructure and Operations (114)
308310	s260(2)	Local Government Act 1999	134. Appointment of Authorised Persons 134.2 The power pursuant to Section 260(2) of the Act to make an appointment of an authorised person subject to such conditions or limitations as the Delegate determines and specified in the instrument of appointment.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308311	s260(3)	Local Government Act 1999	134. Appointment of Authorised Persons 134.3 The power and duty pursuant to Section 260(3) of the Act to issue to an authorised person an identity card: 134.3.1 containing a photograph of the authorised person; and 134.3.2 identifying any conditions or limitations imposed under Section 260(2) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Community Development (187), Manager Development Services (72), Manager Financial Services (214), Manager ICT (312), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste &

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Emergency Mgmt (93), Team Leader Statutory Planning (326)
308312	s260(5)	Local Government Act 1999	134. Appointment of Authorised Persons 134.4 The power pursuant to Section 260(5) of the Act to at any time revoke an appointment under Section 260 of the Act, or to vary or revoke a condition or limitation, or impose a further condition or limitation on the appointment.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308313	s270(a1)	Local Government Act 1999	135. Procedures for Review of Decisions and Requests for Services 135.00 The power and duty pursuant to Section 270(a1) of the Act and in accordance with Sections 270(a2) and (4a) of the Act, to develop and maintain policies, practices and procedures for dealing with: 135.00.1 any reasonable request for the provision of a service by the Council or for the improvement of a service provided by the Council; and 135.00.2 complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308314	s270(a2)	Local Government Act 1999	135. Procedures for Review of Decisions and Requests for Services 135.0 The power and duty pursuant to Section 270(a2) of the Act to ensure the policies, practices and procedures required under Section 270(a1) of the Act, are directed towards: 135.0.1 dealing with the relevant requests or complaints in a timely, effective and fair way; and 135.0.2 using information gained from the Council's community to	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			improve its services and operations.		
308315	s270(a1) s270(a2)	Local Government Act 1999	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.1 Without limiting Sections 270(a1) and (a2) of the Act, the power and duty pursuant to Section 270(1) of the Act and in accordance with Sections 270(2) and (4a) of the Act, to establish procedures for the review of decisions of:</p> <p>135.1.1 the Council;</p> <p>135.1.2 employees of the Council;</p> <p>135.1.3 other persons acting on behalf of the Council,</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308316	s270(2)	Local Government Act 1999	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.2 The duty pursuant to Section 270(2) of the Act to ensure that the procedures established under Section 270(1) of the Act address the following matters (and any other matters which the Delegate or the Council determines to be relevant):</p> <p>135.2.1 the manner in which an application for review may be made;</p> <p>135.2.2 the assignment of a suitable person to reconsider a decision under review;</p> <p>135.2.3 the matters that must be referred to the Council itself for consideration or further consideration;</p> <p>135.2.3A in the case of applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers - the provision to be made to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under the Act;</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>135.2.4 the notification of the progress and outcome of an application for review;</p> <p>135.2.5 the timeframes within which notifications will be made and procedures on a review will be completed.</p>		
308317	s270(4)	Local Government Act 1999	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.3 The power pursuant to Section 270(4) of the Act to refuse to consider an application for review of a decision under Section 270 of the Act, if:</p> <p>135.3.1 the application was made by an employee of the Council and relates to an issue concerning his or her employment; or</p> <p>135.3.2 it appears that the application is frivolous or vexatious; or</p> <p>135.3.3 the applicant does not have a sufficient interest in the matter.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308318	s270(5)	Local Government Act 1999	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.4 The power and duty pursuant to Section 270(5) of the Act to ensure that copies of a document concerning the policies, practices and procedures that apply under Section 270 of the Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308319	s270(6)	Local Government Act 1999	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.5 The power pursuant to Section 270(6) of the Act to, from time to time, amend the policies, practices and procedures established under Section 270 of the Act.</p>	Policy to be adopted by Council	Chief Executive Officer (95)
308320	s270(8)	Local Government Act 1999	<p>135. Procedures for Review of Decisions and Requests for Services</p> <p>135.6 The power and duty pursuant to Section 270(8) of the Act to, on an annual basis, initiate and consider a report that relates to:</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>135.6.1 the number of applications for review made under Section 270; and</p> <p>135.6.2 the kinds of matters to which the applications relate; and</p> <p>135.6.3 the outcome of applications under this Section; and</p> <p>135.6.4 such other matters as may be prescribed by the Regulations.</p>		Corporate Services (41)
308321	s270(9)	Local Government Act 1999	135. Procedures for Review of Decisions and Requests for Services 135.7 The power pursuant to Section 270(9) of the Act on an application for the provision of some form of relief or concession with respect to the payment of those rates, to, if appropriate, in view of the outcome of the application, refund the whole or a part of any amount that has been paid.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308322	s271(1)	Local Government Act 1999	136. Mediation, Conciliation and Neutral Evaluation 136.1 The power pursuant to Section 271(1) of the Act as part of, or in addition to, the procedures established under Section 270 of the Act, to make provision for disputes between a person and the Council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308323	s271(2)	Local Government Act 1999	136. Mediation, Conciliation and Neutral Evaluation 136.2 The duty pursuant to Section 271(2) of the Act to provide for the constitution of panels of persons who are available to act as mediators, conciliators and evaluators, and for the selection of an appropriate mediator, conciliator or evaluator, if a dispute is to be dealt with under a Scheme established under Section 271(1) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308324	s271A	Local Government Act 1999	136A. Provision of Information to Minister 136A.1 The power and duty, pursuant to Section 271A of the Act, to, at the request of the Minister, provide to the Minister specified	NIL	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			information, or information of a specified kind, relating to the affairs or operations of the Council.		
308325	s271A(3)	Local Government Act 1999	136A. Provision of Information to Minister 136A.2 The power pursuant to Section 271A(3) of the Act to, provide information in accordance with a request under Section 271A(1) of the Act, even if: 136AA.2.1 the information was given to the Council in confidence; or 136AA.2.2 is held on a confidential basis under Chapter 6 Part 4.	NIL	Chief Executive Officer (95)
308326	s272(3)	Local Government Act 1999	136B. Minister May Refer Investigation of Council to Ombudsman 136B.1 The power pursuant to Section 272(3) of the Act, to, before the Minister refers a matter, explain the Council's actions and make submissions to the Minister.	NIL	Chief Executive Officer (95)
308327	s272(5)	Local Government Act 1999	136B. Minister May Refer Investigation of Council to Ombudsman 136B.2 The power pursuant to Section 272(5) of the Act, to make submissions to the Minister in relation to the matter.	NIL	Chief Executive Officer (95)
308328	s273(3)	Local Government Act 1999	136C. Action on a Report 136C.1 The power pursuant to Section 273(3) of the Act to make submissions to the Minister on the report on which the action is based.	NIL	Chief Executive Officer (95)
308329	136D.	Local Government Act 1999	136D. Deliberately left blank 136D. Deliberately left blank	Deliberately left blank	Deliberately left blank
308330	s275(2)	Local Government Act 1999	136E. Action on a Report 136E.1 The power pursuant to Section 275(2) of the Act to make submissions to the Minister.	NIL	Chief Executive Officer (95)
308331	s276(1), s276(2)	Local Government Act 1999	137. Special Jurisdiction 137.1 The power pursuant to Section 276(1) and (2) of the Act to commence, defend or participate in the following proceedings before the District Court, on behalf of the Council:	NIL	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>137.1.1 proceedings to try the title of a member to an office;</p> <p>137.1.2 proceedings to try the right of a person to be admitted or restored to an office;</p> <p>137.1.3 proceedings to compel restoration or admission;</p> <p>137.1.4 proceedings to compel the Council to proceed to an election, poll or appointment;</p> <p>137.1.5 proceedings to try the validity of a rate or service charge;</p> <p>137.1.6 proceedings to try the validity of a by-law;</p> <p>137.1.7 proceedings to compel the production or delivery of any books, voting papers, or other documents or papers to the production or possession of which the Council or person is entitled under this Act.</p>		
308347	s279	Local Government Act 1999	<p>138. Service of Documents by Councils etc</p> <p>138.1 Where a document is required or authorised to be served on or given to a person by the Council, the power and duty to effect service in accordance with and pursuant to Section 279 of the Act.</p>	NIL	<p>Administration Building Support Officer (418), Administration Support Officer (369), Adult Collections Officer (226), Adult Collections Officer (266), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Children's Program Support Officer</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(231), Collections Development Coordinator (14), Collections Support Officer (301), Customer Service Officer (18), Customer Service Officer (23), Customer Service Officer (365), Customer Service Officer (382), Customer Service Officer (59), Customer Service Officer (62), Customer Service Officer (66), Customer Service Officer (68a), Customer Service Officer (68b), Customer Service Officer (8), Customer Service Officer Casual (197), Customer Service Officer Casual (20), Customer Service Officer Casual (21), Customer Service Officer Casual (267), Customer Service Officer Casual (281), Customer Service Officer Casual (359), Customer Service Officer Casual (60), CWMS Officer (423), Development Administration Support

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Officer (76), Development Compliance Officer (211), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Digital Learning Officer (440), Digital Services Officer (390), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Information Management Admin Officer (436), Information Management Officer Tech Records (434), Library Acquisitions Officer (181), Library Youth Collections Officer (227), Manager Civil Services (402), Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Mobile Library Officer (32), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Building Services (286),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Team Member Biodiversity (452), Technical Information Management Officer (435), Technical Services Officer (383)
308332	s280(1)	Local Government Act 1999	139. Service of Documents on Councils 139.1 The power pursuant to Section 280(1)(c) and (d) of the Act to determine the means available for service of documents on the Council and the power to accept or authorise a person to accept documents on Council's behalf.	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Adult Collections Officer (226), Adult Collections Officer (266), Applications Coordinator (77), Building Officer (380), Building Officer (453), Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Officer (73), Chief Executive Officer (95), Children's Program Support Officer (231), Collections Development Coordinator (14), Collections Support Officer (301), Customer Service Officer (18), Customer Service Officer (23), Customer Service Officer (365), Customer Service Officer (382), Customer Service Officer (59), Customer Service Officer (62), Customer Service Officer (66), Customer Service Officer (68a), Customer Service Officer (68b), Customer Service Officer (8), Customer Service Officer Casual (197), Customer Service Officer Casual (20), Customer Service Officer Casual (21), Customer Service Officer Casual (267), Customer Service Officer Casual (281), Customer Service Officer Casual (359), Customer Service Officer Casual (60),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					CWMS Officer (423), Development Administration Support Officer (76), Development Compliance Officer (211), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Digital Learning Officer (440), Digital Services Officer (390), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Information Management Admin Officer (436), Information Management Officer Tech Records (434), Library Acquisitions Officer (181), Library Youth

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Collections Officer (227), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Mobile Library Officer (32), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(82), Statutory Planning Cadet (355), Team Leader Building Services (286), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Team Member Biodiversity (452), Technical Information Management Officer (435), Technical Services Officer (383)
308333	s281(1)	Local Government Act 1999	140. Recovery of Amounts from Lessees or Licensees 140.1 Where an owner of land is liable to pay an amount to the Council, the power pursuant to Section 281(1) of the Act by written notice to a lessee or licensee of the land, to require him or her to pay to the Council rent or other consideration payable under the lease or license in satisfaction of the liability to the Council.	NIL	Building Management Officer (108), Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Property Services (394), Property Officer (113), Rates Officer (43), Senior Rates Officer (45)
308334	s282(1)	Local Government Act 1999	141. Ability of Occupiers to Carry out Works 141.1 Where an owner of land fails to carry out work that the Council has required the owner to carry out under an Act, the power pursuant to Section 282(1) of the Act to give approval to the occupier of the land to cause the work to be carried out.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Financial Services (214), Manager Sustainability Waste & Emergency Mgmt (93)
308335	s294(1a)	Local Government Act 1999	142. Power to Enter and Occupy Land in Connection with an Activity 142.1 The duty pursuant to Section 294(1a) of the Act and subject to Section 294(1b) of the Act, to give an owner or occupier of land at least 48 hours notice in writing of an intention to exercise a power under Section 294(1)(b) or (c) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Financial Services (214)
308336	s294(3)	Local Government Act 1999	142. Power to Enter and Occupy Land in Connection with an Activity		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>142.2 The duty pursuant to Section 294(3) of the Act:</p> <p>142.2.1 to pay to the owner or occupier of the land rent on a quarterly or half-yearly basis, at a rate to be determined by agreement between the Council and the owner or occupier or, in default of agreement, by the Land and Valuation Court; and</p> <p>142.2.2 to pay to the owner or occupier of the land within 1 month after occupying the land - reasonable compensation for damage caused to any crops on the land; and</p> <p>142.2.3 within 6 months of ceasing to occupy the land:</p> <p>142.2.3.1 remedy damage to land caused by the Council while in occupation of the land (to such extent as this may be reasonably practicable); and</p> <p>142.2.3.2 to pay to the owner or occupier of the land reasonable compensation for any other loss or damage caused by the Council, including the full value of any earth, minerals or resources taken from the land;</p>	NIL	Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Financial Services (214)
308337	s294(5)	Local Government Act 1999	<p>142. Power to Enter and Occupy Land in Connection with an Activity</p> <p>142.3 The duty pursuant to Section 294(5) of the Act, at the request of an owner or occupier of the land entered and occupied by Council, to erect a fence of reasonable quality and design between the occupied land and the adjoining land.</p>	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Financial Services (214)
308348	s296(1)	Local Government Act 1999	143. Reclamation of Land		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			143.1 Where the Council raises, fills in, improves, drains, levels or reclaims land in the area of the Council, the power pursuant to Section 296(1) of the Act to recover the whole or a proportion of the cost of the work from the owners of adjacent or adjoining rateable land improved by the performance of the work in proportion to additional value the work has added to the land.	NIL	Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308338	s296(2)	Local Government Act 1999	143. Reclamation of Land 143.2 The power pursuant to Section 296 (2) of the Act to appoint a valuer to determine the additional value added to the land by Council's activities, under Section 296(1) of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308339	s296(3)	Local Government Act 1999	143. Reclamation of Land 143.3 The duty pursuant to Section 296(3) of the Act to give notice of a valuation to the relevant owner under this Section of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
308340	s296(5)	Local Government Act 1999	143. Reclamation of Land 143.4 The duty pursuant to Section 296(5) of the Act to conduct an objection or review in the same manner as an objection to or appeal against a valuation under Division 6 of Part 1, Chapter 10 of the Act.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114)
308341	s297	Local Government Act 1999	144. Property in Rubbish 144.1 The power pursuant to Section 297 of the Act to sell or dispose of any rubbish that the Council collects within its area, as the Delegate thinks appropriate.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Team Leader Regulatory Services (196)
308342	s298(1)	Local Government Act 1999	145. Power of Council to Act in Emergency 145.1 Where flooding in the area of the Council has occurred or is imminent and the Delegate is of the opinion that a situation of emergency has arisen in which there is danger to life or property, the power pursuant to Section 298(1) of the Act to order that action be taken as the Delegate thinks fit to avert or reduce the danger.	NIL	Chief Executive Officer (95), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Field Supervisor (381), Field Supervisor (388), Manager Civil Services (402),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Mgmt (93), Senior Civil Engineer (184), Technical Officer (104)
308343	146	Local Government Act 1999	146. Deliberately left blank 146.1 Deliberately left blank.	Deliberately left blank	Deliberately left blank
308344	146.	Local Government Act 1999	146. Deliberately left blank 146.2 Deliberately left blank.	Deliberately left blank	Deliberately left blank
308345	s300(1)	Local Government Act 1999	147. Costs of Advertisements 147.1 The duty pursuant to Section 300(1) of the Act to pay the cost of an advertisement required by the Act, or where the Council or an employee of the Council takes any action that immediately necessitates the advertisement.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Manager Financial Services (214)
308346	s302B	Local Government Act 1999	148. Deliberately left blank	Deliberately left blank	Deliberately left blank
308355	c13, Schedule 1A	Local Government Act 1999	148A Use of Facilities 148A.1 The power pursuant to Clause 13 of Schedule 1A of the Act to arrange with the Authority for the Authority to make use of the services of the staff, equipment or facilities of the Council.	NIL	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41)
308364	c13(4), Schedule 1A	Local Government Act 1999	149. Deliberately left blank	Deliberately left blank	Deliberately left blank

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308366	c14, Schedule 1A	Local Government Act 1999	150. Deliberately left blank	Deliberately left blank	Deliberately left blank
308365	c16(4), Schedule 1A	Local Government Act 1999	151. Deliberately left blank 151.1 Deliberately left blank	Deliberately left blank	Deliberately left blank
308372	c16(5), Schedule 1A	Local Government Act 1999	151. Deliberately left blank 151.2 Deliberately left blank	Deliberately left blank	Deliberately left blank
308373	c16(6), Schedule 1A	Local Government Act 1999	151. Deliberately left blank 151.3 Deliberately left blank	Deliberately left blank	Deliberately left blank
308356	C17(1), Schedule 1A	Local Government Act 1999	151A Preparation of Stormwater Management Plans by Councils 151A.1 The power pursuant to Clause 17(1) of Schedule 1A of the Act to prepare a stormwater management plan which: (a) complies with the guidelines issued by the Authority; and (b) is prepared in consultation with the relevant regional NRM board or boards; and (c) is prepared in accordance with any other procedures or requirements prescribed by the Regulations.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308357	c20(5), Schedule 1A	Local Government Act 1999	151B Authority May Issue Order 151B.1 The power pursuant to Clause 20(5) of Schedule 1A of the Act, before the Authority takes any action under Clause 20(4) of Schedule 1A of the Act, to make submissions to the Authority in relation to the matter.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308358	c20(6), Schedule 1A	Local Government Act 1999	151B.2 The power pursuant to Clause 20(6) of Schedule 1A of the Act, if costs and expenses are to be recovered from the Council as a debt, to enter into an agreement with the Authority for the debt to be repaid over a period of time, subject to the payment by the Council of interest	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			on the debt (and the power to agree the rate with the Authority).		Operations (114), Manager Strategic Assets (403)
308367	c21(1), Schedule 1A	Local Government Act 1999	152.1 Deliberately left blank	Deliberately left blank	Deliberately left blank
308368	c21(2), Schedule 1A	Local Government Act 1999	152. Deliberately left blank 152.2 Deliberately left blank	Deliberately left blank	Deliberately left blank
308369	c22(2), Schedule 1A	Local Government Act 1999	153.1 Deliberately left blank	Deliberately left blank	Deliberately left blank
308370	c22(3), Schedule 1A	Local Government Act 1999	153. Deliberately left blank 153.2 Deliberately left blank	Deliberately left blank	Deliberately left blank
308371	c22(4), Schedule 1A	Local Government Act 1999	153. Deliberately left blank 153.3 Deliberately left blank	Deliberately left blank	Deliberately left blank
308359	c24(1), Schedule 1A	Local Government Act 1999	154. Special Powers in Relation to Land 154.1 The power pursuant to Clause 24(1) of Schedule 1A of the Act and in accordance with Clause 24(2) of Schedule 1A of the Act, for the purpose of taking action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under Clause 20 of Schedule 1 of the Act, to: (a) enter and occupy any land; and (b) construct, maintain or remove any infrastructure; and (c) excavate any land; and (d) inspect, examine or survey any land and for that purpose: (i) fix posts, stakes or other markers on the land; and (ii) dig trenches or sink test holes in the land to determine the nature of	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>the top soil and underlying strata; and (iii) remove samples for analysis. (e) alter water table levels, stop or reduce the flow of water in a watercourse, divert water flowing in a watercourse to another watercourse or to a lake or control the flow of water in any other manner; and (f) hold any water in a watercourse or lake or by any other means; and (g) divert water to an underground aquifer, dispose of water to a lake, underground aquifer or the sea, or deal with water in any other manner; and (h) deepen, widen or change the course of a watercourse, deepen or widen a lake or take action to remove any obstruction to the flow of water; and (i) undertake any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); and (j) undertake any testing, monitoring or evaluation; and (k) undertake any other activity of a prescribed kind.</p>		
308360	c24(2)(b) and 25, Schedule 1A	Local Government Act 1999	154.2 The power pursuant to Clauses 24(2)(b) and 25 of Schedule 1A of the Act to acquire an easement or other appropriate interest over the relevant land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308361	c25(2), Schedule 1A	Local Government Act 1999	155. Entry and Occupation of Land Other Than Council Land 155.1 The power pursuant to Clause 25(2) of Schedule 1A of the Act, subject to Clause 25(3) of Schedule 1A of the Act, to give reasonable notice of an intention to enter, or to enter and occupy, land in accordance with Clause 24 of Schedule 1A of the Act to the occupier of the land.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308362	c25(3)(b),	Local Government Act 1999	155.2 The power pursuant to Clause 25(3)(b) of Schedule 1A of the Act		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
	Schedule 1A		to, in an emergency, give such notice (if any) as the delegate considers is reasonable in the circumstances.	NIL	Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403)
308363	c26(3), Schedule 1A	Local Government Act 1999	156. Vesting of Infrastructure, etc 156.1 The power pursuant to Clause 26(3) of Schedule 1A of the Act to, before the Minister publishes a notice vesting the care, control and management of infrastructure or land in the Council under Clauses 26(1) or (2) of Schedule 1A of the Act make submissions to the Minister in relation to the proposed notice.	NIL	Chief Executive Officer (95)
308374	c2(1), Schedule 1B	Local Government Act 1999	157. Building Upgrade Agreement (May only be delegated to CEO) 157.1 The power pursuant to Clause 2(1) of Schedule 1B of the Act, subject to Clause 2 of Schedule 1B of the Act, to, in relation to a building situated on land within the area of the Council, enter into an agreement (a building upgrade agreement) under which: 157.1.1 the building owner agrees to undertake upgrade works in respect of the building; and 157.1.2 a finance provider agrees to advance money to the building owner for the purpose of funding those upgrade works; and 157.1.3 the Council agrees: 157.1.3.1 to levy a charge on the relevant land (a building upgrade charge), to be paid by the building owner, for the purpose of recouping the money advanced by the finance provider for the upgrade works (and any interest or other charges payable to the finance provider under the agreement); and 157.1.3.2 to pay to the finance provider any money paid to the Council by way of the building upgrade charge (other than any service fee or late payment fee that the Council is permitted by the agreement to deduct and retain).	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
308375	c2(3), Schedule 1B	Local Government Act 1999	157. Building Upgrade Agreement (May only be delegated to CEO) 157.2 The power pursuant to Clause 2(3) of Schedule 1B of the Act to include in a building upgrade agreement, payment to the finance provider of penalty interest on money advanced by the finance provider under the agreement, at such rate as determined in accordance with the regulations, and, if the regulations do not provide for the determination of the rate at such rate as determined in accordance with the agreement.	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)
308376	c2(4), Schedule 1B	Local Government Act 1999	157. Building Upgrade Agreement (May only be delegated to CEO) 157.3 The power pursuant to Clause 2(4) of Schedule 1B of the Act to agree that a building upgrade agreement may be entered into by any other persons that the delegate considers should be parties to the agreement.	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)
308377	c4, Schedule 1B	Local Government Act 1999	158. Variation or Termination of Agreement (May only be delegated to CEO) 158.1 The power pursuant to Clause 4 of Schedule 1B of the Act to vary or terminate a building upgrade agreement by further agreement between the primary parties.	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	
308378	c5(1), Schedule 1B	Local Government Act 1999	<p>159. Contents of Agreement (May only be delegated to CEO)</p> <p>159.1 The power pursuant to Clause 5(1) of Schedule 1B of the Act to make a building upgrade agreement in writing and specify:</p> <p>159.1.1 the upgrade works to be undertaken by or on behalf of the building owner under the agreement; and</p> <p>159.1.2 the amount of money to be advanced by the finance provider under the agreement; and</p> <p>159.1.3 the amount of the building upgrade charge to be levied by the Council under the agreement; and</p> <p>159.1.4 the schedule for the payment, by the building owner, of a building upgrade charge to the Council; and</p> <p>159.1.5 the amount of, or a method for calculating the amount of, any service fee or late payment fee that the Council may deduct and retain; and</p> <p>159.1.6 any prescribed matters.</p>	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)
308379	c5(2), Schedule 1B	Local Government Act 1999	<p>159. Contents of Agreement (May only be delegated to CEO)</p> <p>159.2 The power pursuant to Clause 5(2) of Schedule 1B of the Act to, in a building upgrade agreement:</p> <p>159.2.1 provide for the early repayment of any amount payable under the agreement; and</p> <p>159.2.2 include and agree to other provisions.</p>	The power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the Council may not, despite Section 44(4)(b) of the Local	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				Government Act 1999, be subdelegated by the Chief Executive Officer.	
308380	c6(1), Schedule 1B	Local Government Act 1999	160. Declaration of Building Upgrade Charge (May only be delegated to CEO) 160.1 The power pursuant to Clause 6(1) of Schedule 1B of the Act, after the Council enters into a building upgrade agreement, to, in accordance with the terms of the agreement, declare a building upgrade charge in respect of the relevant land (being a charge of the agreed amount specified in the building upgrade agreement).	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)
308381	c6(2), Schedule 1B	Local Government Act 1999	160. Declaration of Building Upgrade Charge (May only be delegated to CEO) 160.2 The power pursuant to Clause 6(2) of Schedule 1B of the Act, if the Council or delegate declares a building upgrade charge, to, within 28 days after the declaration give the building owner written notice in accordance with Clauses 6(3) and (4) of Schedule 1B of the Act specifying: 160.2.1 the name and address of the building owner; and 160.2.2 a description of the relevant land in respect of which the building upgrade charge is being levied; and 160.2.3 the building upgrade agreement under which the building upgrade charge is being levied; and 160.2.4 the amount for which the building owner is liable; and	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			160.2.5 the manner of payment of the amount; and 160.2.6 the due date for payment of the amount, in accordance with the schedule for the payment of the building upgrade charge to the Council (specified in the building upgrade agreement); and 160.2.7 the amount of, or method of calculating, any service fee of the Council authorised by the building upgrade agreement and any late payment fee that may be imposed by the Council if the building owner fails to pay an amount for which the building owner is liable by the due date; and 160.2.8 any prescribed matters.		
308382	c6(4), Schedule 1B	Local Government Act 1999	160. Declaration of Building Upgrade Charge (May only be delegated to CEO) 160.3 The power pursuant to Clause 6(4) of Schedule 1B of the Act, to, in relation to each payment in respect of a building upgrade charge for which a building owner is liable, give a notice under Clause 6(2) of Schedule 1B of the Act to the building owner at least 28 days before the date for payment specified in the notice.	The power to declare and levy a building upgrade charge under a building upgrade agreement may not, despite Section 44(4)(b) of the Local Government Act 1999, be subdelegated by the Chief Executive Officer.	Chief Executive Officer (95)
308383	c7(2), Schedule 1B	Local Government Act 1999	161. Payment of Building Upgrade Charge 161.1 The power pursuant to Clause 7(2) of Schedule 1B of the Act, on payment of money in respect of a building upgrade charge to the Council, to deduct and retain any service fee and late payment fee authorised by the building upgrade agreement.	NIL	Chief Executive Officer (95)
308384	c7(3), Schedule 1B	Local Government Act 1999	161. Payment of Building Upgrade Charge 161.2 The power pursuant to Clause 7(3) of Schedule 1B of the Act in	NIL	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>relation to money paid to the Council in respect of a building upgrade charge, to, other than any service fee and late payment fee retained by the Council, 161.2.1 hold that money on behalf of the finance provider pending payment to the finance provider; and 161.2.2 pay that money to the finance provider in accordance with the terms of the building upgrade agreement under which the charge was levied.</p>		
308385	c9(1), Schedule 1B	Local Government Act 1999	<p>162. Sale of Land for Non-payment of Building Upgrade Charge 162.1 The power pursuant to Clause 9(1) of Schedule 1B of the Act, subject to clause 9 of Schedule 1B of the Act to, if an amount for which a building owner is liable in respect of a building upgrade charge remains unpaid for more than 3 years, sell the relevant land in accordance with the regulations.</p>	NIL	Chief Executive Officer (95)
308386	c9(2), Schedule 1B	Local Government Act 1999	<p>162. Sale of Land for Non-payment of Building Upgrade Charge 162.2 The power pursuant to Clause 9(2) of Schedule 1B of the Act to, apply any money received by the Council in respect of the sale of land under Clause 9 of Schedule 1B of the Act as follows: 162.2.1 firstly – in paying the costs of the sale and any other costs incurred in proceeding under Clause 9 of Schedule 1B of the Act; 162.2.2 secondly – in discharging any liabilities to the Council in respect of the land (other than any building upgrade charge, service fee or late payment fee in relation to a building upgrade charge); 162.2.3 thirdly – in discharging any liability to the Council for a building upgrade charge, service fee or late payment fee in relation to a building upgrade charge; 162.2.4 fourthly – in discharging any liability to the Crown for rates, charges or taxes, or any prescribed liability to the Crown in respect of the land; 162.2.5 fifthly – in discharging any liabilities secured by registered mortgages, encumbrances or charges;</p>	NIL	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			162.2.6 sixthly – in discharging any other mortgages, encumbrances or charges of which the Council has notice; 162.2.7 seventhly – in payment to the owner of the land.		
308387	c9(3), Schedule 1B	Local Government Act 1999	162. Sale of Land for Non-payment of Building Upgrade Charge 162.3 The power pursuant to Clause 9(3) of Schedule 1B of the Act, if the owner cannot be found after making reasonable inquiries as to his or her whereabouts, to deal with an amount payable to the owner as unclaimed money under the Unclaimed Moneys Act 1891.	NIL	Chief Executive Officer (95)
308388	c10(2), Schedule 1B	Local Government Act 1999	163. Repayment of Advances to Finance Provider 163.1 The power pursuant to Clause 10(2) of Schedule 1B of the Act, if a building upgrade agreement is terminated before all the money that the finance provider agreed to advance to the building owner is advanced, to: 163.1.1 adjust the building upgrade charge to reflect the lower amount advanced to the building owner; and 163.1.2 give the building owner written notice of the adjustment.	NIL	Chief Executive Officer (95)
308389	c10(3), Schedule 1B	Local Government Act 1999	163. Repayment of Advances to Finance Provider 163.2 The power pursuant to Clause 10(3) of Schedule 1B of the Act, if, as a result of an adjustment being made to a building upgrade charge under clause 10 of Schedule 1B of the Act: 163.2.1 the building owner has made payment in respect of the charge in excess of the adjusted amount; and 163.2.2 the excess amount has been paid by the Council to the finance provider, to refund the building owner the excess amount paid.	NIL	Chief Executive Officer (95)
308390	c13(1), Schedule 1B	Local Government Act 1999	164. Register of Building Upgrade Agreements 164.1 The power pursuant to Clause 13(1) of Schedule 1B of the Act to keep a register of building upgrade agreements in accordance with Clause 13(2) of Schedule 1B of the Act.	NIL	Chief Executive Officer (95)
308391	c13(3),	Local Government Act 1999	164. Register of Building Upgrade Agreements		Chief Executive Officer (95)

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Local Government Act 1999**

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
	Schedule 1B		164.2 The power pursuant to Clause 13(3) of Schedule 1B of the Act to make available the register for inspection (without charge) by a member of the public at the principal office of the Council during ordinary office hours and to provide a person with an extract from the register (without charge).	NIL	

Appendix 4

*Instrument of Delegation under the
Planning Development and Infrastructure Act 2016 –
Powers of a Council as: A Council: A
Designated Authority: A Designated Entity
(until full PDI commencement)*

Delegations Review 23 June 2020

Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307760	s5(5)(b)	Planning, Development and Infrastructure Act 2016	1. Planning Regions and Greater Adelaide 1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the Act.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307761	s6(3)(b)	Planning, Development and Infrastructure Act 2016	2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the Act to make submissions to the Minister on the Minister's proposed course of action.	Nil	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307762	s7(5)(b)	Planning, Development and Infrastructure Act 2016	3. Environment and Food Production Areas – Greater Adelaide 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.	Nil	CAP (Council's Assessment Panel), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Senior Strategic and Policy Planner (200)
307807	s22(4)(a)(i)	Planning, Development and Infrastructure Act 2016	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307763	s35(1)(a)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State.	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307764	s35(3)	Planning, Development and Infrastructure Act 2016	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</p>	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307765	s35(4)	Planning, Development and Infrastructure Act 2016	<p>5. Planning Agreements</p> <p>5.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>5.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>5.2.2.4 the terms of office of members; and</p> <p>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</p>	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			5.2.2.6 the appointment of deputy members; and 5.2.2.7 the procedures of the board; and		
307766	s35(4)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307767	s35(4)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307768	s35(4)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.2.5 financial and resource issues associated with the operations of the joint planning board, including: 5.2.5.1 the formulation and implementation of budgets; and 5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307769	s35(4)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.2.6 such other matters as the Delegate thinks fit.	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307770	s35(5)(a)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307771	s35(5)(b)	Planning, Development and Infrastructure Act 2016	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307808	s41(2)(a)	Planning, Development and Infrastructure Act 2016	6. Appointment of Administrator 6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.	In consultation with the Council & Assessment Manager.	Chief Executive Officer (95)
307772	s44(6)(a)	Planning, Development and Infrastructure Act 2016	7. Community Engagement Charter 7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).	In consultation with SPDPC & Assessment Manager.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307809	s44(9)(b)	Planning, Development and Infrastructure Act 2016	7. Community Engagement Charter 7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.	In consultation with SPDPC & Assessment Manager.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307810	s44(10)	Planning, Development and	7. Community Engagement Charter		Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016	<p>7.3 The power pursuant to Section 44(10) of the PDI Act to:</p> <p>7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the Charter; and</p> <p>7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the Charter.</p>	In consultation with SPDPC & Assessment Manager.	Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307773	s45(2)(c)	Planning, Development and Infrastructure Act 2016	<p>8. Preparation and Amendment of Charter</p> <p>8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA Planning portal) on a proposal to prepare or amend the Charter.</p>	In consultation with SPDPC & Assessment Manager.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307795	s73(2)(b)(iv)	Planning, Development and Infrastructure Act 2016	<p>9. Preparation and Amendment</p> <p>9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:</p> <p>9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and</p> <p>9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.</p>	In consultation with SPDPC & Assessment Manager & Team Leader Statutory Planning.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307796	s73(6)	Planning, Development and Infrastructure Act 2016	<p>9. Preparation and Amendment</p> <p>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:</p> <p>9.2.1 to prepare a draft of the relevant proposal; and</p>	In consultation with SPDPC & Assessment Manager & Team Leader Statutory Planning.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>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</p> <p>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:</p> <p>9.2.4.1 an owner or occupier of the land; and</p> <p>9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p> <p>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</p> <p>9.2.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>9.2.7 to comply with any requirement prescribed by the regulations.</p>		
307797	s73(7)	Planning, Development and Infrastructure Act 2016	9. Preparation and Amendment	In consultation with	Assessment Manager (72), Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.	SPDPC & Assessment Manager & Team Leader Statutory Planning.	Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307798	s73(8)	Planning, Development and Infrastructure Act 2016	9. Preparation and Amendment 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307811	s73(9)	Planning, Development and Infrastructure Act 2016	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).	In consultation with SPDPC.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307799	s74(8)	Planning, Development and Infrastructure Act 2016	10. Parliamentary Scrutiny 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.	In consultation with the Assessment Manager.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
307800	s82(d)	Planning, Development and Infrastructure Act 2016	11. Entities Constituting Relevant Authorities	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			11.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.		
307801	s83(1)	Planning, Development and Infrastructure Act 2016	<p>12. Panels Established by Joint Planning Boards or Councils</p> <p>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:</p> <p>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;</p> <p>12.1.2 determine:</p> <p>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</p> <p>12.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>12.1.2.3 the terms of office of members; and</p> <p>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</p>	In consultation with the CEO, Director Development & Regulatory Services & Assessment Manager.	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>12.1.2.5 the appointment of deputy members; and</p> <p>12.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.</p>		
307802	s83(1)(h)	Planning, Development and Infrastructure Act 2016	<p>12. Panels Established by Joint Planning Boards or Councils</p> <p>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.</p>	In consultation with Director Development & Regulatory Services.	Assessment Manager (72), Chief Executive Officer (95)
307803	s83(1)(i)	Planning, Development and Infrastructure Act 2016	<p>12. Panels Established by Joint Planning Boards or Councils</p> <p>12.3 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.</p>	In Consultation with Director Development & Regulatory Services & Assessment Manager.	Chief Executive Officer (95)
307804	s83(2)	Planning, Development and Infrastructure Act 2016	<p>12. Panels Established by Joint Planning Boards or Councils</p> <p>12.4 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.</p>	In Consultation with the Assessment Manager.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
307805	s84(1)(c)(ii)(A)	Planning, Development and Infrastructure Act 2016	<p>13. Panels Established by Minister</p> <p>13.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other councils.</p>	In Consultation with Director Development & Regulatory Services	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				& Assessment Manager.	
307812	s84(1)(c)(ii)(B)	Planning, Development and Infrastructure Act 2016	<p>13. Panels Established by Minister</p> <p>13.2 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).</p>	In Consultation with Director Development & Regulatory Services & Assessment Manager.	Chief Executive Officer (95)
307806	s86(2)(a)	Planning, Development and Infrastructure Act 2016	<p>14. Substitution of Local Panels</p> <p>14.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.</p>	In consultation with Council & with Director Development & Regulatory Services.	Assessment Manager (72), Chief Executive Officer (95)
307813	s89(b)	Planning, Development and Infrastructure Act 2016	<p>15. Notification of Acting</p> <p>15.1 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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95)
307814	s130(6)	Planning, Development and Infrastructure Act 2016	<p>16. Essential Infrastructure – Alternative Assessment Process</p> <p>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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)
307815	s130(14)	Planning, Development and Infrastructure Act 2016	<p>16. Essential Infrastructure – Alternative Assessment Process</p> <p>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</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		
307774	s163(3)(b)	Planning, Development and Infrastructure Act 2016	17. Initiation of Scheme 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.	NIL	Elected Body
307775	s163(10)	Planning, Development and Infrastructure Act 2016	17. Initiation of Scheme 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.	In consultation with Director Infrastructure & Operations.	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Property Services (394), Senior Statutory Planner (80)
307776	s166(1)(c)	Planning, Development and Infrastructure Act 2016	18. Consideration of Proposed Scheme 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.	In consultation with Director Infrastructure & Operations.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
307777	s167(7)	Planning, Development and Infrastructure Act 2016	19. Adoption of Scheme 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.	In consultation with Director Infrastructure & Operations.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Operations (114)
307778	s169(2)(b)	Planning, Development and Infrastructure Act 2016	<p>20. Funding Arrangements</p> <p>20.1 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.</p>	NIL	Chief Executive Officer (95)
307779	s169(9)	Planning, Development and Infrastructure Act 2016	<p>20. Funding Arrangements</p> <p>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.</p>	NIL	Chief Executive Officer (95)
307780	s177(4)	Planning, Development and Infrastructure Act 2016	<p>21. Contributions by Constituent Councils</p> <p>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.</p>	NIL	Chief Executive Officer (95)
307781	s177(5)	Planning, Development and Infrastructure Act 2016	<p>21. Contributions by Constituent Councils</p> <p>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.</p>	NIL	Chief Executive Officer (95)
307782	s180(7)	Planning, Development and Infrastructure Act 2016	<p>22. Imposition of Charge by Councils</p> <p>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</p>	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			established under subdivision 9, Division 1, Part 13 of the PDI Act.		
307783	s187(1)	Planning, Development and Infrastructure Act 2016	<p>23. Authorised Works</p> <p>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.</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114)
307784	s187(5)	Planning, Development and Infrastructure Act 2016	<p>23. Authorised Works</p> <p>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:</p> <p>23.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and</p> <p>23.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and</p> <p>23.2.3 ensure that proper consideration is given to the views of the road maintenance authority.</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104)
307785	s187(5)(b)	Planning, Development and Infrastructure Act 2016	<p>23. Authorised Works</p> <p>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.</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104)
307786	s187(6)	Planning, Development and Infrastructure Act 2016	<p>23. Authorised Works</p> <p>23.4 The power pursuant to Section 187(6) of the PDI Act, in a case of</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.		Civil Services (402), Senior Civil Engineer (184), Technical Officer (104)
307787	s188(1)	Planning, Development and Infrastructure Act 2016	<p>24. Entry onto Land</p> <p>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:</p> <p>24.1.1 enter and pass over any land; and</p> <p>24.1.2 bring onto any land any vehicles, plant or equipment; and</p> <p>24.1.3 temporarily occupy land; and</p> <p>24.1.4 do anything else reasonably required in connection with the exercise of the power.</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114)
307788	s188(4)	Planning, Development and Infrastructure Act 2016	<p>24. Entry onto Land</p> <p>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.</p>	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114)
307789	s189(1)	Planning, Development and Infrastructure Act 2016	<p>25. Acquisition of Land</p> <p>25.1 The power pursuant to Section 189(1) of the PDI Act, to:</p> <p>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</p>	NIL	Elected Body

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		
307816	s210(1)	Planning, Development and Infrastructure Act 2016	<p>26. Appointment of Authorised Officers</p> <p>26.1 The power pursuant to Section 210(1) of the PDI Act to:</p> <p>26.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and</p> <p>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.</p>	NIL	Chief Executive Officer (95)
307817	s210(2)	Planning, Development and Infrastructure Act 2016	<p>26. Appointment of Authorised Officers</p> <p>26.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.</p>	NIL	Chief Executive Officer (95)
307818	s210(3)	Planning, Development and Infrastructure Act 2016	<p>26. Appointment of Authorised Officers</p> <p>26.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:</p> <p>26.3.1 containing a photograph of the authorised officer; and</p> <p>26.3.2 stating any conditions of appointment limiting the authorised officer's appointment.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307819	s210(5)	Planning, Development and	26. Appointment of Authorised Officers		Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016	26.4 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.	NIL	
307820	s213(1)	Planning, Development and Infrastructure Act 2016	<p>27. Enforcement Notices</p> <p>27.1 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:</p> <p>27.1.1 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;</p> <p>27.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>27.1.3 take such urgent action as is required because of any situation resulting from the breach.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307821	s213(2)	Planning, Development and Infrastructure Act 2016	<p>27. Enforcement Notices</p> <p>27.2 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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307822	s213(5)	Planning, Development and Infrastructure Act 2016	<p>27. Enforcement Notices</p> <p>27.3 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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307823	s213(6)	Planning, Development and Infrastructure Act 2016	27. Enforcement Notices	NIL	Assessment Manager (72), Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		Director Development and Regulatory Services (70)
307824	s213(7)	Planning, Development and Infrastructure Act 2016	27. Enforcement Notices 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307825	s214(1)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 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).	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307826	s214(2)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307827	s214(4)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			214 of the PDI Act.		
307828	s214(6)	Planning, Development and Infrastructure Act 2016	<p>28. Applications to Court</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307829	s214(9)	Planning, Development and Infrastructure Act 2016	<p>28. Applications to Court</p> <p>28.5 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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307830	s214(10)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 28.6 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307831	s214(11)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 28.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307832	s214(12)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 28.8 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307833	s214(13)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 28.9 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			be paid by the person.		
307834	s214(17)	Planning, Development and Infrastructure Act 2016	28. Applications to Court 28.10 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307835	s219(1)	Planning, Development and Infrastructure Act 2016	29. Proceedings for Offences 29.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings.	Assessment Manager (72), Chief Executive Officer (95), Development Compliance Officer (211), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307836	s223(2)	Planning, Development and Infrastructure Act 2016	30. Adverse Publicity Orders 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.	The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings.	Chief Executive Officer (95)
307837	s223(4)	Planning, Development and Infrastructure Act 2016	30. Adverse Publicity Orders 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: 30.2.1 take the action or actions specified in the order; and	NIL	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			30.2.2 authorise a person in writing to take the action or actions specified in the order.		
307838	s223(5)	Planning, Development and Infrastructure Act 2016	<p>30. Adverse Publicity Orders</p> <p>30.3 The power pursuant to Section 223(5) of the PDI Act, if:</p> <p>30.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and</p> <p>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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95)
307839	s223(6)	Planning, Development and Infrastructure Act 2016	<p>30. Adverse Publicity Orders</p> <p>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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95)
307840	s225(1)	Planning, Development and Infrastructure Act 2016	<p>31. Civil Penalties</p> <p>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</p>	NIL	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		
307841	s225(2)	Planning, Development and Infrastructure Act 2016	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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
307842	s225(3)	Planning, Development and Infrastructure Act 2016	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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
307843	s225(13)	Planning, Development and Infrastructure Act 2016	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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
307844	s225(17)	Planning, Development and Infrastructure Act 2016	31. Civil Penalties 31.5 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307845	s228(7)	Planning, Development and Infrastructure Act 2016	<p>32. Make Good Orders</p> <p>32.1 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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95)
307846	s229(5)	Planning, Development and Infrastructure Act 2016	<p>33. Recovery of Economic Benefit</p> <p>33.1 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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95)
307847	s230(1)	Planning, Development and Infrastructure Act 2016	<p>34. Enforceable Voluntary Undertakings</p> <p>34.1 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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
307848	s230(4)	Planning, Development and Infrastructure Act 2016	34. Enforceable Voluntary Undertakings 34.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
307849	s230(7)	Planning, Development and Infrastructure Act 2016	34. Enforceable Voluntary Undertakings 34.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 34.3.1 vary the undertaking; or 34.3.2 withdraw the undertaking.	Subject to concurrence by the Assessment Manager.	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307850	s230(11)	Planning, Development and Infrastructure Act 2016	34. Enforceable Voluntary Undertakings 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
307851	s230(12)	Planning, Development and	34. Enforceable Voluntary Undertakings		Assessment Manager (72),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016	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.	NIL	Chief Executive Officer (95)
307852	s230(14)	Planning, Development and Infrastructure Act 2016	34. Enforceable Voluntary Undertakings 34.6 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
307853	s239(1)	Planning, Development and Infrastructure Act 2016	35. Charges on Land 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307854	s239(6)	Planning, Development and Infrastructure Act 2016	35. Charges on Land	Subject to	Assessment Manager (72), Building Officer (380),

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.	concurrence by the Assessment Manager.	Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
307855	s240(1)	Planning, Development and Infrastructure Act 2016	36. Registering Authorities to Note Transfer 36.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)
307790	Clause 3(3) Schedule 4	Planning, Development and Infrastructure Act 2016	37. Review of Performance 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			in order to take remedial action), to the Minister.		
307791	Clause 3(14) Schedule 4	Planning, Development and Infrastructure Act 2016	37. Review of Performance 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307792	Clause 3(15) Schedule 4	Planning, Development and Infrastructure Act 2016	37. Review of Performance 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.	Must be reported to Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307793	Clause 3(16) Schedule 4	Planning, Development and Infrastructure Act 2016	37. Review of Performance 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.	Must be reported to Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307856	Clause 9(6)(a) Schedule 8	Planning, Development and Infrastructure Act 2016	38. Planning and Design Code 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.	Must be reported to Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
307794	Clause 30(3) Schedule 8	Planning, Development and Infrastructure Act 2016	39. General Schemes 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	NIL	Elected Body

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Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			8 of the PDI Act in relation to a scheme.		

Appendix 5

*Instrument of Delegation under the
Planning Development and Infrastructure Act 2016 –
Instrument A1 Powers of the Council as a
Council, Designated Authority and Designated
Entity*

Delegations Review 23 June 2020

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309222	r78(1)	Planning, Development and Infrastructure (General) Regulations 2017	68. Underground Main Areas 68.1 The power pursuant to Regulation 78(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Team Leader Statutory Planning (326)
309223	r78(2)	Planning, Development and Infrastructure (General) Regulations 2017	68. Underground Main Areas 68.2 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.	NIL	Chief Executive Officer (95), Director Development and Regulatory Services (70)
309224	r81(4)	Planning, Development and Infrastructure (General) Regulations 2017	69. Width of Roads and Thoroughfares 69.1 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Team Leader Statutory Planning (326)
309225	r81(5)	Planning, Development and Infrastructure (General) Regulations 2017	69. Width of Roads and Thoroughfares 69.2 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(230), Statutory Planner (82), Team Leader Statutory Planning (326)
309226	r81(6)	Planning, Development and Infrastructure (General) Regulations 2017	69. Width of Roads and Thoroughfares 69.3 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309227	r82(1)	Planning, Development and Infrastructure (General) Regulations 2017	70. Road Widening 70.1 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309228	r83(1)	Planning, Development and Infrastructure (General) Regulations 2017	71. Requirement as to Forming of Roads 71.1 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planning (326)
309229	r83(2)	Planning, Development and Infrastructure (General) Regulations 2017	71. Requirement as to Forming of Roads 71.2 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309230	r83(4)	Planning, Development and Infrastructure (General) Regulations 2017	71. Requirement as to Forming of Roads 71.3 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309231	r83(5)	Planning, Development and Infrastructure (General) Regulations 2017	71. Requirement as to Forming of Roads 71.4 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309232	r83(6)	Planning, Development and	71. Requirement as to Forming of Roads		Assessment Manager (72),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure (General) Regulations 2017	71.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.	In Consultation with Council's Engineering and Assets Officers	Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309233	r84(1)	Planning, Development and Infrastructure (General) Regulations 2017	72. Construction of Roads, Bridges, Drains and Services 72.1 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309234	r85(1)	Planning, Development and Infrastructure (General) Regulations 2017	73. Supplementary Provisions 73.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309235	r85(2)	Planning, Development and Infrastructure (General) Regulations 2017	73. Supplementary Provisions 73.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all	In Consultation with Council's Engineering	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.	and Assets Officers	(80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309236	r85(4)	Planning, Development and Infrastructure (General) Regulations 2017	73. Supplementary Provisions 73.3 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.	In Consultation with Council's Engineering and Assets Officers	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309237	r89(1)	Planning, Development and Infrastructure (General) Regulations 2017	74. General Provisions 74.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)
309238	r89(3)	Planning, Development and Infrastructure (General) Regulations 2017	74. General Provisions 74.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 74.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 74.2.2 sets out: 74.2.2.1 the date on which any relevant building was erected (if known); and 74.2.2.2 the postal address of the site.	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309239	r89(6)(b)	Planning, Development and Infrastructure (General) Regulations 2017	74. General Provisions 74.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.	NIL	Assessment Manager (72), Chief Executive Officer (95), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309240	r93(1)(b)	Planning, Development and Infrastructure (General) Regulations 2017	75. Notifications During Building Work 75.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309241	r93(1)(c)	Planning, Development and Infrastructure (General) Regulations 2017	75. Notifications During Building Work 75.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on or before development approval is granted in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309242	r94(13)	Planning, Development and Infrastructure (General) Regulations 2017	76. Essential Safety Provisions 76.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if: 76.1.1 the essential safety provisions were installed 76.1.1.1 under a condition attached to a consent or approval that is	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			expressed to apply by virtue of a variance with the performance requirements of the Building Code; or 76.1.1.2 as part of a performance solution under the Building Code; or 76.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.		Services (286)
309243	r102(3)	Planning, Development and Infrastructure (General) Regulations 2017	77. Classification of Buildings 77.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by: 77.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309244	r102(4)	Planning, Development and Infrastructure (General) Regulations 2017	77. Classification of Buildings 77.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309245	r102(5)	Planning, Development and Infrastructure (General) Regulations 2017	77. Classification of Buildings 77.3 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).	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309246	r102(6)	Planning, Development and	77. Classification of Buildings		Building Officer (380),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure (General) Regulations 2017	77.4 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: 77.4.1 the maximum number of persons who may occupy the building (or part of the building); and 77.4.2 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.	NIL	Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309247	r103(2)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.1 The power pursuant to Regulation 103(2) of the General Regulations to, require the following documentation: 78.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied; 78.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such evidence as the delegate may reasonably require to show: 78.1.2.1 in the case of a building more than 1 storey - that the requirements of any relevant Ministerial building standard have been complied with; or 78.1.2.2 in any other case - that the building is suitable for occupation.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309248	r103(3)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.2 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	Subject to concurrence by the Team Leader Building Services or	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>provide a Statement of Compliance under Regulation 103(2)(a) of the General Regulations if:</p> <p>78.2.1 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</p> <p>78.2.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>	the Level 1 Building Surveyor	Services (286)
309249	r103(4)	Planning, Development and Infrastructure (General) Regulations 2017	<p>78. Certificates of Occupancy</p> <p>78.3 The power pursuant to Regulation 103(4) of the General Regulations if:</p> <p>78.3.1 a building is:</p> <p>78.3.1.1 to be equipped with a booster assembly for use by a fire authority; or</p> <p>78.3.1.2 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</p> <p>78.3.2 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,</p> <p>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.</p>	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309250	r103(5)	Planning, Development and Infrastructure (General) Regulations 2017	<p>78. Certificates of Occupancy</p> <p>78.4 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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Executive Officer (95), Team Leader Building Services (286)
309251	r103(6)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.5 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309252	r103(9)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.6 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 78.6.1 if: 78.6.1.1 there is a change in the use of the building; or 78.6.1.2 the classification of the building changes; or 78.6.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m ² is about to commence, or is being or has been carried out; or 78.6.1.4 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	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309253	r103(9)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.6 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 78.6.2 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	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309254	r103(9)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.6 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 78.6.3 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	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309255	r103(9)	Planning, Development and Infrastructure (General) Regulations 2017	78. Certificates of Occupancy 78.6 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 78.6.4 if the delegate considers: 78.6.4.1 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 78.6.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309256	r109(1)(b)	Planning, Development and Infrastructure (General) Regulations 2017	79. Mining Production Tenements 79.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309257	r111(2)	Planning, Development and Infrastructure (General) Regulations 2017	80. Register of Land Management Agreements (Section 193) 80.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planning (326)
309258	r111(3)	Planning, Development and Infrastructure (General) Regulations 2017	80. Register of Land Management Agreements (Section 193) 80.2 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.	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Assessment Manager (72), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309259	r112(1)	Planning, Development and Infrastructure (General) Regulations 2017	81. Authorised Officers and Inspections 81.1 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: 81.1.1 who is an accredited professional who is: 81.1.1.1 an Accredited professional - building level 1; or 81.1.1.2 an Accredited professional - building level 2; or 81.1.1.3 an Accredited professional - building level 3; or	NIL	Assessment Manager (72), Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			81.1.1.4 an Accredited professional - building level 4; or 81.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 81.1.3 who holds an approval from the Chief Executive.		
309029	s5(5)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	1. Planning Regions and Greater Adelaide 1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309030	s6(3)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309031	s7(5)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	3. Environment and Food Production Areas – Greater Adelaide 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.	NIL	Assessment Manager (72), CAP (Council's Assessment Panel), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309032	s22(4)(a)(i)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309033	s35(1)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309034	s35(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309035	s35(3)	Instrument of Delegation under the Planning,	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning	In consultation with	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>5.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>5.2.2.4 the terms of office of members; and</p> <p>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</p> <p>5.2.2.6 the appointment of deputy members; and</p> <p>5.2.2.7 the procedures of the board; and</p>	the Council & Assessment Manager	
309036	s35(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and</p>	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309037	s35(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p>	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Council; a Designated Authority; a Designated Entity (Instrument A)	5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and		
309038	s35(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.5 financial and resource issues associated with the operations of the joint planning board, including:</p> <p>5.2.5.1 the formulation and implementation of budgets; and</p> <p>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</p>	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309039	s35(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.6 such other matters as the delegate thinks fit.</p>	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309040	s35(5)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated	<p>5. Planning Agreements</p> <p>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).</p>	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Entity (Instrument A)			
309041	s35(5)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309042	s41(2)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	6. Appointment of Administrator 6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.	In consultation with the Council & Assessment Manager	Chief Executive Officer (95)
309043	s44(6)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	7. Community Engagement Charter 7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).	In consultation with SPDPC & Assessment Manager	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309044	s44(9)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	7. Community Engagement Charter 7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a	In consultation with SPDPC & Assessment Manager	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	relevant case.		Planner (200)
309045	s44(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	7. Community Engagement Charter 7.3 The power pursuant to Section 44(10) of the PDI Act to: 7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.	In consultation with SPDPC & Assessment Manager	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309046	s45(2)(c)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	8. Preparation and Amendment of Charter 8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.	In consultation with SPDPC & Assessment Manager	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309047	s73(2)(b)(iv)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to: 9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and 9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.	In consultation with SPDPC & Assessment Manager & Team Leader Statutory Planning	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309048	s73(6)	Instrument of Delegation	9. Preparation and Amendment		Assessment Manager (72),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied: 9.2.1 to prepare a draft of the relevant proposal; and 9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give: 9.2.4.1 an owner or occupier of the land; and 9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and 9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and 9.2.6 to carry out such investigations and obtain such information specified by the Commission; and 9.2.7 to comply with any requirement prescribed by the regulations.	9.2.1 - In consultation with SPDPC & Assessment Manager & Team Leader Statutory Planning	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309049	s73(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	9. Preparation and Amendment 9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.	In consultation with SPDPC & Assessment Manager & Team Leader Statutory Planning	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309050	s73(8)	Instrument of Delegation under the Planning, Development and	9. Preparation and Amendment 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act,	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	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.		Regulatory Services (70), Senior Strategic and Policy Planner (200)
309051	s73(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).	In consultation with SPDPC	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309052	s74(8)(c)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	10. Parliamentary Scrutiny 10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.	In consultation with the Assessment Manager	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)
309053	s82(d)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	11. Entities Constituting Relevant Authorities 11.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.	NIL	Elected Body

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309054	s83(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>12. Panels Established by Joint Planning Boards or Councils</p> <p>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:</p> <p>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;</p> <p>12.1.2 determine:</p> <p>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</p> <p>12.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>12.1.2.3 the terms of office of members; and</p> <p>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</p> <p>12.1.2.5 the appointment of deputy members; and</p> <p>12.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.</p>	In consultation with the CEO, Director Development & Regulatory Services & Assessment Manager	Elected Body
309055	s83(1)(h)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	<p>12. Panels Established by Joint Planning Boards or Councils</p> <p>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.</p>	In consultation with Director Development & Regulatory Services	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			
309056	s83(1)(i)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	12. Panels Established by Joint Planning Boards or Councils 12.3 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.	In Consultation with Director Development & Regulatory Services & Assessment Manager	Chief Executive Officer (95)
309057	s83(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	12. Panels Established by Joint Planning Boards or Councils 12.4 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.	In Consultation with the Assessment Manager	Chief Executive Officer (95), Director Development and Regulatory Services (70)
309058	s84(1)(c)(ii)(A)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	13. Panels Established by Minister 13.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other councils.	In Consultation with Director Development & Regulatory Services & Assessment Manager	Chief Executive Officer (95)
309059	s84(1)(c)(ii)(B)	Instrument of Delegation under the Planning, Development and	13. Panels Established by Minister 13.2 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	In consultation with Council & In	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	assessment panel in relation to the area of the Council and one or more other councils (or parts of such areas).	Consultation with Director Development & Regulatory Services & Assessment Manager	
309060	s86(2)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	14. Substitution of Local Panels 14.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	In consultation with Council & with Director Development & Regulatory Services	Assessment Manager (72), Chief Executive Officer (95)
309061	s89(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	15. Notification of Acting 15.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309062	s94(1)(g)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated	16. Relevant Authority - Commission 16.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.	NIL	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Team Leader Statutory Planning (326)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Entity (Instrument A)			
309063	s102(1)(c)(iv)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	17. Matters Against which Development Must be Assessed 17.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Property Services (394)
309064	s102(1)(d)(iv)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	17. Matters Against which Development Must be Assessed 17.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Property Services (394)
309065	s102(11)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	17. Matters Against which Development Must be Assessed 17.3 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.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)
309066	s110(2)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	18. Restricted Development 18.1 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	granting or refusal of planning consent.		Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309067	s110(c)(ii)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	18. Restricted Development 18.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309068	s110(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	18. Restricted Development 18.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309069	s112(b)	Instrument of Delegation under the Planning, Development and	19. Level of Detail 19.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			Regulatory Services (70), Team Leader Statutory Planning (326)
309070	s113(5)(a)(iii)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	20. EIS Process 20.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309071	s114(2)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	21. Amendment of EIS 21.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309072	s130(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	22. Essential Infrastructure – Alternative Assessment Process 22.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309073	s130(14)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	22. Essential Infrastructure – Alternative Assessment Process 22.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309074	s131(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	23. Development Assessment – Crown Development 23.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309075	s131(15)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	23. Development Assessment – Crown Development 23.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309076	s1381(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	24. Land Division Certificate 24.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
309077	s138(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	24. Land Division Certificate 24.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309078	s141(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	25. Action if Development Not Completed 25.1 The power pursuant to Section 141(1) of the PDI Act, if: 25.1.1 an approval is granted under the PDI Act; but 25.1.2 - 25.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or 25.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval, to apply to the Court for an order under Section 141 of the PDI Act.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309079	s141(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>25. Action if Development Not Completed</p> <p>25.1.3 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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309080	s141(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>25. Action if Development Not Completed</p> <p>25.1.4 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:</p> <p>25.1.4.1 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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309081	s142(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	<p>26. Completion of Work</p> <p>26.1 The power pursuant to Section 142(1) of the PDI Act, if:</p> <p>26.1.1 an approval is granted under the PDI Act; but</p> <p>26.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval,</p> <p>to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309082	s142(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	26. Completion of Work 26.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309083	s142(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	26. Completion of Work 26.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Financial Services (214)
309084	s142(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	26. Completion of Work 26.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 26.4.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Financial Services (214)
309085	s146(3)	Instrument of Delegation	27. Notification During Building		Assessment Manager (72),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	27.1 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309086	s151(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	28. Classification of Buildings 28.1 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309087	s151(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	28. Classification of Buildings 28.2 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309088	s152(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	29. Certificates of Occupancy 29.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			
309089	s152(3)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	29. Certificates of Occupancy 29.2 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309090	s152(3)(c)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	29. Certificates of Occupancy 29.3 The power pursuant to Section 152(3)(c) of the PDI Act to determine the appropriate fee.	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Administration Support Officer (76), Team Leader Building Services (286)
309091	s152(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a	29. Certificates of Occupancy 29.4 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Council; a Designated Authority; a Designated Entity (Instrument A)			Services (286)
309092	s152(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	29. Certificates of Occupancy 29.5 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309093	s152(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	29. Certificates of Occupancy 29.6 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 29.6.1 the refusal; and 29.6.2 the reasons for the refusal; and 29.6.3 the applicant's right of appeal under the PDI Act.	Delegate report to be countersigned by either the Director Development & Regulatory Services or Assessment Manager prior to the decision being issued.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309094	s152(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	29. Certificates of Occupancy 29.7 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309095	s152(13)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	29. Certificates of Occupancy 29.8 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309096	s152(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	30. Temporary Occupation 30.1 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309097	s153(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	30. Temporary Occupation 30.2 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309098	s153(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a	30. Temporary Occupation 30.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 30.3.1 the refusal; and 30.3.2 the reasons for the refusal; and	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Council; a Designated Authority; a Designated Entity (Instrument A)	30.3.3 the applicant's right of appeal under the PDI Act.		Services (286)
309099	s155(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	31. Emergency Orders 31.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Building Services (286)
309100	s155(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	31. Emergency Orders 31.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Building Services (286)
309101	s155(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	31. Emergency Orders 31.3 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Building Services (286)
309102	s157(16)	Instrument of Delegation under the Planning,	32. Fire Safety 32.1 The power pursuant to Section 157(16) of the PDI Act to establish a	NIL	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	body and designate it as an appropriate authority under Section 157 of the PDI Act.		
309103	s157(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	32. Fire Safety 32.2 The power pursuant to Section 157(17) of the PDI Act to: 32.2.1 appoint to the appropriate authority: 32.2.1.1 a person who holds prescribed qualifications in building surveying; and 32.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and 32.2.1.3 a person with expertise in the area of fire safety; and 32.2.1.4 if so determined by the delegate, a person selected by the delegate;	NIL	Chief Executive Officer (95)
309104	s157(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	32. Fire Safety 32.2 The power pursuant to Section 157(17) of the PDI Act to: 32.2.2 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;	NIL	Chief Executive Officer (95)
309105	s157(17)	Instrument of Delegation under the Planning, Development and	32. Fire Safety 32.2 The power pursuant to Section 157(17) of the PDI Act to: 32.2.3 remove a member of the appropriate authority from office for any	NIL	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	reasonable cause;		
309106	s157(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	32. Fire Safety 32.2 The power pursuant to Section 157(17) of the PDI Act to: 32.2.4 appoint deputy members;	NIL	Chief Executive Officer (95)
309107	s157(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	32. Fire Safety 32.2 The power pursuant to Section 157(17) of the PDI Act to: 32.2.5 determine the appropriate authority's procedures (including as to quorum).	NIL	Building Fire Safety Committee, Chief Executive Officer (95)
309108	s163(3)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	33. Initiation of Scheme 33.1 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.	NIL	Elected Body

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309109	s163(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	33. Initiation of Scheme 33.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.	In consultation with Director Infrastructure & Operations	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Senior Statutory Planner (80), Team Leader Statutory Planning (326)
309110	s164(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	34. Initiation of Scheme 34.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.	NIL	Elected Body
309111	s164(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	34. Initiation of Scheme 34.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.	In consultation with Director Infrastructure & Operations	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
309112	s166(1)(c)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	35. Consideration of Proposed Scheme 35.1 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.	In consultation with Director Infrastructure &	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		Operations	Director Infrastructure and Operations (114)
309113	s167(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	36. Adoption of Scheme 36.1 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.	In consultation with Director Infrastructure & Operations	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)
309114	s169(2)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	37. Funding Arrangements 37.1 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.	NIL	Chief Executive Officer (95)
309115	s169(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	37. Funding Arrangements 37.2 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.	NIL	Chief Executive Officer (95)
309116	s177(4)	Instrument of Delegation	38. Contributions by Constituent Councils		Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	38.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.	NIL	
309117	s177(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	38. Contributions by Constituent Councils 38.2 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.	NIL	Chief Executive Officer (95)
309118	s180(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	39. Imposition of Charge by Councils 39.1 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.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
309119	s187(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	40. Authorised Works 40.1 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.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			
309120	s187(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	40. Authorised Works 40.2 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: 40.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 40.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and 40.2.3 ensure that proper consideration is given to the views of the road maintenance authority.	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104)
309121	s187(5)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	40. Authorised Works 40.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104)
309122	s187(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	40. Authorised Works 40.4 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.	NIL	Chief Executive Officer (95), Coordinator Civil Projects (109), Director Infrastructure and Operations (114), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104)
309123	s188(1)	Instrument of Delegation	41. Entry onto Land		Chief Executive Officer (95),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	41.1 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: 41.1.1 enter and pass over any land; and 41.1.2 bring onto any land any vehicles, plant or equipment; and 41.1.3 temporarily occupy land; and 41.1.4 do anything else reasonably required in connection with the exercise of the power.	NIL	Director Infrastructure and Operations (114)
309124	s188(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	41. Entry onto Land 41.2 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.	NIL	Chief Executive Officer (95), Director Infrastructure and Operations (114)
309125	s189(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	42. Acquisition of Land 42.1 The power pursuant to Section 189(1) of the PDI Act, to: 42.1.1 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 42.1.2 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.	NIL	Elected Body
309126	s192(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a	43. Land Management Agreements 43.1 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.	Excludes variation to waiver of terms or rescission to of Agreements signed	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Council; a Designated Authority; a Designated Entity (Instrument A)		under Seal of Council.	
309127	s192(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309128	s192(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.3 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: 43.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and 43.3.2 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.	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309129	s192(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	43. Land Management Agreements 43.4 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			
309130	s192(8)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.5 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309131	s192(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309132	s192(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309133	s192(11)	Instrument of Delegation under the Planning, Development and	43. Land Management Agreements 43.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	PDI Act where the Council has a legal interest in the land.		Regulatory Services (70)
309134	s192(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309135	s192(15)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309136	s192(16)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.11 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.	NIL	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309137	s192(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.	NIL	Chief Executive Officer (95)
309138	s192(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.13 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.	NIL	Chief Executive Officer (95)
309139	s192(18)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	43. Land Management Agreements 43.14 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.	NIL	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309140	s193(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	44. Land Management Agreements – Development Applications 44.1 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	Excludes variation to waiver of terms or rescission to of	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	authorisation under the PDI Act that will, in the event that the relevant development is approved, bind: 44.1.1 the person; and 44.1.2 any other person who has the benefit of the development authorisation; and 44.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).	Agreements signed under Seal of Council.	
309141	s193(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	44. Land Management Agreements – Development Applications 44.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309142	s193(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	44. Land Management Agreements – Development Applications 44.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 44.3.1 the provisions of the Planning and Design Code; and 44.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (82), Team Leader Statutory Planning (326)
309143	s193(5)	Instrument of Delegation under the Planning, Development and	44. Land Management Agreements – Development Applications 44.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	with the regulations.		Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (82), Team Leader Statutory Planning (326)
309144	s193(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	44. Land Management Agreements – Development Applications 44.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309145	s193(11)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	44. Land Management Agreements – Development Applications 44.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309146	s193(13)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	44. Land Management Agreements – Development Applications 44.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			
309147	s193(15)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	44. Land Management Agreements – Development Applications 44.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Statutory Planning (326)
309148	s193(16)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	44. Land Management Agreements – Development Applications 44.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.	NIL	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)
309149	s197(1)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	45. Off-setting Contributions 45.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.	NIL	Chief Executive Officer (95)
309150	s197(2)	Instrument of Delegation under the Planning, Development and	45. Off-setting Contributions 45.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or	NIL	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	facilitate: 45.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or 45.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or 45.2.3 any other initiative or policy: 45.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act; 45.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.		
309151	s197(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	45. Off-setting Contributions 45.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 45.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 45.3.1.1 to make a contribution to a fund established as part of the scheme; or 45.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or 45.3.1.3 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 45.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 45.3.3 an ability for any relevant authority to act under or in connection	NIL	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			with Sections 197(3)(a) or (b) of the PDI Act.		
309152	s197(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	45. Off-setting Contributions 45.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.	NIL	Chief Executive Officer (95)
309153	s197(4)(c)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	45. Off-setting Contributions 45.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.	NIL	Chief Executive Officer (95), Director Corporate Services (41)
309154	s197(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	45. Off-setting Contributions 45.6 The power pursuant to Section 197(7) of the PDI Act to: 45.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 45.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.	NIL	Chief Executive Officer (95)
309155	s198(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	46. Open Space Contribution Scheme 46.1 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	Where Vesting of land is proposed then this shall be	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	allotments is less than 1 hectare in area to require: 46.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 46.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or 46.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act, according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.	Subject to Agreement by way of a Council resolution.	(195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309156	s198(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	46. Open Space Contribution Scheme 46.2 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.	NIL	Chief Executive Officer (95)
309157	s198(4)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	46. Open Space Contribution Scheme 46.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.	Where Vesting of land is proposed then this shall be Subject to Agreement by way of a Council resolution.	Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309158	s198(11)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	46. Open Space Contribution Scheme 46.4 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.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Financial Services (214)
309159	s198(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	46. Open Space Contribution Scheme 46.5 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309160	s200(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	47. Urban Trees Fund 47.1 The power pursuant to Section 200(1) of the PDI Act to, 47.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 47.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).	Subject to Council resolution.	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Financial Services (214)
309161	s200(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	47. Urban Trees Fund 47.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.	Subject to Council resolution.	Chief Executive Officer (95), Senior Strategic and Policy Planner (200)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
309162	s200(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	47. Urban Trees Fund 47.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309163	s200(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	47. Urban Trees Fund 47.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Financial Services (214)
309164	s200(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	47. Urban Trees Fund 47.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 47.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 47.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.	NIL	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)
309165	s200(7)	Instrument of Delegation	47. Urban Trees Fund		Chief Executive Officer (95),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	47.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).	NIL	Director Corporate Services (41), Manager Financial Services (214), Manager Property Services (394)
309166	s210(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	48. Appointment of Authorised Officers 48.1 The power pursuant to Section 210(1) of the PDI Act to: 48.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 48.1.2 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.	NIL	Chief Executive Officer (95)
309167	s210(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	48. Appointment of Authorised Officers 48.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.	NIL	Chief Executive Officer (95)
309168	s210(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	48. Appointment of Authorised Officers 48.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 48.3.1 containing a photograph of the authorised officer; and 48.3.2 stating any conditions of appointment limiting the authorised officer's appointment.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Team Leader Building Services (286), Team

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			Leader Statutory Planning (326)
309169	s210(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	48. Appointment of Authorised Officers 48.4 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.	NIL	Chief Executive Officer (95)
309170	s213(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	49. Enforcement Notices 49.1 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: 49.1.1 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; 49.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate; 49.1.3 take such urgent action as is required because of any situation resulting from the breach.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309171	s213(2)	Instrument of Delegation	49. Enforcement Notices		Assessment Manager (72),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	49.2 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309172	s213(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	49. Enforcement Notices 49.3 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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309173	s213(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	49. Enforcement Notices 49.4 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309174	s213(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	49. Enforcement Notices 49.5 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309175	s214(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309176	s214(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309177	s214(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.3 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309178	s214(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309179	s214(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.5 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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309180	s214(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.6 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309181	s214(11)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309182	s214(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.8 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	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309183	s214(13)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	50. Applications to Court 50.9 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70)
309184	s214(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a	50. Applications to Court 50.10 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Council; a Designated Authority; a Designated Entity (Instrument A)			
309185	s219(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	51. Proceedings for Offences 51.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings.	Assessment Manager (72), Chief Executive Officer (95), Development Compliance Officer (211), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309186	s223(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	52. Adverse Publicity Orders 52.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.	The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings.	Chief Executive Officer (95)
309187	s223(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	52. Adverse Publicity Orders 52.2 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: 52.2.1 take the PDI Action or actions specified in the order; and 52.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309188	s223(5)	Instrument of Delegation under the Planning,	52. Adverse Publicity Orders 52.3 The power pursuant to Section 223(5) of the PDI Act, if:	NIL	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	52.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 52.3.2 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.		
309189	s223(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	52. Adverse Publicity Orders 52.4 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309190	s225(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	53. Civil Penalties 53.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309191	s225(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a	53. Civil Penalties 53.2 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	NIL	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Council; a Designated Authority; a Designated Entity (Instrument A)	Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.		
309192	s225(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	53. Civil Penalties 53.3 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309193	s225(13)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	53. Civil Penalties 53.4 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309194	s225(17)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	53. Civil Penalties 53.5 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309195	s228(7)	Instrument of Delegation under the Planning,	54. Make Good Order 54.1 The power pursuant to Section 228(7) of the PDI Act to apply to the	NIL	Assessment Manager (72), Chief Executive Officer (95)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	Court to vary or revoke an order under Section 228 of the PDI Act.		
309196	s229(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	55. Recovery of Economic Benefit 55.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309197	s230(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	56. Enforceable Voluntary Undertakings 56.1 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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Leader Statutory Planning (326)
309198	s230(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	56. Enforceable Voluntary Undertakings 56.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309199	s230(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	56. Enforceable Voluntary Undertakings 56.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 56.3.1 vary the undertaking; or 56.3.2 withdraw the undertaking.	Subject to concurrence by the Assessment Manager.	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309200	s230(11)	Instrument of Delegation	56. Enforceable Voluntary Undertakings		Assessment Manager (72),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	56.4 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.	NIL	Chief Executive Officer (95)
309201	s230(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	56. Enforceable Voluntary Undertakings 56.5 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309202	s230(14)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	56. Enforceable Voluntary Undertakings 56.6 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.	NIL	Assessment Manager (72), Chief Executive Officer (95)
309203	s231(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	57. Advertisements 57.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding: 57.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or 57.1.2 is contrary to the character desired for a locality under the	Concurrence by Assessment Manager or Team Leader Statutory Planning required prior to	Assessment Manager (72), Chief Executive Officer (95), Development Compliance Officer (211), Senior Statutory Planner (80), Statutory Planner (195),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)	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).	notice being issued.	Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309204	s231(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	57. Advertisements 57.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Compliance Officer (211), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309205	s235(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	58. Professional Advice to be Obtained in Relation to Certain Matters 58.1 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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Compliance Officer (211), Senior Statutory Planner (80), Statutory Planner

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309206	s235(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	58. Professional Advice to be Obtained in Relation to Certain Matters 58.2 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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Compliance Officer (211), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309207	s239(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated	59. Charges on Land 59.1 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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority; a Designated Entity (Instrument A)			Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309208	s239(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	59. Charges on Land 59.2 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.	Subject to concurrence from the Assessment Manager.	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309209	s240(1)	Instrument of Delegation under the Planning,	60. Registering Authorities to Note Transfer 60.1 The power pursuant to Section 240(1) of the PDI Act to apply to the	NIL	Assessment Manager (72), Chief Executive Officer (95),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	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.		Director Corporate Services (41), Manager Property Services (394)
309210	cl13(3)(b) sch2	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	61. Reporting 61.1 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.	If a Joint Planning Board and subsidiary is established.	Chief Executive Officer (95)
309211	cl3(3) sch4	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	62. Review of Performance 62.1 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309212	cl3(14) sch4	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated	62. Review of Performance 62.2 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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Entity (Instrument A)			
309213	cl3(15) sch4	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	62. Review of Performance 62.3 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.	Must be reported to Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309214	cl3(16) sch4	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	62. Review of Performance 62.4 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.	Must be reported to Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309215	cl9(6)(a) sch8	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	63. Planning and Design Code 63.1 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.	Must be reported to Council.	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70)
309216	cl30(3) sch8	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of	64. General Schemes 64.1 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.	NIL	Elected Body

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
309217	r8(1)(c)	Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	65. Adoption of DPAs 65.1 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.	Must be reported to Council.	Chief Executive Officer (95), Director Development and Regulatory Services (70)
309218	r5(1)	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	66. Calculation or Assessment of Fees 66.1 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): 66.1.1 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 66.1.2 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).	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309219	r5(2)	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	66. Calculation or Assessment of Fees 66.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82),

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Team Leader Building Services (286), Team Leader Statutory Planning (326)
309220	r5(3)	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	66. Calculation or Assessment of Fees 66.3 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.	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning

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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(326)
309221	r7	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	67. Waiver or Refund of Fee 67.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 67.1.1 waive the payment of the fee, or the payment of part of the fee; or 67.1.2 refund the whole or a part of the fee.	In accordance with Council's Fee Waiver Policy and Fee Refund Policy.	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)

Appendix 6

*Instrument of Delegation under the
Planning Development and Infrastructure Act 2016 -
Instrument B1, Powers of the Council as a
Relevant Authority*

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309260	s7(5)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Staff to seek concurrence from Team Leader Statutory Planning or Assessment Manager with delegate report signed.	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309261	s7(5)(d)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Staff to seek concurrence from Team Leader Statutory Planning or Assessment Manager with delegate report signed where the matter is not reported to CAP.	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309262	s99(2)(b)(ii)	Instrument of Delegation under the Planning,	2. Related Provisions 2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if	Administration	Administration Building Support Officer (418),

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.	Building Support Officer is limited to issuing development approvals only relating to Class 10A buildings.	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309263	s99(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Administration Building Support Officer is limited to issuing development approvals only relating to Class 10A buildings.	Administration Building Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Leader Statutory Planning (326)
309264	s102(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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).	Delegate Report for Refusal must be countersigned by Assessment Manager or Team Leader Building prior to decision being issued.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309265	s102(8)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.	Administration Building Support Officer is limited to issuing development approvals relating to Class 10A buildings only.	Administration Building Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Services (286), Team Leader Statutory Planning (326)
309266	s118(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	4. Building Consent 4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309267	s118(2)(a)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority (Instrument B);			
309268	s118(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>4. Building Consent</p> <p>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:</p> <p>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:</p> <p>4.3.1.1 that:</p> <p>(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and</p> <p>(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>4.3.1.2 in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.</p>	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309269	s118(4)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and	<p>4. Building Consent</p> <p>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.</p>	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);			
309270	s118(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>4. Building Consent</p> <p>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 rules 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.</p>	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309271	s118(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees,	<p>4. Building Consent</p> <p>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.</p>	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);			
309272	s118(8)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>4. Building Consent</p> <p>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:</p> <p>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</p> <p>4.7.2 such compliance is certified by a building certifier.</p>	Administration Building Support Officer is limited to accepting compliance certified by a building certifier in relation to Class 10A buildings only.	Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309273	s118(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers	<p>4. Building Consent</p> <p>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</p>	Delegate Report for Refusal must be countersigned by Assessment Manager or Team Leader Building Services prior to decision being issued.	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		of a Council as a Relevant Authority (Instrument B);			
309274	s118(11)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>4. Building Consent</p> <p>4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document):</p> <p>4.9.1 the variance; and</p> <p>4.9.2 the grounds on which the decision is being made.</p>	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309275	s119(1)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>5. Application and Provision of Information</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					(326)
309276	s119(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Administration Building Support Officer is limited to 5.2.2.	Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309278	s119(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.1 permit an applicant: 5.4.1.1 to vary an application; 5.4.1.2 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);	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80),

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority (Instrument B);			Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309279	s119(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309280	s119(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.3 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);	In accordance with Council Fee Waiver Policy and Council Development Application Fee Refund Policy.	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)
309281	s119(9)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309282	s119(10)	Instrument of Delegation	5. Application and Provision of Information		Assessment Manager (72),

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309283	s119(12)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309284	s119(14)	Instrument of Delegation	5. Application and Provision of Information		Assessment Manager (72),

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	In accordance with the Development Application Fee Refund Policy.	Chief Executive Officer (95), Team Leader Statutory Planning (326)
309285	s120(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	In accordance with Practice Direction released by the SPC.	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309286	s120(3)	Instrument of Delegation under the Planning, Development and	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	In accordance with Practice Direction	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	released by the SPC.	(80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309287	s122(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	7. Referrals to Other Authorities or Agencies 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.	Exception: Where a response is not received from the body within the prescribed period it will be presumed, unless the body notifies the relevant authority within that prescribed period that the body requires an extension of time, that the body does not desire to make a response or concurs (as the case	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
				requires).	
309288	s122(5)(b)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument 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.	1. Refusal: Delegate Report for Refusal must be countersigned by Assessment Manager or Team Leader Statutory Planning prior to decision being issued. 2. New dwellings outside of townships: Delegate Report must be countersigned by another Statutory Planner prior to decision being issued. 3. Licensed premises Delegate Report must be countersigned by another Statutory Planner prior to the decision being issued.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309289	s122(7)	Instrument of Delegation under the Planning,	7. Referrals to Other Authorities or Agencies 7.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant	NIL	Assessment Manager (72), CAP (Council's Assessment

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.		Panel), Chief Executive Officer (95), Team Leader Statutory Planning (326)
309290	s122(10)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Relevant Authority must comply with the request unless it is inconsistent with the Regulations.	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309291	s124(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	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	NIL	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	approval of, the proposed development to the Commissioner of Police (the Commissioner).		(195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309292	s124(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Refusal: Delegate Report for Refusal must be countersigned by Assessment Manager or Team Leader Statutory Planning prior to decision being issued where CAP is not the relevant authority.	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309293	s124(6)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General)	8. Proposed Development Involving Creation of Fortifications 8.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on	NIL	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	the basis of a determination of the Commissioner under Section 124 of the PDI Act.		Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309294	s124(7)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	8. Proposed Development Involving Creation of Fortifications 8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.	NIL	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Team Leader Statutory Planning (326)
309295	s126(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and	9. Determination of Application 9.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);			Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309296	s126(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>9. Determination of Application</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309297	s127(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	<p>10. Conditions</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);			(Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309298	s127(2)(c)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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

#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309299	s128(2)(d)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>11. Variation of Authorisation</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309300	s133(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant	<p>12. Saving Provisions</p> <p>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.</p>	Subject to concurrence by the Assessment Manager or Team Leader Statutory Planning.	CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Authority (Instrument B);			
309301	s134(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309302	s134(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	13. Requirement to Up-grade 13.2 The power pursuant to Section 134(1) of the PDI Act, if: 13.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or 13.2.1.2 a change of classification of a building; and 13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309303	s134(2)	Instrument of Delegation	13. Requirement to Up-grade		Building Officer (380),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309304	s134(3)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	13. Requirement to Up-grade 13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act: 13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and 13.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309305	s134(4)	Instrument of Delegation under the Planning, Development and	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	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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).		Executive Officer (95), Team Leader Building Services (286)
309306	s134(5)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	13. Requirement to Up-grade 13.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act: 13.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and 13.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309307	s135(2)(d)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and	14. Urgent Building Work 14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.	Concurrence of Assessment Manager must be sought before the Direction	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);		is issued to reinstate the land or building as far is practical to the state that existed immediately prior to the commencement of the work.	Services (286)
309308	s143(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Administration Building Support Officer (418), Administration Support Officer (369), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309309	s143(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309310	s235(1)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and	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.	Administration Building Support Officer in relation to private certification for Class 10 Buildings only.	Administration Building Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);			Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309311	s235(2)	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	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.	Administration Building Support Officer in relation to private certification for Class 10 Buildings only.	Administration Building Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309312	cl18(2) sch8	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 of Powers of a Council as a Relevant Authority (Instrument B);	<p>17. Continuation of Processes</p> <p>17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>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</p> <p>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</p> <p>17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>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</p> <p>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.</p>	Administration Building Support Officer in relation to private certification for Class 10 Buildings only.	Administration Building Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309313	r25(7)(c)	Planning, Development and Infrastructure (General) Regulations 2017	<p>18. Accredited Professionals</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309314	r31(1)	Planning, Development and Infrastructure (General) Regulations 2017	<p>19. Verification of Application</p> <p>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:</p> <p>19.1.1 determine the nature of the development; and</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309315	r31(1)	Planning, Development and Infrastructure (General) Regulations 2017	<p>19. Verification of Application</p> <p>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:</p> <p>19.1.2 if the application is for planning consent - determine:</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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		Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309316	r31(1)	Planning, Development and Infrastructure (General) Regulations 2017	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309317	r31(1)	Planning, Development and Infrastructure (General) Regulations 2017	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	NIL	Administration Building Support Officer (418), Applications Coordinator (77), Assessment Manager (72), Building Officer (380),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			assessed in accordance with the PDI Act: 19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application): 19.1.4.1 check that the appropriate documents and information have been lodged with the application; and 19.1.4.2 confirm the fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and 19.1.4.3 provide an appropriate notice via the SA planning portal; and		Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309318	r31(1)	Planning, Development and Infrastructure (General) Regulations 2017	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: 19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):	NIL	Administration Building Support Officer (418), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			<p>19.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>19.1.5.2 provide an appropriate notice via the SA planning portal.</p>		<p>Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)</p>
309319	r35(3)	Planning, Development and Infrastructure (General) Regulations 2017	<p>20. Amended Applications</p> <p>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.</p>	NIL	<p>Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309320	r35(4)	Planning, Development and Infrastructure (General) Regulations 2017	<p>20. Amended Applications</p> <p>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.</p>	NIL	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309321	r38(1)	Planning, Development and Infrastructure (General) Regulations 2017	<p>21. Withdrawing/Lapsing Applications</p> <p>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:</p> <p>21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>21.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>	NIL	Administration Building Support Officer (418), Applications Coordinator (77), Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Development Administration Support Officer (76), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309322	r38(3)	Planning, Development and Infrastructure (General) Regulations 2017	<p>21. Withdrawing/Lapsing Applications</p> <p>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:</p> <p>21.2.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309323	r40	Planning, Development and Infrastructure (General) Regulations 2017	<p>22. Court Proceedings</p> <p>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.</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
					Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309324	r42(1)	Planning, Development and Infrastructure (General) Regulations 2017	<p>23. Additional Information or Amended Plans</p> <p>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.</p>	NIL	Assessment Manager (72), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309325	r45(1)	Planning, Development and Infrastructure (General) Regulations 2017	<p>24. Building Matters</p> <p>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:</p> <p>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;</p> <p>or</p> <p>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</p> <p>24.1.3 special problems for fire fighting could arise due to hazardous</p>	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		
309326	r45(2)	Planning, Development and Infrastructure (General) Regulations 2017	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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309327	r45(3)	Planning, Development and Infrastructure (General) Regulations 2017	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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309328	r45(4)	Planning, Development and Infrastructure (General) Regulations 2017	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	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		
309329	r45(5)	Planning, Development and Infrastructure (General) Regulations 2017	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.	NIL	Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309330	r57(4)	Planning, Development and Infrastructure (General) Regulations 2017	25. Notice of Decision (Section 126(1)) 25.1 The power pursuant to Regulation 57(4) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	Administration Building Support Officer in relation to private certification for Class 10 Buildings only.	Administration Building Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309331	r60	Planning, Development and	26. Consideration of Other Development Authorisations		Administration Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
		Infrastructure (General) Regulations 2017	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.	Administration Building Support Officer in relation to private certification for Class 10 Buildings only.	Support Officer (418), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309332	r61(4)(c)	Planning, Development and Infrastructure (General) Regulations 2017	27. Certificate of Independent Technical Expert in Certain Cases 27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309333	r63(1)	Planning, Development and Infrastructure (General) Regulations 2017	28. Urgent Work 28.1 The power pursuant to Regulation 63(1) of the General Regulations to, 28.1.1 determine a telephone number determined for the purposes of	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			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.		Executive Officer (95), Team Leader Building Services (286)
309334	r63(2)	Planning, Development and Infrastructure (General) Regulations 2017	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.	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309335	r63(3)	Planning, Development and Infrastructure (General) Regulations 2017	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.	NIL	Assessment Manager (72), Chief Executive Officer (95), Development Compliance Officer (211), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309336	r65(1)	Planning, Development and Infrastructure (General) Regulations 2017	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	Variations of a development authorisation determined by CAP must be reported to CAP prior to being	Assessment Manager (72), CAP (Council's Assessment Panel), Chief Executive Officer (95), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			variation.	approved unless the variation is minor in nature.	Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)
309337	cl4(3) sch8	Planning, Development and Infrastructure (General) Regulations 2017	<p>30. Plans for Building Work</p> <p>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:</p> <p>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</p> <p>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,</p> <p>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.</p>	NIL	Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building Services (286)
309338	r5(1)	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	<p>31. Calculation or Assessment of Fees</p> <p>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):</p> <p>31.1.1 to require the applicant to provide such information as the</p>	NIL	Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Team Leader Building

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and 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).		Services (286)
309339	r5(2)	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	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.	NIL	Administration Building Support Officer (418), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
309340	f5(3)	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	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.	NIL	Administration Building Support Officer (418), Applications Coordinator (77), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Chief Executive Officer (95), Development Services Assistant (Duty Planner)(265a), Development Services Assistant (Duty Planner)(265b), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326)
309341	r7	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	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	In accordance with Council Fee Waiver Policy and Development	Assessment Manager (72), Chief Executive Officer (95), Team Leader Statutory Planning (326)

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#	Section	Delegation Source	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
			32.1.2 refund the whole or a part of the fee.	Application Fee Refund Policy.	

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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 12.10

Responsible Officer: Lachlan Miller
Executive Manager Governance and Performance
Office of the Chief Executive

Subject: Council Resolutions Update including 2 year update to
outstanding resolutions

For: Decision

SUMMARY

The Action List is updated each month by the responsible officer and outlines actions taken on resolutions passed at Council meetings. In some cases actions can take months or years to be completed due to the complexity and/or the level of influence Council has in the matter.

In March 2015, Council resolved that outstanding resolutions passed before 31 March 2013 would be the subject of a report outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. The following completed items be removed from the Action List:

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	Cr Linda Green (Material)
23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	None declared
26/11/2019	Ordinary Council	278/19	Pomona Road Bike Trial	Perceived - Cr Leith Mudge
17/12/2019	Ordinary Council	311/19	MON Range Road South, Houghton, Pedestrian Movements	None declared
28/01/2020	Ordinary Council	12/20	Naming of Houghton Village Green	None declared
28/1/20	Ordinary Council	13/20	Road Closure adj 307 Scott Creek Road Longwood	None declared
28/01/2020	Ordinary Council	19/20	Natural Disaster Provision	None declared
25/02/2020	Ordinary Council	27/20	MON Bushfire Recovery - Lobethal	None declared
24/03/2020	Ordinary Council	56/20	Cudlee Creek Bushfire Service & Project Continuity Impacts	None declared
24/03/2020	Ordinary Council	61/20	Mylor Community Survey Report	None declared
21/04/2020	Special Council	63/20	6.1 Electronic participation in Council Meetings (Notice 1/2020) – proposed compliance arrangement	None declared
21/04/2020	Special Council	64/20	6.2 Public Access and Public Consultation (Notice 2/2020) – proposed compliance arrangements	None declared
28/04/2020	Ordinary Council	67/20	East Waste 2020-21 Annual Business Plan & Budget	None declared
28/04/2020	Ordinary Council	68/20	AHRWMA 2020-21 Annual Business Plan & Budget	None declared
28/04/2020	Ordinary Council	69/20	2020 - 2024 Strategic Plan Adoption	None declared
28/04/2020	Ordinary Council	70/20	2020 - 2021 Long Term Financial Plan Adoption	None declared
28/04/2020	Ordinary Council	72/20	Range Road South Houghton Pedestrian Movements	None declared

28/04/2020	Ordinary Council	74/20	CEO Performance Target Updates	None declared
28/04/2020	Ordinary Council	76/20	Draft Fraud Corruption Misconduct & Maladministration Policy	None declared
28/04/2020	Ordinary Council	77/20	Confidential Items Review	None declared
28/04/2020	Ordinary Council	78/20	Confidential Items Review 2	None declared
28/04/2020	Ordinary Council	79/20	Confidential Items Review 3	None declared
12/05/2020	Special Council	84/20	Bushfire Royal Commission Notices	None
26/05/2020	Ordinary Council	87/20	2019-20 Budget - Budget Review 3	None declared
26/05/2020	Ordinary Council	89/20	2020-21 Annual Business Plan & Budget Consultation	None declared
26/05/2020	Ordinary Council	96/20	Council Assessment Panel Membership	Cr Leith Mudge - Material Cr John Kemp - Material
26/05/2020	Ordinary Council	98/20	Membership Extension of Commonwealth Home Support Service Funding	None declared

➤ **Strategic Management Plan/Council Policy**

Goal Organisational Sustainability
Strategy Governance

The timely completion of Council resolutions assists in meeting legislative and good governance responsibilities and obligations.

➤ **Legal Implications**

Not applicable

➤ **Risk Management Implications**

Regular reporting on outstanding action items will assist in mitigating the risk of:

Actions arising from Council resolutions may not be completed in a timely manner

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (4E)	Medium (4E)

➤ **Financial and Resource Implications**

Not applicable

➤ **Customer Service and Community/Cultural Implications**

Not applicable

➤ **Sustainability Implications**

Not applicable

➤ **Engagement/Consultation conducted in the development of the report**

Not applicable

1. BACKGROUND

At its meeting of 24 March 2015 Council resolved:

That the CEO provides a report to the 28 April 2015 Council meeting in relation to outstanding resolutions passed before 31 March 2013 outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

The contents of this report formed a workshop discussion with Council Members on 3 May 2017.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

2. ANALYSIS

The Action list has been updated to provide Council with information regarding outstanding actions. Completed resolutions are identified in the recommendation for removal from the Action List.

In total there are zero (0) uncompleted resolutions for which an update is required for Council.

3. OPTIONS

Council has the following options:

- I. Note the status of the outstanding items and the proposed actions
- II. Resolve that other actions are required.

4. APPENDIX

- (1) Action List

Appendix 1

Action List

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Due Date	Status (for Council reporting)	Confidential	2 yr update req
22/03/2016	Ordinary Council	69/16	Land Acquisition Colonial Drive Norton Summit	None declared	Negotiate with the Anglican Church and CFS regarding the proposed boundary realignment and the preparation of preliminary plans	Terry Crackett	In Progress	12/05/2020	31/12/2020	Final plans and valuation are being considered by the Anglican Church State Diocese and upon confirmation from them a report will be presented to Council for consideration. Council staff met with the State Diocese to discuss the matter and work through some of their queries. It is now in the hands of the State Diocese to present a formal position to Council for consideration. The Norton Summit Church has advised that they are actively working with the State Diocese to progress the matter.	TRUE	22/03/2018
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	None declared	2. That the Office for Recreation and Sport and Department of Planning, Transport and Infrastructure be approached to discuss any potential funding opportunities to undertake bituminising works up to where the bicycle access occurs. 3. That a further report be presented on potential road treatments for Croft Road Lenswood and the surrounding road network once additional data has been collected on peak traffic numbers generated through a major event and staff continue negotiations with ForestrySA regarding infrastructure improvements for Cudlee Creek Forest Reserve.	Peter Bice	In Progress	10/06/2020	31/12/2020	Following damage sustained in the recent fires, renewed conversations with Forestry SA and Bike SA are now underway to explore options. Sealing of Roads and Parking have been proposed as Priority Projects for funding with State and Federal Government. Director Infrastructure & Operations is now representing AHC on a Project Steering Group to assist in development of the ForestrySA Cudlee Creek Forest Trails Fire Recovery Strategy. First meeting occurred in May which incorporated visioning exercise and SWOT Analysis with a broad range of stakeholders.	FALSE	26/04/2018
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	None declared	The acquisition of the land described as CT 5363/842 and CT 5363/452 consisting of two parcels of land, one 819m2 the other 36m2 respectively, and currently owned by R J Day and B E Day for nil consideration. Council to pay all transfer fees, charges and GST that may be applied. To undertake a Section 210 process for the conversion of private road to public road for the land described as CT 5343/355 of 27m2 currently owned by Marinus Maughan and Alick Stephen Robinson. To negotiate and accept a transfer of the land described as CT 5343/354 of 476m2 from the City of Tea Tree Gully for nil consideration. To negotiate and accept a transfer or vesting of the land described as CT 5421/887 from the Department of Planning, Transport & Infrastructure for nil consideration.	Terry Crackett	In Progress	12/05/2020	31/12/2020	The acquisition from RJ & BE Day has been completed and registered at the Lands Titles Office. Title for the land held by City of Tea Tree Gully has been reissued in the name of Adelaide Hills Council. The Section 210 process has been completed. The request to DPTI for the transfer of land has been made and DPTI have confirmed their agreement to transfer the land at no consideration subject to Council agreeing to declare the land as public road. Report to Council on 28 April 2020 to declare as Public Road.	TRUE	24/05/2018
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	None declared	a report be prepared and submitted to the Minister for Local Government seeking approval for the revocation of the community land classification of a portion of the land contained in Certificate of Title Volume 5880 Folio 219 identified in red on the plan attached as Appendix 1.	Terry Crackett	In Progress	12/05/2020	31/12/2020	DEWNR have requested that the revocation be put on hold whilst they investigate the requirements to alter the trust affecting the land and undertake an assessment of the native vegetation on the land, this is likely to take some months. DEW advised on 4/12/18 that there are some impediments to the progression of the proposed boundary realignment due to the mining operations on the adjacent land, which are being negotiated with the Dept for Mining. Advice is that these negotiations could take considerable time (2yrs). In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access. DEW staff member dealing with this matter has left DEW so there may be an extended delay whilst it is reallocated and assessed. 13/2 - DEW staff not in a position to progress further at this time until negotiations with Dept for Mining are complete	FALSE	24/01/2019
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	Cr Linda Green (Material)	Subject to the approval of the land division variation application 473/D38/2011 by the Development Assessment Commission and the required Council engineering approvals for the infrastructure, being obtained: 1. That council accepts from Paul & Michele Edwards (the Developer), the donation of additional reserve land as described in Appendix 6 – Amended Plan of Division rev K dated 16.06.2017 Agenda Item 14.1, subject to the following conditions: The Council specified construction standards are metThe cost of all works are to be met by the DeveloperThe Developer enters into a legally binding Landscape Maintenance Agreement to agreed maintenance standards for a period of ten (10) yearsThe landscaping works are completed within two (2) years from the date of final approval. 2. That, in the event that there is a dispute between the Council and the Developer, the dispute is referred to an Independent Arbitrator for resolution, with costs being shared equally by the parties.	Peter Bice	Completed	19/05/2020	30/04/2020	The LMA has been signed by both parties and executed (18/05/2020), and works have been completed.	FALSE	25/07/2019

23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	None declared	To issue a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to: Close and merge the land identified as "A" in Preliminary Plan No 17/0041 (Appendix 1) with Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison. Open the land identified as "1" in Preliminary Plan No 17/0041 as public road being portion of Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison. The closed road be excluded as Community Land pursuant to the Local Government Act 1999 To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution	Terry Crackett	Completed	12/05/2020	31/05/2020	Road exchange process completed	FALSE	23/01/2020
27/02/2018	Ordinary Council	31/18	Arts & Heritage Hub	None declared	That the report be received and noted. That the Business Development Framework for the establishment of an Arts and Heritage Hub in the Old Woollen Mill at Lobethal, contained in Appendix 1, be noted. That the Administration proceeds with the establishment of an Arts and Heritage Hub using the Business Development Framework as a guide. That the development of a Hub Evaluation Framework, as envisaged in the Business Development Framework, occur as early as possible and include key performance and results targets, and mechanisms for review of the implementation by Council to ensure alignment with budget allocations and strategic objectives. That \$50,000 be allocated to the 2017-18 Operating Budget from the Chief Executive Officer's contingency provision to enable the initial actions to be taken. The CEO provides a progress report on the implementation of the Business Development Framework within 6 months from the date of appointment of the Director.	David Waters	In Progress	20/04/2020	30/06/2020	Items 1, 2, 3, and 5 are complete. A draft Evaluation Framework (Item 4) has been completed and is ready to be presented to the Executive Leadership Team	FALSE	27/02/2020
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	None declared	As per confidential minute	Terry Crackett	In Progress	12/05/2020	30/06/2020	Matter being progressed per resolution	TRUE	27/02/2020
27/02/2018	Ordinary Council	58/18	AH Swimming Centre Shade Sail - Period of Confidentiality	None declared	that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> that the report and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the matter is determined but not longer than 12 months. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Terry Crackett	In Progress	12/05/2020	30/06/2020	Progressing per confidential minutes	FALSE	27/02/2020
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	1. That the report be received and noted. 2. That the Biodiversity Officer be authorised to enter: Doris Coulls Reserve, 152 Old Mt Barker Road, Aldgate; Heathfield Waste Facility, 32 Scott Creed Road, Heathfield; Kiley Reserve, 15 Kiley Road, Aldgate; Shanks Reserve, 1 Shanks Road, Aldgate; Stock Reserve, Stock Road, Mylor; Leslie Creek Reserve, Leslie Creek Road, Mylor; MI Reserve, 125 Aldgate Valley Road, Mylor; Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor; Kyle Road Nature Reserve, Kyle Road, Mylor; Carey Gully Water Reserve, Deviation Road, Carey Gully; Heathfield Stone Reserve, 215 Longwood Road, Heathfield; Mylor Parklands, Mylor all being of significant biodiversity value, into Heritage Agreements. 3. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves.	Peter Bice	In Progress	9/06/2020	30/06/2021	Heritage Agreement applications lodged for and still in progress: • Doris Coulls Reserve • Heathfield Waste Facility • Kiley Reserve • Shanks Reserve • Kyle Road Nature Reserve, • Leslie Creek Reserve • Aldgate Valley 2 Reserve • Mylor Parklands	FALSE	27/08/2020

28/08/2018	Ordinary Council	203/18	Community Wastewater Management Systems Review - Update and Consultation Outcomes	Cr Andrew Stratford (Material), Cr Linda Green (Material), Cr Malcolm Herrmann (Material)	The report be received and notedThe CEO undertakes a request for tender process for the divestment of Council's CWMS assets to inform Council's decision to sell or retain these assets.The resolution to undertake a request for tender process is subject to there being no matters of material impact identified through further due diligence and request for tender preparation activities, as determined by the CEO.Subject to Council resolving to proceed to a request for tender for the divestment of Council's CWMS assets, the CEO be delegated to prepare and approve an evaluation plan for the purposes of assessing responses received including but not limited to the following criteria: CWMS customer pricing and feesSale price for CWMS assetsRespondents financial capacityRespondents operational capacity and capabilityNetwork investment and expansion That ongoing analysis be undertaken on continued Council ownership of CWMS assets for request for tender comparison purposes to inform future decision making.The Prudential Review Report and the Probity Report be received and noted.The Council acknowledges that whilst 548 of the Local Government Act 1999 does not require a prudential review to be undertaken, the report in relation to this project is consistent with the provisions of 548.The Administration is to continue to work collaboratively with the City of Onkaparinga and Rural City of Murray Bridge for the potential divestment of Council's CWMS.That probity advisory services continue to be maintained throughout the CWMS review process.That a further report be provided to Council detailing the outcomes of the second stage request for tender and evaluation process with recommended next steps.	Peter Bice	In Progress	9/06/2020	30/06/2020	The Expression of Interest process has been delayed in consideration of Covid-19 impacts. In collaboration with project partners currently progressing with preparation of request for expression of interest tender process and documentation. Council staff continue to work with project partners towards request for tender release forecast to be in July 2020. Commercial advisory services have been engaged to ensure the approach to market is undertaken in such a manner to maximise return.	FALSE	27/08/2020
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	None declared	In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following:Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process The closed road is excluded as Community Land pursuant to the Local Government Act 1999. Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m2 to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation. Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the Local Government (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.	Terry Crackett	In Progress	12/05/2020	31/10/2020	Road exchange documentation has been executed and provided to Boral for lodgement with the Surveyor-General. Submission has been prepared and lodged with the Boundaries Commission jointly on behalf of the City of Burnside and Adelaide Hills Council. The Boundaries Commission has agreed to investigate the proposal and that process is underway. Further feedback has been provided to the Boundaries Commission to progress. Boral are negotiating a Land Management Agreement with the State Government which has delayed the completion of the land division and road exchange 13/2 - Boral negotiating works deed with another authority and not yet finalised, land division and boundary realignment can not progress until that is completed 12/5 - final agreements being put in place by Boral, land division can then be finalised and boundary change undertaken	FALSE	10/09/2020
11/09/2018	Special Council	232/18	Revocation of Community Land – Bridgewater Retirement Village	None declared	To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by:Preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available.Undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999. To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carrivook Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels. To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust. That a further report be presented to Council for consideration after community	Terry Crackett	In Progress	12/05/2020	31/10/2020	Initial consultation to identify possible locations for the establishment of a garden and memorial concluded on 28 January 2019 with only one submission received being a suggestion from the Retirement Village residents to investigate Carrivook Park as their preferred option. Council, at the meeting of 27 August 2019, approved Carrivook Park as the location to vary the trust to. Community consultation is open and runs until 20th December 2020. A report is being presented to Council at the January meeting 9/3 - road closure complete and drafting of trust variation scheme progressing	FALSE	10/09/2020
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	None declared	Until 10 September 2019. Pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer. Refer to confidential minute	Peter Bice	In Progress	11/06/2020	30/06/2020	Matter continues to be progressed. Further update will be provided when a material change occurs.	TRUE	10/09/2020
26/03/2019	Ordinary Council	70/19	Aboriginal Place Naming	Nil	That advice on the potential for Aboriginal place naming be sought from the Reconciliation Working Group, including a proposed approach for progressive implementation	David Waters	In Progress	11/05/2020	30/06/2020	This matter will be worked through with the Reconciliation Working Group. It is likely to take some time to work through this matter.	FALSE	25/03/2021

26/03/2019	Ordinary Council	77/19	Randell's Cottages, Beavis Court, Gumeracha	None declared	That, acknowledging that a land division in Watershed (Primary Production) is non-complying, an initial approach be made to the State Commission Assessment Panel to determine the possibility of a land division to create a separate allotment for the potentially local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages being supported. That subject to the response from the State Commission Assessment Panel, a Development Application be lodged for a non-complying land division. That, if a land division is not supported, an expression of interest (EOI) process be undertaken in respect of the local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages to determine any interest in restoring the building for tourism or other purpose (other than long term residential) under a long term lease arrangement. That the CEO be delegated to prepare the necessary documentation to undertake the EOI. That a report be presented to Council following the EOI detailing the results of that process and providing further options.	Terry Crackett	In Progress	12/05/2020	31/12/2020	The land sits within the Environmental Food Protection Area and proposed use is not supported. An application will be made to DPI for a review once the Minister announces the review, likely to be in mid 2020. Subject to a removal of the land from the EFPA, a development application will then be lodged for the division of the cottages (noting that it will be a non-complying development) 13/2 - no further update	FALSE	25/03/2021
26/03/2019	Ordinary Council	78/19	Scott Creek Cemetery Reserve Fund	None declared	That the reserve funds held in relation to the Scott Creek Cemetery be expended to achieve the following outcomes: Marking of unmarked graves with a small and simple identification piece detailing the name and date of death of the deceased; installation of a single plaque with the names of the deceased who are buried in unmarked graves where the exact location of the graves is unknown; Renewal of existing gravel driveways; and Creation/extension of driveways to facilitate expansion of the cemetery	Terry Crackett	In Progress	12/05/2020	30/06/2020	Investigations as to options for marking of graves has commenced and once collated, Council staff have met with the Scott Creek Progress Association Committee to progress. Construction of concrete plinths are progressing and plaques will be finalised for installation	FALSE	25/03/2021
7/05/2019	Special Council	94/19	Stonehenge Reserve Masterplan Update and Findings from Consultation	None declared	That the report be received and noted. To not proceed with any of the masterplanning options at Stonehenge Reserve at this point in time. To proceed with resurfacing works at both the Stonehenge Reserve and Heathfield sites. To delegate to the CEO to seek variations and finalise arrangements to the grant funding agreements with the Office for Recreation, Sport & Racing, and Tennis SA that allow new court construction at alternative sites. The CEO to report back to Council on those finalised arrangements. To notify those who have registered through the Stonehenge Reserve Project's engagement site of the outcome of the consultation and this report.	Peter Bice	In Progress	9/06/2020	31/07/2020	Administration have begun discussions with the Office for Recreation, Sport & Racing and Tennis SA regarding a variation to the grant funding agreement that allows new court construction at an alternative site.	FALSE	6/05/2021
7/05/2019	Special Council	104/19	Unsolicited Approach to Purchase Community Land – Period of Confidentiality	None declared	that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the matter is further presented to Council for a decision, but not longer than 12 months.	Terry Crackett	In Progress	12/05/2020	6/05/2020		FALSE	6/05/2021
25/06/2019	Ordinary Council	158/19	Boundary Reform - Approval to Explore	None declared	That the report be received and noted. To note that correspondence will be sent to the residents of Woodforde and Rostrevor (in the Council area) inviting them to a community meeting to discuss the boundary reform process and the status of the Campbelltown City Council proposal. That in relation to strategic boundary reform: Approve the engagement of a consultant to undertake a high level review of Council's boundaries to identify boundary reform options. Once the review has been undertaken and boundary reform options identified, that a workshop be held with the Elected Body (confidential if necessary) whereby the outcomes of the subject review can be presented prior to a formal report to council for consideration.	Andrew Aitken	In Progress	10/06/2020	28/07/2020	Rec 2: Updated correspondence was sent to Woodforde and Rostrevor residents regarding the community meeting - COMPLETED Rec 3(1): C.L. Rowe & Associates engaged to conduct the Strategic Boundary Review - COMPLETED Rec 3(2): Workshop conducted on 17 March 2020, Inform Engagement with neighbouring council Mayors and CEOs (delayed due to COVID-19) with Council report to follow.	FALSE	24/06/2021
25/06/2019	Ordinary Council	173/19	Library Services Review	None declared	That the report be received and noted. That the Administration proceed with the replacement of the mobile library as per the provision in the 2018-19 Capital Works Budget and the Long Term Financial Plan as budgeted for in the 2018/19 Annual Business Plan, with the Council noting that the budget will need to be carried forward into 2019-20. That a Library Services Strategy be developed during 2019-20. That Council consults with the community on any changes to operating hours and services.	David Waters	In Progress	22/05/2020	30/06/2020	Tenders for Mobile Library received and being assessed. Development of the library services strategy is resuming following COVID-19 interruptions.	FALSE	24/06/2021
11/07/2019	CEO Performance Review	PRP11/19	Proposed 2019/20 CEO Performance Targets		That the report be received and noted. The CEO amend Appendix 1, Target 6 to: <i>'Develop a draft Community & Recreation Facilities Framework (including financial implications) for consideration by Council based on an approach that has consistency, equity and shared responsibility. To recommend to Council to adopt the proposed 2019-2020 CEO Performance Targets per Appendix 1.</i>	Andrew Aitken	Completed	29/07/2019	23/07/2019	This item was actioned on 23/7/19 through a report to Council.	FALSE	10/07/2021

23/07/2019	Ordinary Council	188/19	LED Street Lighting Upgrade	None declared	That the report be received and noted.To approve an increase of \$365k in Council's 2019/20 capital budget to commence the transition of 900 P – category public streetlights to LED with the funding source to be recommended to Council at its next budget review.That Council engage SAPN to commence the changeover of P-Category lights to LED public lighting on Council roads and that authority is given to the CEO to finalise a contract with SAPN and sign that agreement.That Council enter into a PLC tariff agreement for public lighting with SAPN until 30 June 2020 and subsequently move to the tariff set by the Australian Energy Regulator from July 2020.That Council continues to liaise with SAPN and DPTI on the changeover of Council public lighting on roads under the care and control of the State Government.That a further report be provided to Council on the outcome of the continued discussions with SAPN and DPTI.	Peter Bice	In Progress	9/06/2020	30/07/2020	Validation of current Council lights on state government roads being undertaken. DPTI request for all new lights to be V3 or V4 standard for DPTI roads. Council is also reviewing V category lighting on Council roads to determine the appropriate LED options and costs. Meeting with DPTI and SAPN undertaken to discuss main road requirements. Assessment of requirements being investigated. Phase One roll-out of P Category street lights on Council roads has been completed. SAPN Letter of Offer accepted. Hardware supplier agreed and notified. SAPN final contract offer being reviewed. Procurement process for hardware installation has commenced. Subject to availability of hardware, installation on site is proposed to commence prior to the end of the calendar year. Follow-up contact made with SAPN to progress contract and management of roll-out including any design work, communications and project management.	FALSE	22/07/2021
27/08/2019	Ordinary Council	223/19	Review of Primary Production Incentive Grant Funding	None declared	1. That the report be received and noted. 2. That the Primary Production Incentive Grant be discontinued and the balance of the funds be redirected to community education on rural land management issues and European Wasp control for the benefit of the primary production sector.	Marc Salver	In Progress	11/05/2020	30/06/2020	Topics for education of the community on rural land management issues have been identified by the RLMAAG. Staff are preparing a brief to seek assistance from media experts to assist with preparing relevant material and short videos in this regard to put on Council's media channels. No funds will be used for wasp eradication as the numbers of nests have been very low this year at 354 nests destroyed to date. Our average in past	FALSE	26/08/2021
17/09/2019	Special Council	239/19	Circular Procurement Pilot Project	None declared	Council resolves:That the report be received and noted.To approve participation in the Circular Procurement Pilot Project.That the Chief Executive Officer be authorised to execute the Memorandum of Understanding as contained in Appendix 1 of this report.That the Council endorse, in principle, the following targets:subject to the procurement needs and requirements of Council in 2020/21 purchasing recycled plastic products or materials equivalent to 10% of the weight of plastic collected within the Council area, which is equivalent to approximately 25 tonnes based on 2017/18 data.subject to the procurement needs and requirements of Council, commencing in 2021/22 Council will incrementally increase its purchasing of recycled plastic products or materials thereafter until it is equivalent to 50% of the weight of plastic collected within the Council area, which is equivalent to 124 tonnes based on 2017/18 data.That a report be provided to Council in early 2021/22 providing an update on the Council's participation in the Circular Procurement Pilot Project for the period	Peter Bice	In Progress	11/06/2020	31/08/2021	The Circular Procurement Project is now underway, and the Memorandum of Understanding has been executed. Amendments to Council's procurement processes has been completed to provide effect to Council's participation in the Circular Procurement trial. Staff training in the Circular Procurement Project has been undertaken. Recording of goods purchased with recycled content has commenced including bin surrounds, wheele bins, office paper, fence posts and road construction materials.	FALSE	16/09/2021
24/09/2019	Ordinary Council	252/19	Kenton Valley War Memorial Park	None declared	That the report be received and notedThat no further action be taken at this time to progress the revocation of community land classification for the land located at the intersection of Kenton Valley and Burfords Hill Roads known as the Kenton Valley War Memorial Park, being Allotment 64 in Filed Plan No. 155479 contained in Certificate of Title Volume 5718 Folio 775 ("Land")That Council staff provide assistance to the proposed community group to form plans for the use and maintenance of the Land within existing budget and resources, including assistance to identify grant opportunities that may be available to the groupA review be undertaken with the community working group in 12 months and an update report be provided to Council by 31 December 2020.	Terry Crackett	In Progress	12/05/2020	31/10/2020	No action required until August 2020. Working Group notified of Council's decision.	FALSE	23/09/2021
24/09/2019	Ordinary Council	253/19	Oakbank Soldiers Memorial Hall	None declared	That the report be received and notedThat the Council provides financial and administrative assistance to the Oakbank Soldiers Memorial Hall Inc ("Association") to make an application to the Supreme Court for a trust variation scheme to vary the charitable trust that exists over the Oakbank Soldiers Memorial Hall ("OSM Hall") located at 210 Onkaparinga Valley Road Oakbank contained in Certificate of Title Volume 5846 Folio 513.That the Council and the Association enter into a binding agreement regarding the level of financial and administrative support being provided, to a maximum of \$40,000, to undertake the trust variation scheme, and land division if deemed financially viable, with all agreed financial and administrative support to be reimbursed to Council upon sale of the OSM Hall.That the Council agree to enter into a trust variation scheme that would result in the trust being varied from the OSM Hall to the Council owned Balhannah Soldiers Memorial Hall ("BSM Hall") that would bind the BSM Hall to be held in perpetuity as a Memorial Hall in memory of the residents of the township and district of Oakbank who enlisted for and made the supreme sacrifice in the Great War 1914 - 1918 and preserve the same upon trust for the general benefit of the residents of the township of Oakbank and district, and including the Balhannah township and district, and accept monies from the Association to be held on trust for that purpose. 5. That the Mayor and CEO be authorised to sign all necessary documents, including affixing the common seal, to give effect to this resolution	Terry Crackett	In Progress	12/05/2020	31/12/2020	Initial discussions held with the Balhannah Soldiers Memorial Hall Committee about the proposal. Oakbank Soldiers Memorial Hall Committee has undertaken additional notification of the proposal with the Oakbank community. Council has received some contact from community members raising some concerns about the proposal. It has been requested that the committee hold a community meeting to enable community members to express their concerns. 13/2 - meeting has been held with the committee and their lawyers to progress. Community meeting being arranged with the assistance of Council's communications team 20/4 - community meeting was unable to progress due to Covid19 situation. An alternate means of consultation is being investigated.	FALSE	23/09/2021
22/10/2019	Ordinary Council	244/19	MON (Cr Parkin) Publishing Recordings of Council Meetings	None declared	I move that Council resolves to request the Chief Executive Officer to provide a report to a future Council meeting on the practices of Australian local government entities for publishing Council Meeting audio recordings on their websites with a view to assessing the risks and benefits of adopting this practice at Adelaide Hills Council.	Andrew Aitken	In Progress	10/06/2020	23/06/2020	Report was produced for the May 2020 meeting but was deferred to the June 2020 meeting.	FALSE	21/10/2021

22/10/2019	Ordinary Council	247/19	Local Heritage Grant Fund	None declared	That the report be received and noted.To approve the Local Heritage Grant Fund Guidelines Procedure as detailed in <i>Appendix 1</i> of this report subject to inclusion of the following sentence at the end of the definition of Conservation Works in Section 4.2 of the Procedure - "The Grant Funds may be used to cover some of the costs (up to \$1,000) for obtaining professional advice from a heritage architect or tradesperson for the proposed works to be undertaken as part of the grant application."That the Chief Executive Officer be authorised to make minor amendments, not affecting the intent of the Guidelines or the Fund, as required from time to time.That recommendations for successful grant recipients be reported to Council for consideration before any grants are awarded.That any remaining grant funds in a particular financial year be rolled over to the next financial year over the intended 3 year life of the Grant Fund.	Marc Salver	In Progress	11/05/2020	30/06/2020	Seven applications were received by the extended 21 February 2020 deadline. Seven applications have been received and assessed by staff with assistance from Council's Local Heritage Advisor. As a result, additional information was sought and provided by some of the applicants. The recommendations will now be reported to Council for consideration at its meeting to be held on 26 May 2020.	FALSE	21/10/2021
22/10/2019	Ordinary Council	249/19	Crown Land Review	None declared	That the report be received and notedThat Council commence a community land revocation process in relation to the following land: CR 5752/186, Lot 32 Fullgrave Road, CrafersCR 5753/725, Section 1609 Illert Road, Mylor CR 5753/729, Section 1657 Scott Creek Road, Scott CreekCR 5753/741, Sections 53 and 54 Sandy Waterhole Road, WoodsideCR 5753/742, Section 547 Schuberts Road, LobethalCR 5753/744, Section 553 Pedare Park Road, WoodsideCR 5753/745, Section 556 Tiers Road, WoodsideCR 5753/746, Section 565 Old Carey Gully Road, StirlingCR 5753/751, Section 489 Chapman Road, InglewoodCR 5753/754, Section 511 North East Road, Inglewood CR 5753/758, Section 262 Reserve Road, ForresterCR 5763/631, Section 1591 Silver Road, BridgewaterCR 5763/634, Section 71 Magarey Road, Mount TorrensCR 5763/635, Section 72 Magarey Road, Mount TorrensCR 5763/636, Section 84 Forrester Road, ForresterCR 6142/329, Lot 501 Greenhill Road, BahannahCR 5926/487, Lot 20 Bell Springs Road, CharlestonCR 5753/718, Section 1544 Reserve Terrace, AldgateCR 5753/753, Section 495 off Kersbrook Road, Kersbrook Community consultation be undertaken in accordance with the Council's Public Consultation Policy. A further report be presented to Council following completion of the community	Terry Crackett	In Progress	12/05/2020	30/09/2020	Consultation Report is being prepared prior to going for community consultation	FALSE	21/10/2021
22/10/2019	Ordinary Council	250/19	Road Reserve adj Piccadilly Road Piccadilly	None declared	That the report be received and noted.To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close the piece of land identified as "A" in the Preliminary Plan attached to this report.Subject to the closure of the road identified in the Preliminary Plan attached, that:The closed road be included as Community Land dedicated as Civic Purpose pursuant to the <i>Local Government Act 1999</i> ; and the piece marked "A" be retained by Council as reserve Authorise the Chief Executive to finalise and sign all necessary documentation to close and retain the above portion of closed road pursuant to this resolution	Terry Crackett	In Progress	15/06/2020	30/06/2020	Final documentation and plans are being progressed with the surveyor and Surveyor-General 12/5 - final plans have been lodged with the Lands Titles Office 15/6 - final plans have been lodged with the Lands Titles Office - awaiting confirmation of plan deposit and gazettal	FALSE	21/10/2021
26/11/2019	Ordinary Council	277/19	MON Water Usage from Bores	None declared	1. That the CEO investigates any circumstances where Council provides water to or receives water from a person/organisation. 2. Following the investigation, a report detailing, among other things, any contractual arrangements, costs, risks and liabilities, be provided to Council by 30 April 2020	Terry Crackett	In Progress	12/05/2020	30/09/2020	Investigations as to various arrangements is being undertaken	FALSE	25/11/2021
26/11/2019	Ordinary Council	278/19	Pomona Road Bike Trial	Perceived - Cr Leith Mudge	That the report be received and noted. Allow the Pomona BMX Track to remain in place for the Community, and suggested improvements be reviewed by staff and considered as part of future Annual Business Planning processes	Peter Bice	Completed	13/05/2020	29/05/2020	Council resolved at its meeting on 26 November 2019 to allow the Pomona BMX Track to remain in place for the Community, and suggested improvements have been reviewed by staff and smaller elements (such as a water meter which was installed by SA Water) will be captured within operating expenditure with any further investment to be brought to the Chamber for consideration. No improvements identified as part of the 2019/20 ABP process, however monitoring of the site and engaging with users may identify opportunities to be addressed in future ABP considerations.	FALSE	25/11/2021
17/12/2019	Ordinary Council	309/19	Mylor BMX Bike Track	Perceived - Cr Leith Mudge	1. That the report be received and noted. 2. That broad community consultation be undertaken in accordance with the consultation plan set out in this report 3. That, following completion of community consultation and further investigations by Council staff, a further report is presented to Council for consideration. 4. That consultation excludes any areas identified in the Community Land Management Plans as being for conservation purposes in the Mylor Parklands as a site considered for any potential BMX track in the Mylor region 5. To reaffirm its commitment to the Heritage Agreement application in its current form, which is in progress for the Mylor Parklands 6. To thank all community groups and volunteers who have contributed to the preservation and conservation of the Mylor Parklands over many years 7. That compliance action be taken to stop further illegal use in Mylor Parklands, signs be placed informing visitors appropriately of activities that are, and are not, allowed in accordance with Community Land Management Plans.	Peter Bice	In Progress	9/06/2020	31/07/2020	Consultation Plan 1. February Signage erected for Parklands 2. Better to wider community / incl. local stakeholders to alert them of the process + update EHQ site enable people to engage through this 1. Meet with groups individually to bring people into process and set the context + Get representatives from three groups 2. May-June (delayed) - Commence working group. The aim is to: understand what is important to each group, what could future look like and develop some design principles 3. May/June Wider consultation with community invited to see proposals 4. June/July Report to council on consultation outcomes Some delays to this plan given the Covid19 situation. Email sent on the 8/4/2020 to Mylor Parklands Bushcare Group to thank the volunteers who have contributed to the preservation and conservation of the Mylor Parklands over many years.	FALSE	16/12/2021

17/12/2019	Ordinary Council	311/19	MON Range Road South, Houghton, Pedestrian Movements	None declared	I move that the CEO liaises with the CEO of the City of Tea Tree Gully and users, and investigate how pedestrian movement can be improved on Range Road South, Houghton and provide a report to Council by 31 March 2020.	Peter Bice	Completed	6/05/2020	29/05/2020	Staff from AHC and TTG collaborated on an assessment and the subsequent report is planned for the Council Meeting Agenda in April 2020. as per discussion with Cr Hermann	FALSE	16/12/2021
17/12/2019	Ordinary Council	314/19	Road Exchange Montacute Road Montacute	None declared	1. That the report be received and noted 2. To execute under seal a Deed of Assignment of Rights to Occupation to bring land identified as proposed Allotment 11 in DP 72622 under the <i>Real Property Act 1886</i> 3. To, in conjunction with Giuseppe Meccariello, Filomena Sanche, Vincenzo Meccariello and Telstra Corporation Ltd, undertake the road widening process in accordance with the plan attached as Appendix 2, to vest allotments 12 and 14 as public road for nil consideration 4. The road to be closed as identified as "A" in Preliminary Plan 05/0056 be excluded as Community Land pursuant to the Local Government Act 1999 5. To authorise the Chief Executive Officer and Mayor to finalise and sign all documentation, including under seal if necessary, to give effect to this resolution.	Terry Crackett	In Progress	10/06/2020	30/09/2020	8/1/2020 - Preparing documents for Council execution 10/2/2020 - Documents executed by Mayor and CEO - returned to Clelands Lawyers for signing by Meccariello family and lodgement with LTO 9/3/2020 - awaiting completion of NUA land process 21/4/2020 - Surveyors Updating Plans. Awaiting completion of NUA land process. 11/5/2020 - awaiting completion of NUA land process 10/6/2020 - awaiting completion of NUA land process	FALSE	16/12/2021
28/01/2020	Ordinary Council	7/20	Citizen of the Year Location	None declared	That the Administration explores the feasibility of rotating the presentation of Citizen of the Year throughout the Council area, commencing January 2021. That the location be influenced by where the recipient of the Citizen of the Year is from. That Council recognises that this presentation is a celebration of citizens who make an enormous contribution to the Adelaide Hills community and recipients should be able to be recognised within the local community which has nominated them.	David Waters	In Progress	10/06/2020	31/05/2020	Staff anticipate bringing options to the Council for consideration at the July 2020 meeting.	FALSE	27/01/2022
28/01/2020	Ordinary Council	11/20	Revocation of Community Land - Bridgewater Retirement Village	None declared	That the report be received and noted Subject to the Supreme Court issuing an order granting approval for a trust variation scheme, a report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 220 in Filed Plan No. 8131 known as 511 Mount Barker Road Bridgewater. The Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.	Terry Crackett	In Progress	12/05/2020	30/09/2020	Application to the Minister for Planning will be made once the trust variation scheme has been approved by the Supreme Court	FALSE	27/01/2022
28/01/2020	Ordinary Council	12/20	Naming of Houghton Village Green	None declared	That the report be received and noted To name of the reserve bounded by Horn, Blackhill and Lower North East Road, Houghton as the "Houghton Square" To notify all relevant government authorities of the naming of the reserve To erect a sign on the reserve identifying the name of the reserve, consistent with the updated Council branded signage used at Woorabinda & Bushland Park 5. To install a plaque on the site acknowledging the significant contribution Mr & Mrs Day made to its redevelopment and beautification program and their subsequent donation of the land	Terry Crackett	Completed	12/05/2020	31/05/2020	Council staff met with Mr Day to discuss the proposed plaque. Mr Day declined the offer for a plaque acknowledging his development and gift of the reserve. Installation of the sign has been progressed.	FALSE	27/01/2022
28/01/2020	Ordinary Council	13/20	Road Closure adj 307 Scott Creek Road Longwood	None declared	1. That the report be received and noted 2. To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 19/0047 attached to this report with Allotment 61 in Filed Plan No. 159338 comprised in Certificate of Title Volume 5776 Folio 896. 3. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; and The piece marked "A" be sold to Mr Paul Reed, the owner of the property with which it is merging for the amount of \$69,500 plus GST (if applicable) and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.	Terry Crackett	Completed	15/06/2020	31/05/2020	Final survey plans and documents are being progressed. 21/4 - Final Plans have been executed, and are with the Surveyor for lodgement with the Surveyor-General's office. Payment of the road closure value has been invoiced, and currently awaiting payment. 12/5/20 - Plans were lodged with the LTO on Thursday 7/5 - currently awaiting payment of invoice. Paul Reed suffered a stroke in mid April, thus delay in getting matter finalised. Sister in Law has been managing this for him 15/6/2020 - Road closure gazetted 4/6/2020 - Road Closure now complete	FALSE	27/01/2022
28/01/2020	Ordinary Council	16/20	CEO PRP Independent Membership	None declared	That the report be received and noted That in relation to the CEO Performance Review Panel: To undertake a recruitment process for the selection of one Independent Ordinary Member for the CEO Performance Review Panel for a term of 24 months, indicatively commencing 1 March 2020. To appoint Cr Mark Osterstock & Cr Kirsty Parkin and the Executive Manager Organisational Development as members of the CEO Performance Review Panel Independent Member Selection Panel.	Terry Crackett	In Progress	9/06/2020	28/08/2020	This process has been deferred until later in the year by Council.	FALSE	27/01/2022
28/01/2020	Ordinary Council	19/20	Natural Disaster Provision	None declared	The CEO provide information to a 20/21 budget workshop that reviews the appropriateness of the current \$3m provision established to meet costs associated with natural disasters.	Terry Crackett	Completed	12/05/2020	27/03/2020	The impact of Cudlee Creek Bushfire has been presented in a Council Report in March, discussed as part of LTFP Adoption Council Report at its April Meeting and Annual Business Plan workshop on 12 May 2020. This has highlighted a net cost amount in the order of \$1m spread over the 2019-20 and 2020-21 financial years. As such, it is concluded that the current \$3m provision remains appropriate to cover events of this nature	FALSE	27/01/2022

25/02/2020	Ordinary Council	27/20	MON Bushfire Recovery - Lobethal	None declared	That the CEO provides a report on implementing the issues raised by Mr Lynton Vonow representing the Lobethal Community Association at the Council meeting held on 28 January 2020 viz provide a fresh avenue of trees along Woodside Road leading into Lobethal provide a subsidy program to assist businesses put a fresh coat of paint on their buildings, replace signage Mr Vonow also raised the matter of holding a possible "Healing of the Land" ceremony near the bottom lake. The advice of the Adelaide Hills Reconciliation Working Group should be sought during the investigation. Should the findings have financial implications, the report should inform the budget workshop on 27-28 March 2020.	David Waters	Completed	18/05/2020	28/04/2020	The specific proposals raised were discussed in the CCBF Recovery Report contained in the 24 March 2020 agenda. The Council workshop envisaged in the resolution did not proceed due to COVID-19 impacts. The ideas will instead be considered among other Bushfire Recovery priorities as part of the budget build.	FALSE	24/02/2022
25/02/2020	Ordinary Council	30/20	West Street Mylor	none declared	Council resolves: 1. That the report be received and noted 2. To approve an increase in the 2019/20 capital expenditure budget by \$162k and fund the upfront cost of designing and constructing West Street Mylor including associated stormwater works 3. That Council recoup the costs of up to \$54k by entering into Infrastructure Agreements with the affected landowners along West Street Mylor, to a maximum value of \$9k each. That Council will not commence these works until such time as the Infrastructure Agreements have been executed with the affected landowners along West Street	Peter Bice	In Progress	9/06/2020	30/06/2020	Project staff have appointed a contractor to undertake construction, and works are ready to start just as soon as planning staff complete the infrastructure agreements.	FALSE	24/02/2022
24/03/2020	Ordinary Council	53/20	MON Credit Card Usage	None declared	Council resolves that the Chief Executive prepare a report, for the Audit Committee's consideration and advice to Council, providing an assessment of the status and coverage of the Adelaide Hills Council's Procurement Framework against the recommendations arising from the South Australian Auditor-General's March 2020 reports regarding credit card use and management in three South Australian councils.	Terry Crackett	In Progress	9/06/2020	31/08/2020	Whilst a review has commenced, completion has been delayed as a result of the impact of COVID-19. It is anticipated that a report will be brought to the Audit Committee at its August 2020 meeting.	FALSE	24/03/2022
24/03/2020	Ordinary Council	55/20	Arts & Heritage Collection	None declared	Council resolves: That the report be received and noted That Council approve the development of the draft Arts and Heritage Collection Policy for consideration at a future Council meeting.	David Waters	In Progress	11/05/2020	3/05/2020	Development of the Arts and Heritage Collection Policy is in progress	FALSE	24/03/2022
24/03/2020	Ordinary Council	56/20	Cudlee Creek Bushfire Service & Project Continuity Impacts	None declared	1. That the report be received and noted. 2. That the actions contained in the Recovery Action Plan contained in Appendix 1 be endorsed, in principle, subject to funding being made available where applicable. That the Chief Executive Officer be authorised to amend and develop the Recovery Action Plan to respond to emerging needs and to spend up to \$2m net of committed income on initiatives supporting the recovery effort. 3. That the list of initiatives and service impacts contained in Appendix 2 be noted and endorsed. 4. That in relation to the \$1.225m Federal Government funding, for the purposes of a program submission to the National Bushfire Recovery Agency, the Chief Executive Officer be authorised to nominally allocate the funding to elements of the Council's Bushfire Recovery Action Plan where costs are unlikely to be able to be sought or recovered from other sources. 5. That the Council makes a submission to the Royal Commission into National Natural Disaster Arrangements in the terms contained in Appendix 3, with the Chief Executive Officer being authorised to make minor amendments prior to submission to reflect any decisions made in relation to this matter and undertakings made within the meeting, and subsequently make the submission on the Council's behalf. 6. That the Council makes a submission to the independent review into South Australia's 2019-20 bushfire season in the terms contained in Appendix 4, with the Chief Executive Officer being authorised to make minor amendments prior to submission to reflect any decisions made in relation to this matter and undertakings made within the meeting, and subsequently make the submission on the Council's behalf. 7. That the Chief Executive Officer continues to pursue additional funding support from both levels of government and other sources, to ensure the Council's ratepayers do not have to bear a significant portion of the Council's necessary bushfire recovery	David Waters	Completed	10/06/2020	30/06/2020	Submissions have been made to both the Royal Commission and the independent state equity. Staff are working with staff from State Treasury on finalising the form of submission required to the Commonwealth in respect to the \$1.225m funding. Staff continue to seek funding where applicable and available. It is recommended to mark this resolution as 'completed' as the pursuit of funding is a continuing activity.	FALSE	24/03/2022
24/03/2020	Ordinary Council	61/20	Mylor Community Survey Report	None declared	1. That the report be received. 2. That Council notes the results of the recent Mylor Community Survey, in particular, the local community's overwhelming support for the annual Mylor Community Bonfire Night, and in particular the Firework Display. 3. That, subject to there being no material or substantial changes to the event, the Council provides ongoing and in-principle support for the Mylor Community Bonfire Night [and Firework Display]. 4. Support by Council is subject to the annual receipt of an event application from the organisers and the subsequent approval, under delegated authority, by Council administrative staff.	David Waters	Completed	9/04/2020	3/04/2020	Carried unanimously	FALSE	24/03/2022

21/04/2020	Special Council	63/20	6.1Electronic participation in Council Meetings (Notice 1/2020) – proposed compliance arrangements	None declared	That the report be received and noted In accordance with the Minister for Transport, Infrastructure and Local Government's <i>Electronic Participation in Council Meetings Notice (No 1) 2020</i> (Notice No 1), pursuant to Section 302B of the <i>Local Government Act 1999</i> , Council amends the following documentation to facilitate participation by Council Members via electronic means:Effective immediately to suspend the 28 January 2020 <i>Code of Procedure for Council Meeting Procedures</i> and to adopt the revised April 2020 <i>Code of Procedure for Council Meeting Procedures</i> , as contained in Appendix 3.Effective immediately to suspend the 23 April 2019 <i>Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents</i> and to adopt the revised April 2020 <i>Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents</i> , as contained in Appendix 4.Effective immediately to suspend the 22 November 2016 <i>Informal Council and Council Committee Gatherings and Discussions</i> and to adopt the revised April 2020 <i>Informal Council and Council Committee Gatherings and Discussions</i> , as contained in Appendix 5.That, upon the expiry of the provisions of Notice No 1, the revised documents in 2. above cease and the suspended documents in 2. above be reinstated. That, as from 21 April 2020 and until the expiry of the provisions of Notice No 1, meetings of the Council will take place by electronic means using the audio and visual functionality of the Zoom virtual meeting room as the electronic location.	Andrew Aitken	Completed	10/06/2020	27/04/2020	Updated policies are on the website, emails advising changes provided to all relevant parties.	FALSE	21/04/2022
21/04/2020	Special Council	64/20	6.2Public Access and Public Consultation (Notice 2/2020) – proposed compliance arrangements	None declared	Decision 1 Council resolves the report be received and noted. Decision 2 1. Pursuant to Section 45(2) of the <i>Local Government Act 1999</i> , as substituted under the <i>Public Access and Public Consultation Notice (No 2) 2020</i> , being satisfied that it is reasonably necessary as a result of the public health emergency declared by the Chief Executive of the Department for Health and Wellbeing on 15 March 2020 (and the related major emergency declared under the <i>Emergency Management Act 2004</i> on 22 March 2020 and extended on 2 April 2020), the Council, for the period the <i>Public Access and Public Consultation Notice (No 2) 2020</i> has effect to close the Principal Office and all other Satellite Offices of the Council to public access effective from 21 April 2020. 2. The Council makes the following alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the principal office of the Council: a. Council's website –www.ahc.sa.gov.au b. Payments may continue to be made electronically. c. Library services website - https://onecard.network/client/en_AU/adelaidehills/ Any other matters please email Council viamail@ahc.sa.gov.au , call Customer Service on 08 8408 0400, or contact us - https://www.ahc.sa.gov.au/contact-us 3. In relation to any obligation under the <i>Local Government Act 1999</i> to make a document available for inspection at the principal office of the Council, the document will be made available for inspection: Via Councils' website –www.ahc.sa.gov.au OR Email request addressed to the Chief Executive Officer viamail@ahc.sa.gov.au .	Andrew Aitken	Completed	28/04/2020	24/04/2020	Policies being updated for website, training to be provided.	FALSE	21/04/2022
28/04/2020	Ordinary Council	67/20	East Waste 2020-21 Annual Business Plan & Budget	None declared	Council resolves:That the report be received and notedTo provide consent to the Eastern Waste Management Authority Draft Annual Plan 2020-21.	Peter Bice	Completed	11/05/2020	29/04/2020	Letter sent to East Waste	FALSE	28/04/2022
28/04/2020	Ordinary Council	68/20	AHRWMA 2020-21 Annual Business Plan & Budget	None declared	Council resolves:That the report be received and notedTo approve the Adelaide Hills Region Waste Management Authority Draft Annual Business Plan and Budget 2020-21.	Peter Bice	Completed	11/05/2020	29/04/2020	Letter sent to AHRWMA	FALSE	28/04/2022
28/04/2020	Ordinary Council	69/20	2020 - 2024 Strategic Plan Adoption	None declared	Council resolves:That the report be received and noted2.To adopt the <i>2020-24 Strategic Plan</i> , as contained in Appendix 1, in accordance with <i>Section 122 of the Local Government Act 1999</i> . That the CEO, or delegate, be authorised to:Make any necessary formatting, nomenclature or other minor changes to the Plan prior to being published andDetermine the publishing timings, format, and media processes while ensuring consistency and compliance with the provisions of applicable legislation.	Andrew Aitken	Completed	10/06/2020	30/05/2020	Strategic Plan has been published on website and a limited number of hard copies are being produced.	FALSE	28/04/2022
28/04/2020	Ordinary Council	70/20	2020 - 2021 Long Term Financial Plan Adoption	None declared	Council resolves: 1. That the report be received and noted. 2. To adopt the 2020-21 Long Term Financial Plan, as contained in Appendix 1 to this report, in accordance with <i>Section 122 of the Local Government Act 1999</i> . 3. To note that additional documentation will be provided as part of the 2020-21 Annual Business Plan and Budget to illustrate the impact of the 2020-21 budget settings on the long term financial performance of the Council, and hence whether financial sustainability is being achieved. That the CEO or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Long Term Financial Plan prior to being published	Terry Crackett	Completed	12/05/2020	15/05/2020	Adopted LTFF now on the Council Internet.	FALSE	28/04/2022

28/04/2020	Ordinary Council	71/20	Rural Land Acquisition from DPTI - Houghton & Aldgate	None declared	That the report be received and notedTo accept a transfer of land from the Commissioner of Highways for Allotment 13 in Deposited Plan No. 26030 contained in Certificate of Title Volume 5741 Folio 518 being Lot 13 Horn Street, Houghton from the Commissioner of Highways for nil consideration.To accept a transfer of land from the Commissioner of Highways for Allotment 51 in Deposited Plan No. 82071 contained in Certificate of Title Volume 6058 Folio 751 being Lot 51 Strathalbyn Road, Aldgate from the Commissioner of Highways for nil consideration.To exclude the land described in 2 & 3 above as community land pursuant to section 193(4) of the <i>Local Government Act 1999</i> . To delegate to the Chief Executive Officer to execute the necessary documentation to give effect to this resolution.	Terry Crackett	In Progress	15/06/2020	30/09/2020	15/6/2020 - Awaiting documentation from Crown Solicitor to execute land transfer of parcels	FALSE	28/04/2022
28/04/2020	Ordinary Council	72/20	Range Road South Houghton Pedestrian Movements	None declared	That the report be received and noted.That Council write to the City of Tea Tree Gully indicating that Council will not be providing additional pedestrian infrastructure on Range Road South.	Peter Bice	Completed	6/05/2020	15/05/2020	Letter sent to CEO of TTG 06/05/2020	FALSE	28/04/2022
28/04/2020	Ordinary Council	73/20	CEO Performance Review Process & Panel Schedule	None declared	That the report be received and notedThat the 2020 CEO Performance Review and TEC package review be undertaken using an external consultant.That the 2020 CEO Performance Review Panel Meeting and Process Schedule (as amended), as contained in Appendix 1, be adopted.	Terry Crackett	In Progress	9/06/2020	25/09/2020	The Panel has advised on a preferred consultant to undertake the performance and remuneration reviews. Executive Manager OD will commence process with consultant.	FALSE	28/04/2022
28/04/2020	Ordinary Council	74/20	CEO Performance Target Updates	None declared	That the report be received and notedThat the Community Perception Survey performance target be deferred until the impact of the COVID-19 restrictions have sufficiently abated.That the Boundary Reform performance target be modified for the final stage of consultation to be deferred until the social distancing restrictions associated with COVID-19 are sufficiently reduced/removed, and once the consultation is complete, the final report will be brought to Council for consideration.That the Community and Recreation Facilities Framework performance target be modified to reflect the overall complexity of this target; and for delivery of a community consultation implementation plan to be presented by 30 June 2020 instead.	Terry Crackett	Completed	18/05/2020	15/05/2020	People Leaders and employees have been advised of Council's decision on the change in the CEO performance target relevant to them, and are required to take appropriate action.	FALSE	28/04/2022
28/04/2020	Ordinary Council	75/20	CEO PRP Independent Member Deferral	None declared	That the report be received and notedTo defer the recruitment of an Independent Ordinary Member until the social distancing restrictions associated with COVID-19 are sufficiently reduced/removed.	Andrew Aitken	In Progress	9/06/2020	28/08/2020	Applicants will be recontacted when the process is recommencing.	FALSE	28/04/2022
28/04/2020	Ordinary Council	76/20	Draft Fraud Corruption Misconduct & Maladministration Policy	None declared	That the report be received and noted.With an effective date of 12 May 2020, to revoke the 13 June 2017 <i>Fraud & Corruption Prevention Policy</i> and to adopt the 28 April 2020 <i>Draft Fraud, Corruption, Misconduct and Maladministration Policy</i> as per Appendix 1 with the deletion of point 4.1.That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 28 April 2020 <i>Draft Fraud, Corruption, Misconduct and Maladministration Policy</i> as per Appendix 1 prior to the effective date.	Andrew Aitken	Completed	4/05/2020	15/05/2020	Policy updated to reflect Council's resolution and loaded to the website.	FALSE	28/04/2022
28/04/2020	Ordinary Council	77/20	Confidential Items Review	None declared	DECISION 1 Council resolves that the report be received and noted. DECISION 2 1. Pursuant to Section 91(7) of the <i>Local Government Act 1999</i> , Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:The Report of 07 May 2019, Item No. 19.1, Unsolicited Approach to Purchase Community Land On the grounds that the document(s) (or part) relates to 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. 2. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Andrew Aitken	Completed	4/05/2020	15/05/2020	Confidential Items Register updated.	FALSE	28/04/2022
28/04/2020	Ordinary Council	78/20	Confidential Items Review 2	None declared	DECISION 3 1. Pursuant to Section 91(7) of the <i>Local Government Act 1999</i> , Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:The Report of 22 August 2017, Item No. 19.1, Adelaide Hills Region Waste Management Authority Tender Landfill Compactor On the grounds that the document(s) (or part) relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and would, on balance, be contrary to the public interest. 2. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Andrew Aitken	Completed	4/05/2020	15/05/2020	Confidential Items Register updated.	FALSE	28/04/2022

28/04/2020	Ordinary Council	79/20	Confidential Items Review 3	None declared	<p>DECISION 4</p> <p>1. Pursuant to Section 91(7) of the <i>Local Government Act 1999</i> , Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act: The Report of 01 August 2018, Item No. 7.1, Retirement Village Review</p> <p>On the grounds that the document(s) (or part) relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and would, on balance, be contrary to the public interest.</p> <p>2. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.</p>	Andrew Aitken	Completed	4/05/2020	15/05/2020	Confidential Items Register updated.	FALSE	28/04/2022
12/05/2020	Special Council	84/20	Bushfire Royal Commission Notices	None	<p>That the Council responds to Notice in the terms contained in <i>Appendix 2</i> .</p> <p>That the Council provides documents in response to Notice NTP-HB2-255 as indicated in <i>Appendix 2</i> .</p> <p>That the Chief Executive Officer, or his delegate, be authorised to act for and on behalf of the Council in finalising the submission subsequent to this meeting, making the submission and providing any follow-up or supplementary information requested in relation to the aforementioned Notices.</p>	David Waters	Completed	19/05/2020	22/05/2020	The resolution has been fulfilled through the finalisation and submission of the Council's responses.	FALSE	12/05/2022
26/05/2020	Ordinary Council	87/20	2019-20 Budget - Budget Review 3	None declared	<p>1. That the report be received and noted.</p> <p>2. To adopt the proposed budget adjustments presented in Budget Review 3 which result in: a reduction in the Operating Surplus from \$411k to an Operating Deficit of \$13k for the 2019-20 financial year. changes to capital resulting in a proposed capital expenditure budget of \$16.526m for the 2019-20 financial year from a reduction in Capital Expenditure of \$448k the proposed carry forward of capital project income of \$1.774m and expenditure of \$1.454m to the 2020-21 financial year an increase in Council's current Net Borrowing Result from \$4.100m to \$4.395m for the 2019-20 financial year as a result of the proposed operating and capital adjustments.</p>	Terry Crackett	Completed	9/06/2020	15/06/2020	Budgets amended as adopted by Council.	FALSE	26/05/2022
26/05/2020	Ordinary Council	89/20	2020-21 Annual Business Plan & Budget Consultation	None declared	<p>That the report be received and noted.</p> <p>To endorse the draft Annual Business Plan 2020-21 (ABP), as contained in Appendix 1, for community consultation in accordance with Section 123 of the <i>Local Government Act 1999</i>, after adjusting the budget financial information to reflect Capital Expenditure on New and Upgraded Assets of \$4.953m.</p> <p>That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's <i>Public Consultation Policy</i> .</p>	Andrew Aitken	Completed	10/06/2020	28/05/2020	Consultation commenced on 28 May and will conclude on 18 June.	FALSE	26/05/2022
26/05/2020	Ordinary Council	90/20	Local Heritage Grant Fund Project Approvals and Guideline Amendments	Cr Leith Mudge - Perceived	<p>1. That the report be received and noted</p> <p>2. To approve the six projects shortlisted to receive grant funding to contribute to the works as detailed in Appendix 1 of this report and listed below: Kinclaven Coach House Former Thorpe Coachhouse Former Aldgate Valley Church of Christ Stonehedge Avenue House Gwynne House Ironbank Uniting Church</p> <p>3. To approve the proposed changes to the Local Heritage Grant Fund Guidelines as detailed in Appendix 2 of this report.</p>	Marc Salver	Not Started	4/06/2020	15/06/2020		FALSE	26/05/2022

26/05/2020	Ordinary Council	93/20	Support for Road Closures - 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint	Cr Chris Grant - Perceived	<p>That the report be received and noted.</p> <p>That, in relation to the 2020 Shannons Adelaide Rally and 2020 Gorge Rallysprint, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer: Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event Providing confirmation that the affected business owners are aware of the road closures Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and regress for those properties can be managed within the event where possible Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.</p> <p>That subject to the requirements of item 2, being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 13 September and between Wednesday 25 and Saturday 28 November as follows:</p> <p>Refer to Minutes</p> <p>4. That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.</p> <p>5. That organisers of the 2020 Shannons Adelaide Rally be required to attend a Council workshop by February 2021 to provide feedback on the 2020 event and allow elected members the opportunity to ask questions in relation to the event.</p>	David Waters	In Progress	4/06/2020	15/06/2020	The event organiser is aware of the Council's resolution and is willing to attend the workshop in February 2021.	FALSE	26/05/2022
26/05/2020	Ordinary Council	96/20	Council Assessment Panel Membership	Cr Leith Mudge - Material Cr John Kemp - Material	5. To appoint Cr John Kemp as Member and Cr Leith Mudge as Deputy Member of the Council Assessment Panel for a 24 month term to commence 1 June 2020 and conclude on 31 May 2022 (inclusive).	Andrew Aitken	Completed	10/06/2020	3/06/2020	Letters sent to appointees	FALSE	26/05/2022
26/05/2020	Ordinary Council	98/20	Membership Extension of Commonwealth Home Support Service Funding	None declared	<p>Council resolves:</p> <ol style="list-style-type: none"> 1. That the report be received and noted 2. That the Council agrees to enter into the Deed of Variation in relation to the Commonwealth Home Support Program which extends the Commonwealth Government funding as follows: for the provision of home and social support elements of the program, from 1 July 2020 until 30 June 2022 for the provision of our Sector Support and Development program, from 1 July 2020 until 30 June 2021 3. That the Council authorise the Mayor and Chief Executive Officer to affix the seal of Council and execute the Deed of Variation in relation to Home Support 	David Waters	Completed	10/06/2020	15/06/2020	The agreement will have been executed by the date of the June Council Meeting.	FALSE	26/05/2022

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 13.1

Responsible Officer: Lachlan Miller
Executive Manager Governance & Performance
Office of the Chief Executive

Subject: Ombudsman’s Correspondence – Complaint regarding Internal Review of Council Decision and Unreasonable Complainant Conduct Policy

For: Information

SUMMARY

In early April 2020, the Administration was contacted by a representative of the Ombudsman’s Office seeking information in relation to a complaint that had been received regarding two matters: the processing of an application for the Internal Review of a Council Decision (IRCD) and a matter related to the adoption by Council of the Unreasonable Complainant Conduct Policy (UCC Policy). The requested information was provided.

On 24 April 2020 the Ombudsman issued a provisional letter to the complainant (**Appendix 1**), which became the final letter upon expiration of the consultation period setting out his findings in relation to the matters. The Ombudsman concluded:

...on the information available, it does not appear to me that the council acted in a way that may possibly be unlawful, unreasonable, or wrong within the meaning of the Ombudsman Act. Accordingly I do not consider that further enquiries in your complaint by my Office are necessary or justifiable.

Further the Ombudsman determined that there is a public interest in the disclosure of his decisions in relation to this matter and, upon the closing of the file, authorised disclosure of the correspondence by the parties as they see fit.

This report was initially included in the 26 May 2020 Council agenda and was deferred to the June 2020 meeting due to a large number of agenda items.

The purpose of this report is to supply a copy of the Ombudsman’s correspondence to provide assurance to Council and the community, in light of the comments made by the complainant, made in the Chamber, in correspondence to Elected Members and recently in a ‘Letter to the Editor’ in a local publication, as to the integrity and appropriateness of Council’s IRCD and UCC policies and practices.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

- Goal 5 A Progressive Organisation
- Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community
- Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations
- Priority O5.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.

The Ombudsman’s correspondence makes reference directly and indirectly to the *Internal Review of Council Decisions Policy* and the *Unreasonable Complainant Conduct Policy*. Both policies were adopted by Council on 26 November 2019 as part of a suite of policies under s270 of the Local Government Act 1999.

➤ **Legal Implications**

The role of the Ombudsman is set out in section 13 of the *Ombudsman Act 1972* (the Act) and includes the investigation of any administrative act by an agency. For the purposes of that Act, Council is an agency.

Section 17 (2) of the Act provides:

The Ombudsman may refuse to entertain a complaint, or, having commenced to investigate a matter raised in a complaint, may refuse to continue the investigation if of the opinion—

- (a) that the matter raised in the complaint is trivial; or
- (b) that the complaint is frivolous or vexatious or is not made in good faith; or
- (c) that the complainant or the person on whose behalf the complaint was made has not a sufficient personal interest in the matter raised in the complaint; or
- (d) that having regard to all the circumstances of the case, the investigation or the continuance of the investigation of the matter raised in the complaint, is unnecessary or unjustifiable.

➤ **Risk Management Implications**

Managing the policy development, adoption and operation processes effectively assists in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

Providing assistance to the Ombudsman’s Office in relation to their enquiries required use of staff resources. However, the wider matter of the resources consumed in responding to the complaints and queries from that particular complainant are significant and have the potential to be considered to be an unreasonable demand on public resources.

➤ **Customer Service and Community/Cultural Implications**

There is a high expectation that complaints and requests for the review of decisions are managed in an appropriate manner. These can often be the source of valuable improvement opportunities in the way in which Council delivers services to the community.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Governance & Risk Coordinator
Coordinator Service Strategy and Innovation

External Agencies: Ombudsman SA

Community: Not Applicable

2. **BACKGROUND**

Issue 1 – Internal Review of Council Decision

The Administration has been managing an application for the Internal Review of a Council Decision, under the Policy of the same name, lodged in February 2019 regarding Council’s decision to approve the 2018 Adelaide Classic Rally. The extended duration of the Review has been largely due to the applicant seeking additional information to substantiate/augment the application, initially by request to Council, then by Freedom of Information (FOI) application and, more recently, by an external review of Council’s FOI determination.

In the interim, the Administration has written to the applicant seeking guidance as to whether that applicant desired to continue with the application given the extended duration of no direct activity in relation to the application. The applicant appeared to take

umbrage at being asked this question and a volume of correspondence has been exchanged since that time in relation to the matter.

This matter is referred to as Issue 1 in the Ombudsman’s correspondence and additional contextual information is provided.

Issue 2 – Adoption of the Unreasonable Complainant Conduct Policy

Council considered a report at its 26 November 2019 meeting regarding a review of the polices under s270 of the *Local Government Act 1999* in relation to requests for service, complaint management and the internal review of council decisions.

While not legislated under s270, it is considered to be good contemporary administrative practice for the adoption and implementation of policies and procedures to manage unreasonable complainant conduct (UCC).

In consideration of the report, Council adopted (281/19) all four policies. Soon after the adoption of the UCC Policy the complainant enquired as to the reasoning for the adoption of the Policy.

This matter is referred to as Issue 2 in the Ombudsman’s correspondence and additional contextual information is provided.

3. ANALYSIS

The matters in the Ombudsman’s correspondence were well known to the Administration as the same complainant has raised similar complaints/queries in relation to both matters in correspondence and, in relation to the former, in the Council Chamber. Notwithstanding that responses are provided to the queries raised, the line of complaint continues with numerous pieces of correspondence.

Elements of this complaint regarding the UCC Policy have also recently been published in a ‘Letter to the Editor’ in a local publication. While the date of letter submission is not known, interestingly the publication of the letter was well after the date that the Ombudsman issued his provisional letter to the complainant dismissing the complaint.

The complainant’s identity has been redacted from the correspondence in **Appendix 1** notwithstanding that person’s public disclosure of elements of the complaint (as highlighted above) and the Ombudsman’s permission to use the letter as Council sees fit.

The Ombudsman’s correspondence sets out the two matters of complaint and dismisses each of these. In doing so the Ombudsman concludes:

..on the information available, it does not appear to me that the council acted in a way that may possibly be unlawful, unreasonable, or wrong within the meaning of the Ombudsman Act. Accordingly I do not consider that further enquiries in your complaint by my Office are necessary or justifiable.

The Ombudsman has advised that he has closed his file on the complaint.

4. OPTIONS

Council has the following options:

- I. As this is an information report it is recommended that Council receive and note the item (Recommended)
- II. Take an alternative course of action (Not Recommended).

5. APPENDIX

- (1) ‘Your Complaint about the Adelaide Hills Council’ – SA Ombudsman - 24 April 2020

Appendix 1

*'Your Complaint about the Adelaide Hills Council' –
SA Ombudsman - 24 April 2020*

Enquiries: Ms Ella Rolls
Telephone: 8226 8699
Ombudsman reference: 2020/01587

By email: bigpond.com

Dear Mr

Your complaint about the Adelaide Hills Council (the council)

I refer to your complaint under the *Ombudsman Act 1972* made to my Office on 1 April 2020. Your complaint raises two issues. The first issue relates to a letter you received on 3 December 2019 about an internal review with the council. The second issue relates to your efforts to obtain documents from the council regarding the council's Unreasonable Complainant Conduct policy (**the UCC policy**).

Whenever this Office receives a complaint, the matter is assessed as to whether the complaint comes within my jurisdiction, and if so, whether I should exercise my discretion to commence an investigation. I have assessed your complaint and, although it is within my jurisdiction, I have determined that an investigation is not necessary or justified in the circumstances. I explain how I arrived at this decision below.

My enquiries

In my enquiries, my Office:

- assessed the information provided by you
- obtained information from the council
- considered the council's *Internal Review of Council Decisions Policy* (**IR policy**)
- considered the council's UCC policy
- prepared this letter to you.

My assessment of your complaint

Issue 1

By way of background, I note the following:

- on 3 February 2019 you submitted a request for an internal review of a council decision which was made by the elected body on 28 August 2018
- you also sought information from the council under the *Freedom of Information Act 1991* (**the FOI Act**). As you did not receive all of the information you requested, you applied to my Office for an External Review under the FOI Act
- you wish to use information obtained under the FOI Act to support your request for an internal review
- from 3 February 2019 until the present date, your internal review has been on hold, pending you providing further submissions to the council.

On 3 December 2019 Mr Lachlan Miller, Executive Manager Governance and Performance, wrote to you regarding your internal review. Mr Miller stated:

I refer to your correspondence dated 3 February 2019 applying for an Internal Review of a Council Decision...In the above correspondence you advised that you were seeking information under the...FOI Act and that upon receipt of that information you would be submitting '*a more detailed and forceful request*'.

In my response of 15 February 2019 I advised that Council would permit the progressive submission of information to the Internal Review investigation process resulting from timing associated with any FOI Determinations (and any contingent appeals).

Since my above response, nine months has elapsed and Council has not received any further information to substantiate your application for the Internal Review.

Given the extended duration of this delay and that it is now over 14 months since the decision seeking to be reviewed was made, I intend to end Council's consideration of the application for an Internal Review.

If you believe that there are valid grounds for the Internal Review to continue please provide a response, setting out these grounds, by 31 December 2019.

Following receipt of the letter of 3 December 2019, you communicated further with the council. The essence of your responses was that you were offended that Mr Miller would propose to discontinue the internal review, and you wished for the internal review to remain on hold, pending the completion of the External Review which was then underway.

On 20 December 2019 the council wrote to you advising that your internal review would be held open. In the course of my assessment, enquiries were made with the council. The council confirmed your internal review still remains open. The council awaits further particulars from you to support your request for an internal review.

You have made the following complaint in relation to the letter of 3 December 2019:

- Mr Miller did not have the authority to act in this way. According to the council's Internal Review Policy, only a meeting of the Council can arrive at a decision to close the file, or you can withdraw your complaint
- any delay in the matter of the internal review proceeding was caused entirely by the council and not by you
- to demand from you reasons why the file should not be closed was 'entirely out of order'
- Mr Miller happens to be the Internal Review Contact Officer appointed to support you with your application and keep you informed of its progress. His letter of 3 December 2019 places him in a compromised or conflicted position.

I do not consider that the council's IR policy specifically deals with this issue. It is specified that a complaint must be made within six months of the decision being complained of. You submitted your complaint just within the six month time limit, but indicated in your request for an internal review that you would be putting in further submissions to support your request, pending the completion of the FOI process.

The council's IR policy does not outline all possible outcomes. For example, you make reference to having the ability to withdraw your complaint if you choose. The IR policy makes no reference to complainants having the right to withdraw a complaint. Nevertheless, from an administrative perspective, this is something that occurs from time to time.

It does not appear that the letter of 3 December 2019 was contrary to the IR policy.

Given the internal review is still ongoing, I do not consider that further enquiries into this issue are necessary or justifiable.

Issue 2

You complain that the council has failed to provide you statistical data about historical unreasonable complaints. You feel that the council should provide you with this data in order to justify its decision to adopt an Unreasonable Complainant Conduct Policy.

By way of background, I note the following:

- on 26 November 2019, the council adopted the UCC policy
- on 18 December 2019 you made an informal request for information from the council regarding the complaints it had received from 2012 to present, specifically seeking details of complaints that were categorised as being 'unreasonable complainant conduct'
- on 9 January 2020 the council advised you that this information could not be provided
- on 15 January 2020 you submitted a request for access to information under the FOI Act
- the council provided its determination on 10 February 2020. The determination states that council is unable to supply the information you requested (apart from the total number of complaints per year) because council has not categorised historical correspondence according to the definitions of the UCC policy or the categories requested, and that council's current Records Management System does not have the capability to produce reports to match your specific request criteria
- on 19 February 2020 you had a meeting with the council CEO and council Coordinator Service Strategy and Innovation, during which you raised your concerns with the UCC policy
- on 28 February 2020 and 1 March 2020 you wrote to the council with further concerns about the UCC policy
- on 6 March 2020 the council wrote to you advising:

As outlined above, Council has considered and determined your request for complaint handling statistics and assessed and finalised your complaint about the UCC policy. Your recent correspondence regarding the UCC Policy...raise substantially similar issues that have already been addressed in my responses to you on 14 January 2020 and 11 February 2020. They relate directly to the underlying disagreement you have with Council about the adoption of the UCC Policy on 26 November 2019.

I therefore do not believe anything that can be achieved by further communicating with you regarding your views on the UCC Policy. You may be unhappy with this position, but Council does not intend to respond to further correspondence on this matter.

I note that prior to 26 November 2019, the council did not have a policy which dealt with unreasonable complainant conduct. It follows, therefore, that between 2012 and 26 November 2019, the council did not apply its UCC policy to its complaints, and complaints were not categorised as either 'reasonable' or 'unreasonable'.

It appears you are seeking to have the council retrospectively apply its UCC policy to each of its 1628 historical complaints; make a determination about whether, if the UCC policy had existed at that time, the complaint would have been considered to be unreasonable under the UCC policy; collate that data; and provide it to you.

The council has indicated it is not willing to do this as it is not an acceptable use of the council's resources. I do not think the council is acting unreasonably by declining to reassess over 1600 historical complaints.

I note that your basis for seeking this information is that you feel the council should provide you with 'evidence' to justify why it needed to adopt the UCC policy.

I comment that Ombudsman SA encourages all government agencies and local councils to adopt an Unreasonable Complainant Conduct policy. This is a matter of good practice and equitable complaint handling. Regardless of whether or not an agency has previously received 'unreasonable' complaints, all agencies should have this policy in place.

Outcome of my enquiries

In light of my assessment above and on the basis of the evidence available, it does not appear to me that the council has possibly acted in a way that is unlawful, unreasonable or wrong within the meaning of the Ombudsman Act. Accordingly, I do not consider that further enquiries into your complaint by my Office are necessary or justifiable at this time.

I understand that this may not be the outcome you wanted, but on the evidence currently available to me, I do not think further enquiries would achieve a different result.

I intend to end my consideration of your complaint at this time, unless you are able to identify an error in my assessment of the matter. If you think you are able to identify such an error, I ask you to contact my Office by **1 May 2020** with your reasoning. If you do not contact my Office within that time, I will close the file.

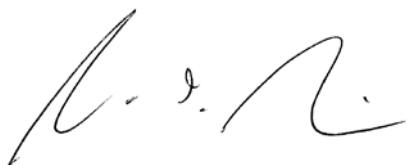
The Ombudsman Act imposes certain obligations¹ on my Office and others, including complainants and officers in an agency, to keep information about my assessment confidential.

However, if I consider that disclosure of that information is in the public interest, then I may authorise or require its disclosure.

In my opinion, there is a public interest in disclosure of my decisions under the Ombudsman Act. Therefore, once I have closed the file, I authorise disclosure of this letter by the parties as they see fit.

I have sent a copy of this letter to the council.

Yours sincerely



Wayne Lines
OMBUDSMAN SA

24 April 2020

Cc Mr Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
By email: mail@ahc.sa.gov.au

¹ Ombudsman Act 1972 section 26.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 13.2

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Quarterly Council Performance Report – Q3

For: Information

SUMMARY

As a local government entity, Council has a number of legislative obligations regarding the preparation and distribution of corporate planning and reporting information to the elected body and the community. In addition, to these mandated requirements, Council has over time created a number of additional elements to improve the integration, transparency and accountability of its activities.

In June 2018 Council adopted the *Corporate Planning & Performance Framework*, of which a key element was the establishment of a suite of Corporate Business Performance Indicators aligned with Adelaide Hills Council's Strategic Plan goals thereby enabling the tracking of performance over time.

A suite of corporate performance indicators were developed in consultation with Council Members, the Strategic Leadership Team and relevant officers. Targets for each indicator were set as part of the 2019-20 Annual Business Planning process.

This report was initially included in the 26 May 2020 Council agenda and was deferred to the June 2020 meeting due to a large number of agenda items.

This is the third quarterly report to be produced using the corporate performance indicators. The purpose of the report is to provide information on Council's performance against the (now superseded) Strategic Plan goals.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

The Q3 Performance Report is part of the performance reporting suite contained in the *Corporate Planning & Performance Framework*.

➤ Legal Implications

Chapter 8 - Administrative and financial accountability of the *Local Government Act 1999* sets out the key legislative obligations regarding corporate planning and reporting obligations, as follows:

- S122 – Strategic management plans – development, content requirements, consultation, review and availability of strategic plan, asset management plan and long-term financial plan;
- S123 – Annual business plans and budgets - development, content requirements, consultation, review and availability of annual business plan and budget
- S127 – Financial statements – preparation, content, auditing and availability of the financial statements;
- S131 – Annual reports – preparation, content, distribution and availability of the annual report

Additional requirements are contained in the *Local Government (General) Regulations 2013* and the *Local Government (Financial Management) Regulations*.

➤ Risk Management Implications

Quarterly Council Performance Reporting will assist in mitigating the risk of:

Ineffective performance management and reporting processes leading to poor performance and/or loss of stakeholder confidence

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	Low (2D)	Low (2D)

Note that there are many other controls that assist in mitigating this risk. The quarterly performance reports are part of the current control suite and therefore there is no additional mitigating impact of this report.

➤ **Financial and Resource Implications**

The Corporate Planning & Performance Coordinator role, which coordinates the performance reporting function, is funded in the Governance & Performance Department budget

Quarterly Council Performance Reporting assists in showing the financial and resource performance to plan as per the targets, initiatives and activities outlined in the *2019-20 Annual Business Plan*.

➤ **Customer Service and Community/Cultural Implications**

Providing integrated, consultative corporate planning and effective and transparent performance reporting to the Council and community has the potential to increase the level of trust and confidence in Council.

➤ **Sustainability Implications**

Quarterly Council Performance Reporting assists in demonstrating the outcomes related to Council's economic, social and environmental initiatives.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: The Audit committee received and noted the Quarterly Council Performance Report – Quarter 3 at its 25 May 2020 meeting

Council Workshops: Not applicable

Advisory Groups: Not applicable

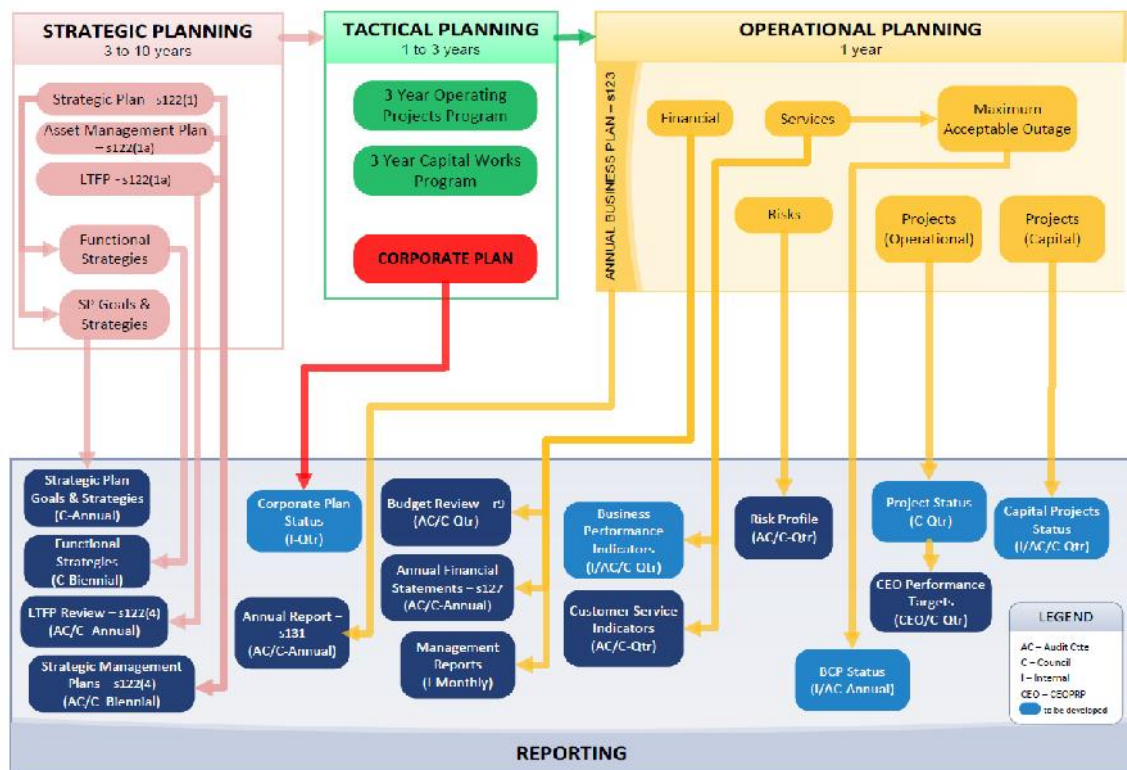
Administration: Consultation on the quarterly performance report has occurred with both Executive Leadership Team and the Senior Leadership Team.

External Agencies: Not applicable

Community: Not applicable

2. **BACKGROUND**

At its 19 June 2018 meeting, Council adopted (Res 128/18) the *Corporate Planning & Performance Framework*, of which a key element was the establishment of a suite of Corporate Business Performance Indicators which are aligned with Adelaide Hills Council's Strategic Plan goals and will enable the tracking of performance over time.



A suite of corporate performance indicators were developed in consultation with Council Members, the Strategic Leadership Team and relevant officers. Targets for each indicator were set as part of the 2019-20 Annual Business Planning process.

An internal pilot report based on Q4 2018-19 data identified that some targets were not able to be measured due to unavailable data and/or data collection methods along with data inconsistencies. These Corporate Performance Indicators have been modified or replaced with similar indicators.

The first (production) version of the Quarterly Performance Report was based on Q1 2019-20 data and provided to Council at its 26 November 2019 meeting.

The Q2 2019-20 Performance Report was received and noted by Council at its 25 February 2020 meeting.

3. ANALYSIS

Performance in Q3 has been impacted by prioritisation of activities related to the Cudlee Creek Bushfire recovery. Though official restrictions for COVID-19 came in late March, impacts had already begun to be seen against the initiatives, affected the ability to gather some data and influenced qualitative report content.

See the attached Quarterly Council Performance Report – Quarter 3 (**Appendix 1**) for details.

With the adoption of the new Strategic Plan (*Strategic Plan 2020-24 – A brighter future*) on 28 April 2020 (Res 69/20) and the development of the 2020-21 Annual Business Plan and Budget, the Administration has commenced on the development of a revised suite of corporate performance indicators for 2020-21. These will be workshopped with Council in June 2020 and included in a future Council report for adoption with reporting to commence in Q1 2020-21.

4. OPTIONS

As this is an information report, the Council is limited to receiving and noting the report but may choose to provide commentary to the Administration for consideration to enhance the reports into the future.

5. APPENDIX

- (1) Quarterly Council Performance Report – Quarter 3 2019-20

Appendix 1

*Quarterly Council Performance Report –
Quarter 3 2019-20*

Quarterly Council Performance Report

Quarter 3 – 1 January to 31 March 2020

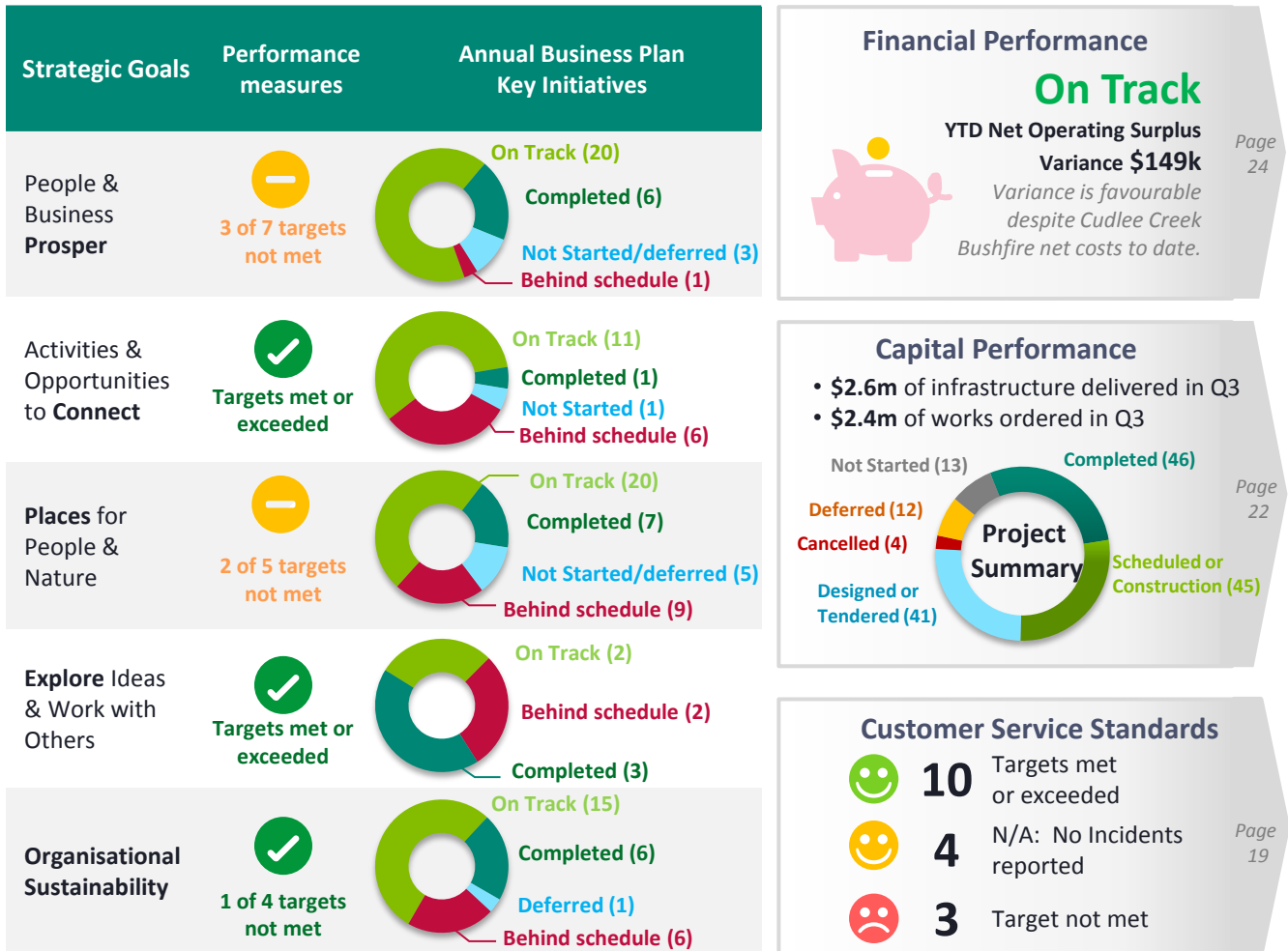


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1. Executive Summary

Our performance as at 31 March 2020 is as follows:



Highlights

- Successfully implemented the work from home strategy during March allowing 140 staff to continue working, while still allowing a safe environment for those who needed to remain in our sites such as the field teams.
- Supported the establishment of a Bushfire Recovery Centre at Fabrik in Lobethal and continued to identify and progress key bushfire recovery initiatives.
- To assist Bushfire affected residents rebuild homes and damaged structures, we gave priority to the processing of their development applications. We received 26 of these application in March and 72 by the end of the reporting period.

Risks & Challenges

- The need to divert resources in response to the Cudlee Creek bushfire resulted in some impacts to service delivery and the achievement of objectives / initiatives as outlined in a report to the Council's April meeting.
- The restrictions associated with the COVID-19 pandemic and the related priority shifts have impacted many of our planned activities and targets over Quarter 3.
- Budget Review 3 is expected to produce a reduction to the Operating Surplus as a result of the net financial impacts of the Cudlee Creek Bushfire.

2. Performance by Service Area

2.1 Community Capacity

Highlights

The directorate has provided considerable community support, engagement and information during the Cudlee Creek Bushfire including:

- recruitment of a State funded bushfire recovery Community Development Officer
- staff made over 300 check calls to vulnerable clients over 65 living in the bushfire scar immediately following the fire.
- resourcing allocations to ensure Council presence at the Lobethal Recovery Centre
- resourcing allocations to support the Council Incident Management Team
- advocacy for further support for small businesses, including those not directly 'flame impacted'

In response to the COVID-19 pandemic, the directorate has again provided considerable community support, engagement and information including:

- staff made calls to significant numbers of community members enrolled in the Council's Home Care and Positive Ageing programs
- staff have moved many services on-line or provided them in other formats
- providing 'click and call' modified library service for print and audio visual materials
- invested in and promoted online eResources
- moved children's programs online

Council continues to work closely with our business community so that the needs of the region are well understood and communicated through the correct channels. With continual requests for information from all levels of Government, the strength of these relationships has proven to be particularly important during this time.

- Grant applications for both Stream 1 and Stream 2 of the Bushfire Tourism Recovery developed and lodged
- May Business Month cancelled but other business development opportunities through online platforms explored and promoted through e-blasts
- Changes to social distancing measures and other business related initiatives communicated through social media and e-blasts

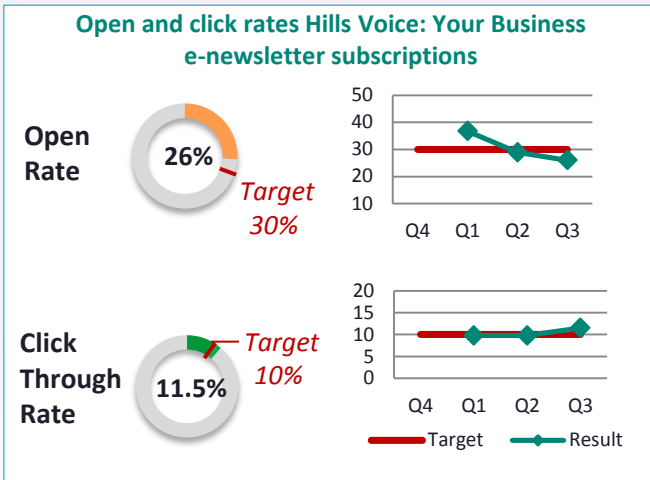
What's next

- Implement plans to manage re-introduction of community development and library services and programs once facilities are able to be re-opened
- Development of business recovery plan to assist business and industry in their recovery from both the bushfire and COVID-19 disruptions.

Issues	Action Taken	Service area
Funding for Fabrik's redevelopment	<ul style="list-style-type: none"> • Grant funding to assist with the implementation of the development of Fabrik has not been successful at this time however business plan development is ongoing to assist with future grant applications 	Fabrik
Library strategic plan	<ul style="list-style-type: none"> • Research underway to formulate structure for the library strategic plan • Statistics and general information for introduction researched 	Library Services
Social inclusion plan	<ul style="list-style-type: none"> • First draft collection policy completed • Researched Collection HQ and Public Library Service statistics to identify methodology to use on an ongoing basis 	Library Services
Local history online	<ul style="list-style-type: none"> • Mt Lofty District Historical Society have developed their own online system with Digital Learning Officer's assistance – needs discussion with Public Library Service to determine how best to get records on catalogue via Portfolio • Have had initial discussions following interest expressed on possibility of putting East Torrens local history online • Gumeracha at this stage requires more discussion 	Library Services

2.1.1 Economic Development

Performance measures - Prosper

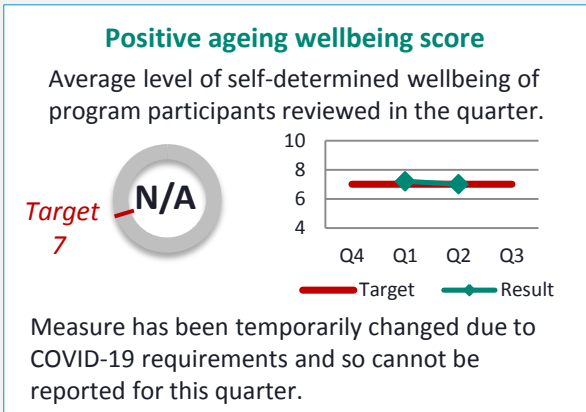


Our Initiatives - Prosper

- ✓ **Regional Development Australia**
 - AHC continues to support RDA requests for information on key priorities (largely infrastructure) in the region. Most recently, RDA has developed a COVID-19 package of recovery projects and initiatives to advocate to State and Federal Governments for support funding.
- ✓ **Adelaide Hills Tourism**
 - The tourism sector has been heavily hit by recent bushfire and COVID-19 events. Working closely with Adelaide Hills Tourism and SA Tourism Commission to develop and support response and recovery initiatives.
- ✓ **UNESCO World Heritage Bid**
- **Business Month in May**
 - Cancelled due to Covid-19 social distancing measures but other business development opportunities through online platforms explored and promoted through e-blasts

2.1.2 Positive Ageing

Performance measures - Prosper



Related services measures - Prosper

- 1,630** Hours of **in home support** delivered
- 3,086** Hours of **social support** delivered
- 356** **Transport trips** provided

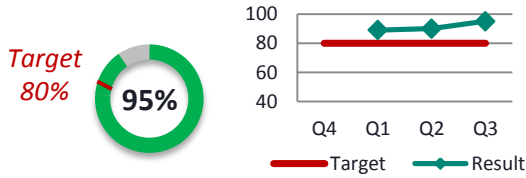
Our Initiatives - Prosper

- ✓ **Dementia Friendly Communities Project**
- 😊 **Wellbeing and re-ablement training**
- ✓ **The Brain Hub**
- ✓ **High Tea Dance**
- ✓ **Cross agency collaboration (Hills Connected Communities Project)**
- 😊 **Increasing online presence and access**
- ✓ **Building wellbeing and wellness**
 - Immediately following the Cudlee Creek Bushfire, Community Development staff made over 300 check-in calls to vulnerable clients living in the bushfire scar. Residents reported being extremely grateful for the contact and staff were able to refer them to relevant services. These calls have commenced again on a broader scale during the COVID-19 pandemic to ensure vulnerable and isolated residents have access to appropriate supports.

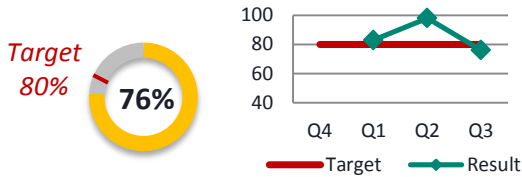
2.1.3 Community Development

Performance measures - Prosper

Percent of community centre participants with increased social connections



Participants who agree the programs/events have increased their feeling of connection



Community centre participants who would use the knowledge/skills gained in future



Performance measures - Connect

No of attendees at Adelaide Hills Community Programs



Related services measures - Prosper

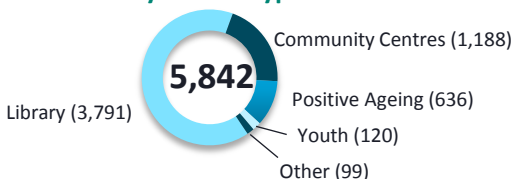
192 YTD Registered **AHC Volunteers**

Nil **Community leader workshop's.** Workshops cancelled due to low levels of interest.

No of volunteer hours by service type



No of attendees at community programs by service type



Our Initiatives - Prosper

- ✓ **Regional health planning**
- ✓ **Disability access and inclusion**
 - The development and implementation of a disability action and inclusion plan has become a legislative requirement. The state government and the LGA have released documentation to support the development of the plan but consultation has been delayed by COVID-19 restrictions.
- ✓ **The Hut partnership**
- 😊 **Increase availability of home maintenance services**
- ✓ **Community development**
 - Community Development staff have been working with an even more flexible and adaptable approach to find new ways to support the community during a very challenging year.
- ✓ **Outreach programs**
 - While many programs have been temporarily put on hold there are some such as the Cudlee Creek Bushfire Reference Group that continue to meet online.
- **Volunteer movie day**
 - The Volunteer Movie Day occurs in March each year but was deferred due to COVID-19 restrictions
- ✓ **Culture of volunteering**
- ✓ **Volunteer Connect**

Our Initiatives - Organisation

- ✓ **Volunteer management capacity and capability**
 - A review of volunteer recruitment procedures and a data cleanse have been recent elements of continuous improvement in managing volunteers

Our Initiatives - Connect

- ✓ **The Uraidla Shed**
- ✓ **The Gumeracha Greed Shed and Op Shop**
- 😊 **Community External volunteering support**
- ✓ **Volunteer engagement**
 - Volunteers are being supported via a special edition series of newsletters, online communication and telephone contact during COVID-19

2.2.4 Youth Development

Related services measures - Connect

120

Attendees in youth development workshop/activities.

Our Initiatives - Connect



Youth leadership program

- The inaugural Youth Leadership Program participants have graduated with a number staying on to mentor the next group of participants. The start for the 2020 program has been delayed due to COVID-19 restrictions.



Implement Youth Action Plan

- The Youth Action Plan is in draft form following extensive consultation with young people. The State Youth Plan has now been released and staff will look at opportunities for further alignment with the state plan. The implementation of the plan will occur once it has been finalised.

2.2.5 Creativity and Arts & Heritage Hub

Related services measures - Connect

30

Artists and creative businesses supported

Two events held: Gathered Masterclass and Changing Places artists-in-communities forum

Our Initiatives - Connect



Establish an Arts & Heritage Hub

- Progression of the development has been hindered by the unsuccessful grant applications to provide funding for the development and the impact of the Lobethal Recovery Centre being located in Building 20.

2.1.6 Cultural Development

Related services measures - Connect

Nil

Cultural awareness staff training sessions held this quarter.

Arts activities and events cancelled due to bushfires and COVID-19

Our Initiatives - Connect



Multicultural Action Plan

- Hills Harmony Day Picnic cancelled



Reconciliation Action Plan

- The Adelaide Hills councils Innovate RAP continues to be developed.
- Staff are looking at alternative options to provide a celebration of Reconciliation week during COVID-19 including online messages, a radio presentation and home based art activities.



Arts Action Plan

- The Birdwood Weighbridge Public Art Project was installed in March 2020. The art installation is aesthetically pleasing and also provides improved safety for pedestrians.

2.1.7 Library Services

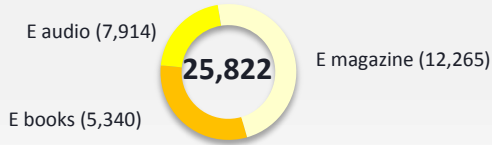
Related services measures - Connect

62,286 Physical visitors to all Library branches

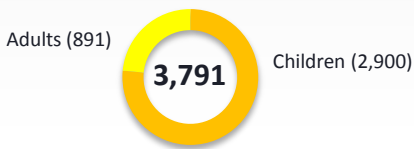
118,504 Website visitors

103,902 Total print and audio-visual loans

No of electronic loans by type



No of library program participants



Our Initiatives - Connect

- ✓ **Digital learning**
- ✓ **Mobile library project**
 - Specifications for a replacement Mobile Library were developed
- ✗ **Library strategic plan**
 - Delayed in light of need to implement changes to ensure safe delivery to modified loan services and enabling Contact Centre and other library staff to work from home.
- ✗ **Social inclusion project**
 - Delayed in light of need to implement changes to ensure safe delivery to modified loan services and enabling Contact Centre and other library staff to work from home.
- ✗ **Local history online**
 - Mt Lofty District Historical Society have developed with support from Digital Learning Officer. There is a possibility in future of building into Library Catalogue. Moving local history collections on line is not always welcomed and groups do not necessarily have the necessary skills to undertake the work.

2.1.8 Customer Service

Related services measures - Organisation

77% Service standards achieved – 10 of 13 service standards met their targets. 4 measures had no reportable incidents.

Our Initiatives - Organisation

- 😊 **Front line customer service delivery**

2.1.9 Organisational Innovation

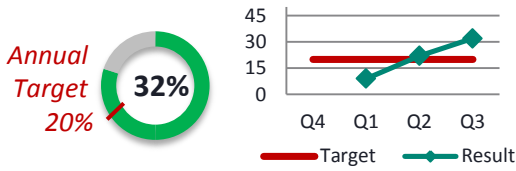
Our Initiatives - Organisation

- 😊 **Customer satisfaction measurement**
 - Development of customer satisfaction measurement now complete. Surveys regularly distributed focussing both on the experience of customers who contact us via phone and those who have a request that cannot be resolved at first point of contact. Survey feedback and data is analysed to identify opportunities for improvement.
- ✓ **CRM integration**
 - Further integration between CRM and the Confirm Asset Management System planned and dependent on completing particular milestones of the Confirm
- 😊 **Knowledge management**
 - Development on internal Knowledge Bank complete with over 90 articles now published. Strategies and workflows in place to further develop and update articles.

2.1.10 Community Engagement, Communications and Events

Performance measures - Explore

Growth of Adelaide Hills Council's social media community (followers)



Growth in social channels attributed to jump in followers during bushfire crisis.

Related services measures - Explore

Community Engagement Opportunities

1 **Community forum** was cancelled due to COVID-19. Instead an online Q&A tool was used and a written update provided for the Mylor community

Nil **Face to face engagement** was undertaken for Council projects due to the bushfires and COVID-19.

10 **Online engagement opportunities** available. There were 3,200 visitors to our engagement platform and on average 176 visits per day, 11 new registrations.

There were 91 engaged participants via the online engagement platform. This is the number of people that completed a survey, completed quick polls, asked questions, placed pins, contributed ideas or contributed to forums.

Our Initiatives - Explore

- ✔ **Digital and social media**
 - Become more critical than ever and has boosted our community numbers as they tune in for information and updates.
- ✘ **Marketing & Communication Plan**
 - Has been delayed as the team is stretched with communications delivery in light of bushfire and COVID-19. We have had a couple of strategy building sessions so the plan had commenced prior to COVID-19.
- ✘ **Review Community Consultation Policy and Community Engagement Framework**
 - Has been delayed due to limited team resources. Looking at engaging some external assistance with progressing this.
- 😊 **Video**
 - Completed production of the three video as per project description but video is more important than ever as a delivery mechanism for news, consultation, services and events.

Our Initiatives - Connect

- ✔ **Events**
 - All events cancelled due to bushfire and COVID have been working with community and our teams where possible to organise and promote alternative delivery.

Our Initiatives - Organisation

- ✘ **Crisis communication plan**
 - Some minor updates to the basic plan have been made following the bushfire but no further progress as the team focuses on COVID-19 delivery.

2.2 Corporate Services

Highlights

- Strategic Plan Phase 3 (Decide) community consultation completed.
- Long Term Financial Plan community consultation completed.

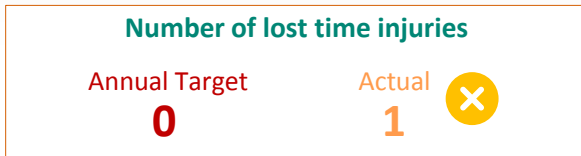
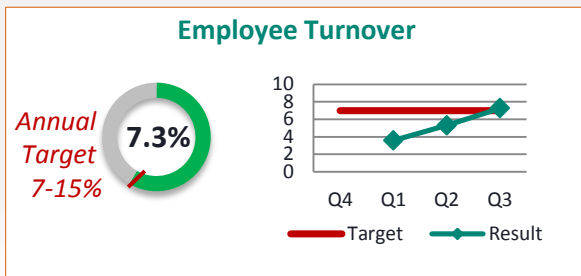
What's next

- Strategic Plan and Long Term Financial Plan to be considered for adoption by Council in Q4.

Issues	Action Taken	Service Area
COVID19 delays in boundary reform provision finalisation	Meetings with neighbouring council Mayors and CEOs will be scheduled once social distancing restrictions permit	Governance

2.2.1 Organisational Development and Workplace Health & Safety

Performance measures - Organisation



Our Initiatives - Organisation

- ✔ **Work Health and Safety (WHS) People Leader Development**
 - Further definition of the elements to be included in the People Leader WHS training via Skytrust is being discussed and prepared
- ✘ **Develop training for employees in Public Officer responsibilities**
 - With the OD Team involved in organisational support and activities related to COVID-19, no further work has been undertaken.
- ✔ **Review 4x8 Performance Process**
 - A review has been undertaken including feedback externally providing insight into process and documentation considerations. Further discussion and decisions are needed through the Executive Leadership Team before this process can be finalised.

2.2.2 Financial Services

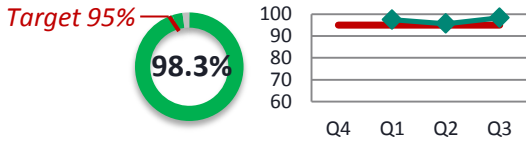
Our Initiatives - Organisation

- ✔ **Budget development including rating strategy and fees and charges consideration**
 - Initial workshop proposed for 27 & 28 March 2020 was cancelled. Virtual workshops scheduled for April and May.
- ✔ **Sale of land**
 - 29 properties relating to either deceased estates or where rate notices had been unable to be delivered for many years have been identified for action by Property Services. Project to progress post Covid-19 and bushfire priorities.
- ✔ **Development of 2020-21 Long Term Financial Plan**
 - Long Term Financial Plan for consultation presented to the Audit Committee on 17 February 2020 and Council on 25 February 2020. Consultation was open 2 March 2020 to 27 March 2020 with no comments received.
- ✔ **Annual financial statements**
- ✔ **Procurement framework**

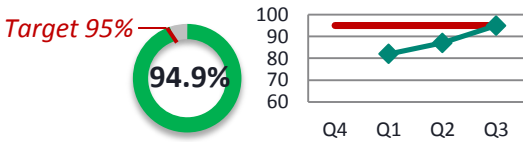
2.2.3 Governance

Performance measures - Organisation

Decisions (Council resolutions) considered in open session



Council member attendance at ordinary meetings for the period



- 4 approved Leave of Absence and 3 apologies

Related services measures - Organisation

Governance requests

Section 7 search requests	254
Percent of Section 7 completed within legislative timeframe	100%
Freedom of information (FOI) requests	3
Percent of FOI requests completed within legislative timeframe	100%
Percent of Ombudsman investigations upholding Council's decisions	Still pending

Our Initiatives - Organisation

- ✘ **Delegations management system**
 - Software has been purchased and setup of database is occurring. Approximately 80% of current delegations have been entered with the project envisaged to be completed by 30 June 2020.
- ✔ **Strategic Plan review**
 - Phase 3 consultation occurred during March, Final draft to be presented to Council for adoption in April 2020.
- **Service Review Framework**
 - Program deferred to 2020-21

Our Initiatives - Explore

- ✔ **Boundary reform provision**
 - There is an intention for the Mayor and CEO to consult with neighbouring council Mayors and CEOs regarding the draft Boundary Reform Report prior to the final report being considered at a Council meeting. The COVID-19 public health emergency is impacting the timing of the neighbouring council consultation.

2.2.4 ICT & Information Systems Services

Related services measures - Explore

- 99.9%** **System availability** (Server uptime)
- 90.8%** **Serviceability rating** – 39 Service Level Agreements not met vs 423 closed tickets

ICT Helpdesk

Number of requests logged	490
Number of requests resolved	423
Number of requests closed within 1 day	332 67.8%

Our Initiatives - Organisation

- ✘ **Multifunction Device Renewal**
 - With the ICT Team involved in organisational support and activities related to COVID-19, this project is under assessment to be deferred 12 months.
- 😊 **Tablets/Laptops and Computers**
- ✔ **Server storage and switching**
 - Installation and configuration of equipment has commenced and will be completed in May 2020.
- ✔ **Internet of things**
 - Project team working on Gateway locations located in the AHC District.
- ✔ **Implementation of organisational information management system**
- ✘ **Destruction of hard copy records**
 - Project paused due to Work from home activities
- ✘ **Hard copy records digitisation**
 - Project paused due to Work from home activities
- ✘ **Information management system integration**
 - Undertaking a review of alternative software tools to assist with migration of data from TRIM

Legend: ✔ = On track/ahead of schedule

😊 = Complete

— = Not started/deferred

✘ = Behind schedule




2.2.5 Cemeteries

Related services measures - Place


Number of issued interment rights and burials/interments

Total	67
Transfers	23
Interment rights	21
Burials	14
Interment of ashes	9

Our Initiatives - Place

-  **Cemetery review**
 - Will be progressed after implementation of the new management system
-  **Stirling Masterplan**
 - Will be progressed after implementation of the new management system
-  **Survey and aerial mapping of cemeteries**
 - Survey and mapping have been undertaken for Stirling Catholic and Mt Lofty cemeteries with the others to be undertaken as part of the implementation of the new management system

Our Initiatives - Organisation


-  **Cemetery management system**
 - Tender awarded to OpusXi and data migration and system integration work is being undertaken

2.2.6 Property Services


Related services measures - Place

- 61** **Community facility leases/licenses**
- 32** Leases/licenses that are **expired** and in holding over

Our Initiatives - Place

-  **Crown land review**
 - Additional community consultation to be undertaken to meet requirements of Crown Lands Department, on hold until COVID-19 restrictions are eased
-  **Unmade road review**
 - Being progressively undertaken as resourcing allows
-  **Public toilet review**
 - Being progressively undertaken as resourcing allows
-  **Accommodation review**

Our Initiatives - Connect

-  **Community & Recreation facility framework**
 - Disruptions to resourcing from bushfire and COVI-19 response has delayed progression of some aspects, being progressed to undertake community consultation

Our Initiatives - Organisation

-  **Community land register and management plans**

2.3 Infrastructure & Operations

Highlights

- **3817 Ayers Hill Road footpath renewal** - Starting at Laurel Road, this 135m footpath meanders through some very picturesque vistas created by established trees all the way to St Catherine’s Catholic School.
- **Bushfire recovery Lobethal Bushland Park** - The Australian Army and Team Rubicon have lent Council an enormous hand in helping to recover our beautiful Lobethal Bushland Park following the devastating Cudlee Creek Bushfire. The Army attended to many of the unsafe trees identified along the trails, whilst Team Rubicon accompanied Council staff in clearing debris and other hazardous materials off the trails so Council can begin a staged reopening of the park. A huge thank you to both organisations on behalf of Council and community for their tireless efforts in extremely hot and humid conditions.
- **Balhannah Footpath** - The upgrade of the footpath along the southern side of Onkaparinga Valley Road at Balhannah is complete. The project has seen the existing asphalt footpath upgraded to locally made clay pavers. Four new trees have also been planted as part of the project to replace trees which were removed some years ago.

What’s next

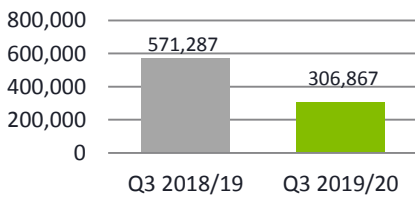
- **Heathfield Netball Courts** - Renewal works are currently underway at Heathfield netball courts with the new asphalt surface laid this week as well as the final concrete pours for the surrounding plinths, path and stairs. Asphalt will cure for four weeks before a new acrylic surface is applied. Tasks next week include fencing, painting and repointing of stonework.

Issues	Action Taken	Service area
Solar PV panel installation will not go ahead on three sites this financial year.	<ul style="list-style-type: none"> • Stirling complex – cannot install due to shading, sprinklers and configuration of existing panels. Stirling-further solar PV feasibility options are being developed • Nairne Road Office - part of the roof structure not able to support solar PV panels and needs replacement. Nairne Road office - further investigation into all parts of the roof to determine best option • Birdwood CWMS lack of infrastructure clarification and therefore location of on-ground PV system. Survey specifically of underground services has been organised 	Sustainability

2.3.1 Sustainability

Performance measures - Place

Decrease Council’s Kilowatt hour use and increase solar PV generation



When comparing our usage to Q3 2018-19, this shows a usage reduction of **46.2%**. Whilst part of the reduction likely relate to LED street lighting installation, it should be acknowledged that there are a number of electricity invoices which are yet to be received and therefore uploaded.

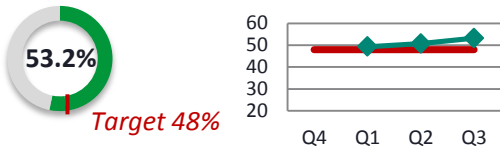
Our Initiatives - Place

- ☺ **Community energy program**
- ✗ **Investigate water reuse for Woodside Recreation Ground irrigation**
 - A meeting with SA Water has been scheduled determine if there is capacity at the Bird in Hand Waste Water Treatment Facility for using reuse at WRG
- ⊖ **Design and implement Water Sensitive Urban Design (WSUD) initiatives at the Woodside Recreation Ground**
- ⊖ **Investigation into circular economy products for inclusion in Council’s capital and operational works**

2.3.2 Waste & Resource Recovery

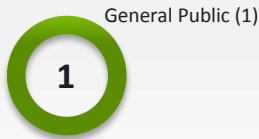
Performance measures - Place

Diversion rate of recyclable material away from landfill



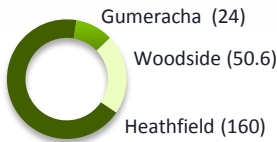
Related services measures - Place

No of waste community education sessions



12 Attendees at community education sessions

Tonnes of green organics collected



Our Initiatives - Place

- ✓ Kerbside bin audits
- ✓ Domestic kerbside collection
- ✓ Household chemical and paint drop off
- ✓ Solar/smart bins pilot
- ✓ Waste management and recycling

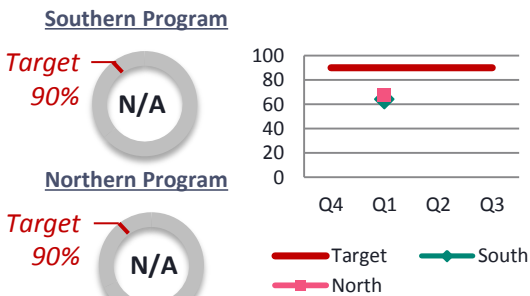
Our Initiatives - Prosper

- ✓ Green organic drop off days

2.3.3 Open Space Operations

Performance measures - Place

Delivery of Arboriculture (Tree) Zone Maintenance Program



Data unavailable in Q3 due to bushfire

Related services measures - Place

Number of customer requests

Parks, Gardens and ovals	68
Gardens	3
Ovals	11
Parks & reserves	36
Parks, gardens & ovals	18
Playgrounds	8
Maintenance	4
Upgrades & general enquiries	4

Our Initiatives - Place

- 😊 Elm leaf beetle treatment
- 😊 Veteran tree management
- 😊 Asset protection zones

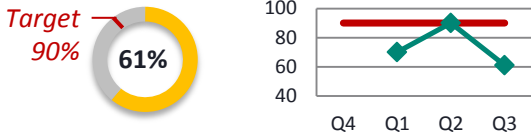
Our Initiatives - Explore

- 😊 Fleet & plant management

2.3.4 Civil Services

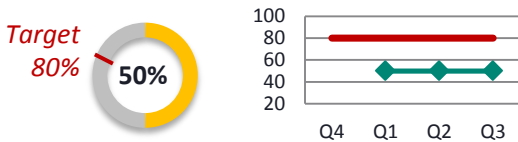
Performance measures - Place

Delivery of capital works program



A number of large projects have been delayed to Q4 start, correlating with major external impacts to Council over Q3.

Operational tasks completed within the Civil Zone Maintenance Program



Increasing rollout of in-field devices for scheduling works will improve results overtime.

Related services measures - Place

Number of civil maintenance requests

Roads & Footpaths	
Driveway crossover	14
Footpaths	36
Roads	195
Safety concerns	38
Signs	73
Street lighting	5
Stormwater & Sewerage	
Flooding & blocked drains	87
Septic & community waste waster	13
Stormwater & drainage	90
Trees & Environment	
Creek/water catchment	2
Mulch request	22
Road verges	19
Trees	522
Vegetation	0
Weeds	42
Environment	6
Overgrown grass	60

Our Initiatives - Place



Project management manual

- A cross functional team has formed to oversee the development of an organisation wide project management framework and manual. A project plan has been adopted which will see the manual completed and implemented by the end of 2020. Part 1 draft has been delivered for review.

Our Initiatives - Explore



Online maintenance program

- An online civil maintenance program is available for viewing via Council's website. It is regularly updated, refined and improved.

Our Initiatives - Organisation



Capital project delivery

- The delivery of capital projects in the civil asset classes are progressing well, with all major projects on track to be completed by the end of the financial year.

2.3.5 Biodiversity and Habitat Conservation

Related services measures - Place

No of Native Vegetation Marker System (NVMS) sites assessed



Target not reached due to greater overall length of sites in the northern sections of the council area.

30 BushRAT assessments completed at NVMS sites

3 Sites had **weed management** undertaken in Q3. 5 sites remaining to be undertaken in 2019/20.

No of Woody Weed Control Program sites completed



1 prescribed burns completed in Q3.

Our Initiatives - Place

- ✓ **Biodiversity monitoring and management**
 - No AHC reserves to be monitored in Summer quarter 2020 (monitoring is seasonal)
- ✓ **Community capacity building**
- ✓ **Native vegetation marker system (NVMS) program**
 - 30 Bushrat assessments over 14 NVMS sites (Baseline Bushrat surveys completed at 355 sites, of 466 total sites)
- ✓ **Management and monitoring of prescribed burn sites**
 - 7 of the 8 AHC prescribed burn sites were completed prior to June 30 2019, with the 1 remaining completed in autumn 2020. (Morgan Road, Ironbank)
- ✓ **Implement the 2019-2024 Biodiversity Strategy**
 - 33 High priority actions – 31 ongoing, 3 complete. 34 Medium priority actions – 15 ongoing, 3 complete, 20 Low priority actions - 4 ongoing, 4 complete.

2.3.6 Emergency Management

Our Initiatives

- ✓ Emergency management planning

2.3.7 Community Wastewater Management System (CWMS)

Our Initiatives

- ✓ Asset management
- ✓ Legislative and regulatory compliance
- ✓ Septic tank de-sludge program
- ✓ Community Wastewater Management System (CWMS) review
- ✓ Supply of recycled water

2.3.8 Sport & Recreation Management

Our Initiatives - Place

- 😊 **Community & recreation facility grants**
 - 2019/2020 round was completed in December 2019.
- ✓ **Sport & recreation master planning projects**

Our Initiatives - Prosper

- **Club development workshops**
 - Not commenced due to bushfire & now Covid-19 implications.
- 😊 **Play space upgrades**

2.3.9 Asset Management

Our Initiatives - Place

- ✓ **Confirm asset management**
- 😊 **GIS integration**

Our Initiatives - Organisation

- ✗ **Asset management plan review**
 - External review being considered and where appropriate incorporated into draft Transport Asset Management Plan

2.4 Development & Regulatory Services

Highlights

- **Waste water system applications** received are now been digitised in order to enable them to be processed electronically. The assessing officer can now access these, through mobile devices onsite, thereby improving processing efficiencies.
- Implementation of the **State's Planning Reform Agenda** continues and staff prepared comments on the People & Neighbourhoods Discussion Paper and Phase 3 of the Planning & Design Code. These were considered and adopted by the Council's Strategic Planning & Development Policy Committee at a special meeting held on 18 February 2020. The comments were subsequently submitted to the State Planning Commission on 28 February 2020 (the deadline for comments) for consideration.
- The **Internal Review** of development application assessment processes and electronic procedures have now been completed.

What's next

- **Progression of the World Heritage Bid Project** will continue as soon as the outcomes of the City of Adelaide's Expert Review have been completed in late May 2020. The intent is to then meet with the City of Adelaide and the Minister for Environment and Water to identify ongoing collaboration opportunities with the State Government to progress the joint bid.
- **Implementation of the State's Planning Reform Agenda** will continue in the next quarter and staff will work collaboratively with the State Planning Commission to ensure Council's desired outcomes with regard to the new Planning & Design Code and ePlanning System are achieved before the system goes live in September 2020.

Issues	Action Taken	Service area
Delays with software development with external contractor for the electronic development register	Meetings with the executive management of the software company have occurred in order to resolve the outstanding issues and progress is now being made in this regard.	Development Services
Conversion of waste water system and food inspection files to electronic files	As Council's Environmental Health Officers have been required to assist with the enforcement of COVID-19 restrictions, this project has been placed on hold.	Environmental Health
Survey and Investigate impact of wastewater systems on the water catchment	This Project currently is currently on hold due to COVID-19 restrictions and will recommence as soon as the restrictions are lifted.	Environmental Health

2.4.1 Public Health Services

Related services measures - Prosper

Wastewater Applications

- 50** Applications **lodged**
- 38** Applications **Assessed and Approved** within 2-4 weeks of receiving all information
- 9** Applications **awaiting further information** to be finalised.

Compliance rate of Food Premises at time of inspection



61 of the 63 Food Premises Inspections conducted were compliant.

2 premises had follow up inspections and were found compliant.

Our Initiatives - Prosper



Process waste water system applications electronically

- In early 2020 all wastewater applications received by Council either electronically or as a hardcopy were digitised enabling them to be processed electronically.

Our Initiatives - Place



Investigate impact of wastewater system on catchment

- This project on hold due to COVID-19 restrictions. Note that the Mt Lofty Ranges Project is funded by SA Water and their aim is to capture areas not previously included in the project review undertaken in 2011.

Our Initiatives - Connect



Food safety training

- Staff are promoting on-line Food Safety Training to Food Businesses and Community Organisations to provide an understanding of appropriate food safety and handling practices

Our Initiatives - Organisation



Conversion of files to electronic files

- Project on hold as Environmental Health Officers have assisted with enforcement of COVID-19 restrictions.
- All food inspection files have been digitised. Wastewater files in process of being digitised.

2.4.2 Regulatory Services

Related services measures - Place

108 **Private properties inspected** as part of fire prevention activities

Number of customer requests

Dog management activities	93
Dog pick up	27
Dog return to owner (non-impounded)	22
Wandering	15
Dog attack & harassment	9
Barking dogs	20
Other	0
Non-dog animal management	6

Nuisance & litter queries

Total reported	27
Noise	10
Air pollution	1
Littering	5
Nuisance	8
Vandalism/damage	3
Percent resolved	95.96%

Our Initiatives - Place



Dog and Cat Animal Management Plan (DCAMP) implementation

- Community education and awareness program to commence in 2021 in the lead up to the commencement of the cat confinement requirements on 1 January 2022. A consultant has been engaged to design and cost the establishment of cat holding cages at Council's Heathfield Dog Pound



Cats By-law review

- This project will only commence when the cat confinement requirements come into effect on 1 January 2022



Community education on local nuisance and litter control matters

- This project will commence as soon as the EPA concludes its minor review of the Local Nuisance & Litter Control Act. Council submitted its comments to the EPA on 4 October 2019 and is awaiting the outcome of that Review

Our Initiatives - Prosper



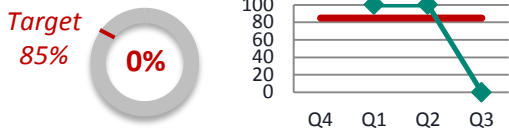
Review of Council fire prevention & mitigation activities

- Staff have received the draft consultant's report into the review of Council's activities in this regard and are reviewing the report and its associated recommendations.

2.4.3 Planning & Development Services

Performance measures (Prosper)

Applicant satisfaction with the development application process



Only two surveys received but these were both negative. Note one was for retrospective development

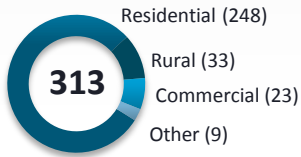
Related services measures

There has been a reduction in development applications, values and daily average for Q2.

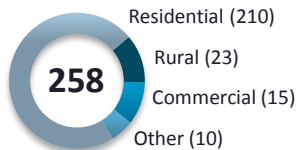
\$32.7m Aggregated estimated value of applications lodged

75 Day average for approval of applications.

No of development applications lodged



No of development applications approved



Our Initiatives - Prosper

- ✘ **Electronic development application assessment**
 - The Development Application register is still a work in progress with Council's software developer. Further the on-line payment portal was not up and running as planned within the Quarter – expected completion in Q4.
- ✔ **United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Bid**
 - City of Adelaide engaged World Heritage Experts to undertake a review of their proposed bid with expected completion in May 2020. They will consider the rural planned settlements around Adelaide, and determine whether it represents an exemplar of systematic colonisation, especially when compared with New Zealand examples.
 - Dependent on the outcome, the intent is to then seek a meeting in June with the City of Adelaide to discuss possible collaboration between the two bids.
- ✔ **State's planning reform agenda**
 - Staff prepared comments on the People & Neighbourhoods Discussion Paper which were considered and adopted by Council's Strategic Planning & Development Policy Committee (SPDPC) at a special meeting held on 18 February. These were subsequently submitted to the State Planning Commission (SPC) on 28 February. No further discussion papers have been released by DPTI for comment at this point in time.
- ✔ **Conversion of Council's Development Plan**
 - Staff completed the community engagement process in January 2020. Comments on the draft zones and policies affecting our Council were reported to SPDPC on 18 February 2020 and submitted to the SPC. We are now awaiting a response from the SPC.
- 😊 **Review of development application assessment process**

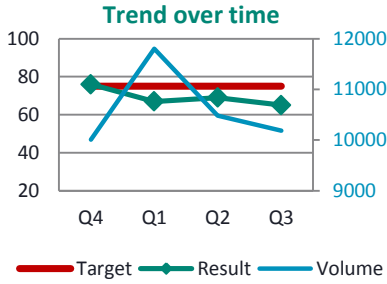
3. Customer Service Standards

5.1 General Customer Standards

Answering Incoming Phone Calls

Volume of calls = 10,183

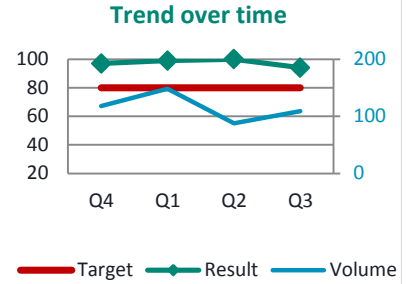
Contact centre calls answered within 30 sec



Updating Customer Details

Volume of updates = 109

Details updated within 5 days

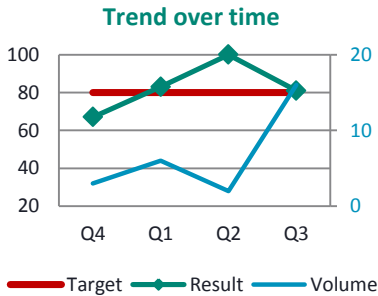


5.2 Service Specific Standards – Time Based Indicators

New Event Applications

Volume of applications = 16

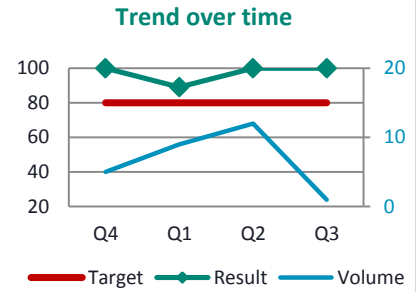
Acknowledgement of receipt within 5 days



Illegal Burning Complaints

Volume of complaints = 1

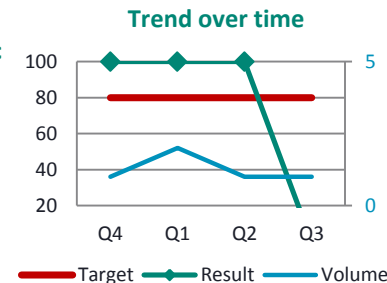
Investigated within 24 hours



Health Complaints

Volume of complaints = 1

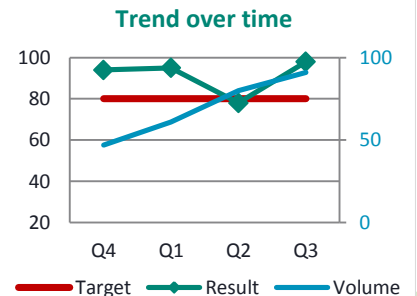
Contact centre calls answered within 30 sec



Illegally Dumped Rubbish

Volume of reports = 91

Rubbish removed within 3 days

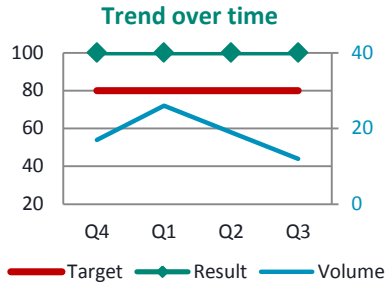


Comment: Only one case which missed the 24 hour standard. Request came in late Friday afternoon and was resolved the following Monday.

Library Services

Volume of requests = 12

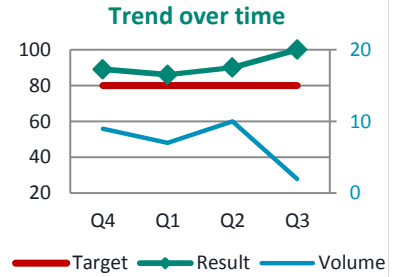
Response to requests to purchase materials within 10 days



Dog Attacks

Volume of attack reports = 2

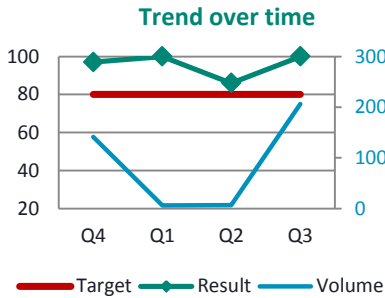
Response within 24 hours



Wasps

Volume of reports = 206

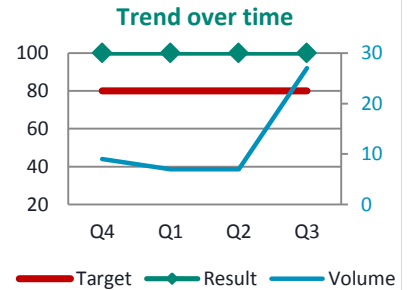
Investigate and action within 7 days



Development Applications

Volume of applications = 27

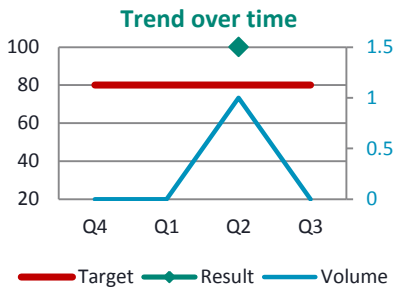
Approval of fast track development applications within 28 days



Missed Bins

Volume of requests = 0

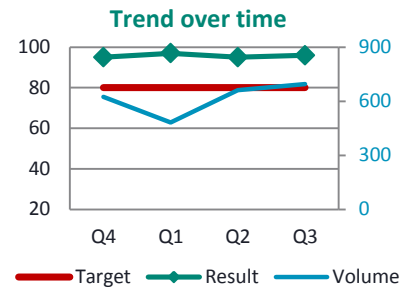
Missed bins collected within 2 days



Request for Bin Repair or Replacement

Volume of requests = 695

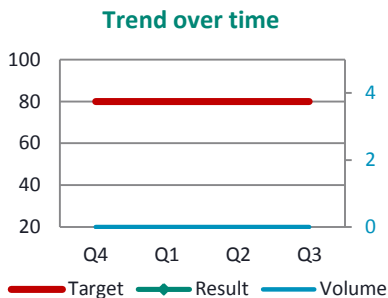
Requests actioned within 7 days



Footpath Repairs - Hazardous

Volume of repairs = 0

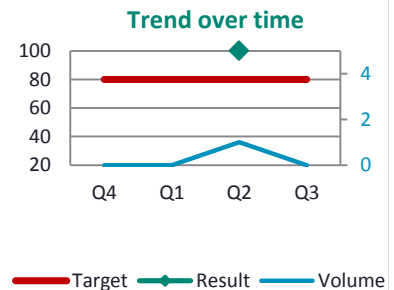
Responded and made safe within 24 hours



Road Repairs - Hazardous

Volume of repairs = 0

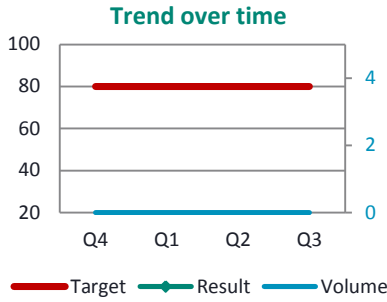
Responded and made safe within 24 hours



Stormwater Repairs - Hazardous

Volume of reports = 0

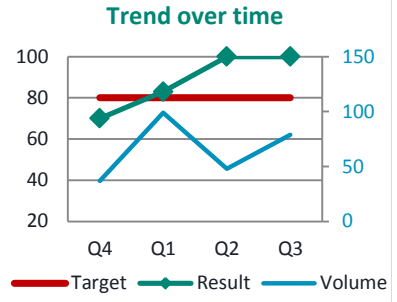
Responded and made safe within 24 hours



Trees - Hazardous

Volume of reports = 79

Responded and made safe within 24 hours

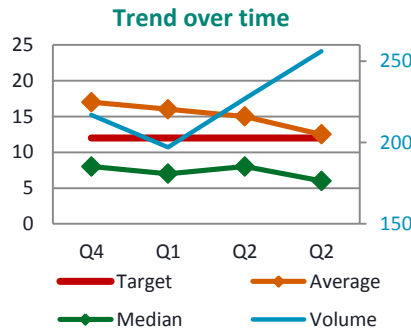
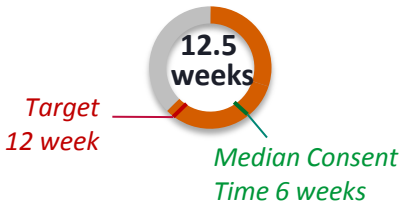


5.3 Service Specific Standards – Other Indicators

Development Applications

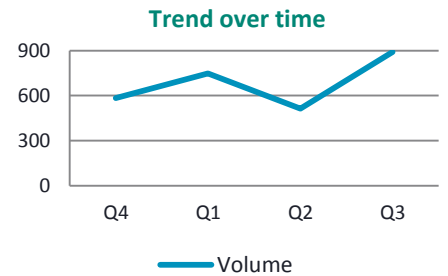
Volume of applications = 256

Average consent time from date of receipt



Low Risk Infrastructure Requests – Number of New Requests

Volume of new requests = 892



Low Risk Infrastructure Requests – Average Time to Resolve

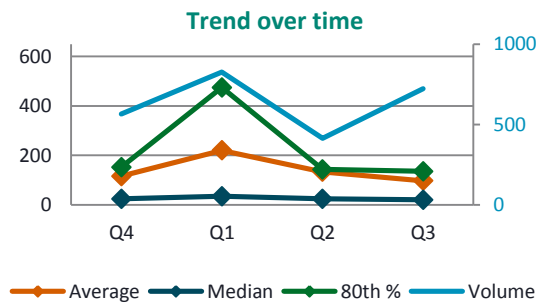
Volume of Requests = 722

Resolution time of requests

Average = 97 days

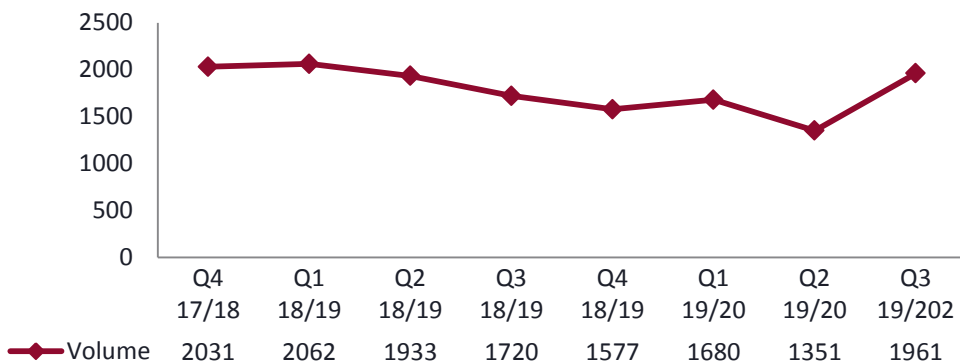
Median = 20 days

80th Percentile = 135 days



Overall Volume of Requests

Trend in volume of requests/customer cases for which there is an adopted service standard, excluding the volume of phone calls



4. Capital Works Program Performance

4.1 Capital Performance

Quarter 3 of 2019-20 represents the continuation of the 2019/20 Capital Works Program, with \$2.6M of infrastructure delivered during this period and another \$2.4M of works ordered. The primary focus of this quarter has been on tendering and construction, as well as completing earlier works.

Highlights

- Renewed and upgraded the Heathfield Netball Courts, including new asphalt, acrylic playing surface, drainage, fencing, rails and stairs.
- A long awaited bus shelter was installed on Redden Dr, Cudlee Creek,
- Renewed post and rail fencing along Druids Ave with a high recycled content product (wood/ plastic composite),
- Went out for tender on a new asphalt supply contract which emphasises the use of recycled materials such as rubber, plastic and glass.

What's next

- Continued delivery of the 2019-20 Capital Works Program across all asset classes,
- Complete the Woodside Gravity Main Renewal and Upgrade project,
- Complete the road shoulder renewal program,
- Complete the Milan Tce pedestrian Crossing,
- Establish a new minor works panel contract.

Issues (if any)	Action Taken	Owner
Service clashes, Junction Rd Balhannah.	Modify design to reduce extent of excavation required, including use of surcharge pits.	Peter Bice
COVID-19	Project Officers have been supported to manage their projects remotely.	Peter Bice

Performance by Asset Class

Bridges	33%	Concrete patching and major substructure repairs were completed at the Forreston Rd bridge.
Buildings	22%	General building upgrades were conducted region wide.
CWMS	10%	A control cabinet was replaced in the pump station at Birdwood CWMS site.
Footpaths	54%	Footpaths were renewed and/ or upgraded region wide, including Strathalbyn Rd, Aldgate, and Mt Barker Rd, Bridgewater.
Kerb	63%	Kerb renewal works were completed along Moffett St in Woodside.
Other¹	45%	Bus shelters were renewed in Aldgate, Balhannah and Crafers.
Road Pavement	46%	Works were completed on the Lower Hermitage Rd widening project.
Road Seal	32%	Works commenced on the Winton Rd sealing project.
Shoulders	0%	No shoulder renewals have commenced as of this report.
Sport & Recreation²	36%	Netball court resurfacing and upgrade works were completed at Heathfield.
Stormwater	41%	Detailed design was finalised for Junction Rd stormwater renewal and upgrade project.
Unsealed roads	52%	Works were completed on a number of unsealed roads, including the resheeting of Pedare Park Rd Sth and Willow View Rd, both in Woodside.
Plant & Fleet	55%	Council's fleet renewal program continued, including the delivery of two hybrid vehicles in Council's light fleet.
ICT	18%	Continued implementation of the Record Hub system.
Minor Plant & Equipment³	61%	Various minor plant and equipment delivered, including variable height desks.

¹ Guardrails, Retaining Walls, Cemeteries, Street Furniture, Traffic Control

² including Playgrounds

³ including library fittings

4.2 Capital Financial Performance *(as at 31/3/20)*

Capital Program Summary		Capital Expenditure against Budget	
Projects not started	13	Budget	18,428
Projects cancelled	4	Actual Expenditure	6,903
Projects deferred	12	(including Capitalised Salary Costs)	-
Projects being designed or tendered	41	Project Savings/(overspend) across projects	319
Projects scheduled or under construction	45	Projected Carry Forward	3242
Projects completed	46	PROJECTED CAPITAL EXPENDITURE	14,867
TOTAL Projects	161		

Projects Summary	
Programs Completed	Road re-sheeting program (unsealed roads renewal).
Major Projects Completed	<ul style="list-style-type: none"> Strathalbyn Rd footpath renewal, Heathfield Netball Court resurfacing.
Major Carry Forwards	<ul style="list-style-type: none"> Crafers to Stirling Bikeway is likely to be carried forward, Sports and Recreation projects tied to ORSR grants, Gumeracha Main Street and Junction Rd stormwater projects will be work in progress.
Major Savings	<ul style="list-style-type: none"> Unsealed road region wide, Irrigation systems region wide.
Major Overruns	Church St Pumps Birdwood, due to unplanned required electrical upgrades.
Significant Unfunded Projects	NIL
Projects of Interest: Both West St Mylor and Milan Tce Pedestrian Crossing projects are out for tender.	

4.3 Capital Financial Performance by Asset Category

Asset Category	YTD Actuals \$'000	YTD Budget \$'000	YTD Var Fav / (unfav) \$'000	Annual Budget \$'000
Bridges	77	185	108	253
Buildings	422	849	427	2,032
CWMS	59	386	327	625
Footpaths	709	833	124	1,404
Kerbing	177	222	45	301
Other – Ret Walls, Str Furniture & Bus Stops	926	1,320	394	2,160
Roads – Pavements	882	1,148	266	2,075
Roads – Seals	387	950	563	1,320
Roads – Shoulders	-	375	375	430
Roads – Unsealed	811	930	119	1,723
Sport & Recreation	634	750	117	1,892
Stormwater	472	860	388	1,228
Fleet	1,217	1,289	72	2,389
ICT	85	306	221	519
Library	31	28	(3)	47
Plant & Equipment	12	14	2	30
	6,903	10,446	3,544	18,428

5. Quarterly Financial Performance

5.1 Operating Performance

	YTD Actual	YTD Budget	YTD Variance	Revised Budget
	\$'000	\$'000	\$'000	\$'000
Total Operating Income	44,684	44,308	● 376	46,231
Total Operating Expenditure	28,511	28,283	● (228)	45,820
Funding surplus before Capital	16,174	16,025	● 148	411
Capital Expenditure	6,903	10,446	● 3,544	18,428
Capital Income	2,755	2,494	● 261	4,973
Net expenditure - Capital projects	4,148	7,952	● 3,805	13,455
Net Lending / (Borrowing) for Year	12,026	8,073	● 3,953	(4,099)

Adelaide Hills Council Operating Summary By Directorate as at March 2020				
	YTD Actuals	YTD Budget	YTD Var	Revised Budget
	\$'000s	\$'000s	fav / (unfav) \$'000s	\$'000s
Income				
Community Capacity	1,488	1,397	● 91	1,762
Corporate Services	39,345	39,065	● 280	39,905
Development & Regulatory Services	1,013	997	● 15	1,229
Infrastructure & Operations	2,838	2,848	● (10)	3,334
Income Total	44,684	44,308	● 376	46,231
Expenditure				
Community Capacity	4,975	5,119	● 144	7,036
Corporate Services	9,111	7,959	● (1,151)	8,978
Development & Regulatory Services	2,522	2,600	● 78	3,645
Infrastructure & Operations	11,903	12,605	● 702	17,360
Expenditure Total	28,511	28,283	● (228)	37,019
Operating Surplus (Deficit)	16,174	16,025	● 149	9,212

Adelaide Hills Council Quarterly Financial Performance

as at March 2020	Income by Function				Expenditure by Function				Net
	YTD	YTD	YTD Var	Annual	YTD	YTD	YTD Var	Annual	Position
	Actuals \$'000s	Budget \$'000s	fav / (unfav) \$'000s	Revised Budget \$'000s	Actuals \$'000s	Budget \$'000s	fav / (unfav) \$'000s	Revised Budget \$'000s	Variance \$'000s
CC Director's Office	-	-	-	-	193	211	18	294	18
Communications, Engagement & Events	3	3	(0)	3	531	533	2	659	2
Economic Development	95	95	(0)	95	327	330	3	429	2
FABRIK Arts and Heritage Hub	32	27	5	51	244	205	(38)	326	(34)
Community Development (Management)	-	-	-	-	185	223	38	317	38
Community Recovery	60	-	60	-	7	-	(7)	-	53
Cultural Development	-	-	-	-	95	101	6	146	6
Grants & Partnerships	-	-	-	-	166	188	21	232	21
Hills Connected Communities Projects	83	77	6	93	65	59	(6)	96	1
Positive Ageing (Home and Social Support)	794	782	11	1,036	731	779	48	1,083	59
Positive Ageing Project (Collaborative)	79	71	8	92	65	58	(7)	94	1
Service Strategy & Innovation	-	-	-	-	94	134	40	185	40
The Summit Community Centre	15	11	3	20	119	119	-	170	3
Torrens Valley Community Centre	23	26	(3)	35	129	116	(12)	164	(15)
Volunteering	-	-	-	-	60	59	(1)	81	(1)
Youth Development	2	1	1	2	97	104	7	154	8
Library Services	304	303	1	336	1,260	1,338	78	1,825	79
Customer Service	-	-	-	-	609	563	(46)	782	(46)
Community Capacity	1,488	1,397	91	1,762	4,975	5,119	144	7,036	235
AHBTC	270	272	(2)	347	207	191	(16)	260	(18)
Cemeteries	208	157	50	210	146	192	46	248	96
CS Director's Office	1	2	(1)	3	219	224	4	311	3
Financial Services	37,552	37,575	(23)	38,260	923	978	55	524	32
Governance & CEO Office	-	-	-	-	1,438	1,475	37	1,968	37
Cudlee Creek Bushfire	1,235	1,000	235	1,000	2,400	1,000	(1,400)	1,000	(1,165)
ICT	-	-	-	-	964	901	(63)	1,158	(63)
Information Management	-	-	-	-	951	1,021	70	1,124	70
OD & WHS	-	-	-	-	349	408	60	576	60
Property Management	52	30	22	49	1,488	1,547	59	1,784	80
Retirement Villages	28	29	(2)	36	25	23	(2)	25	(4)
Corporate Services	39,345	39,065	280	39,905	9,111	7,959	(1,151)	8,978	(872)
Animal Management	418	393	26	402	303	294	(9)	399	17
DRS Director's Office	-	-	-	-	223	231	9	321	9
Fire Prevention	9	6	3	13	60	64	4	97	7
Mt Lofty Waste Control Project	51	50	1	50	38	36	(3)	50	(2)
Parking and By-Laws	27	46	(19)	79	132	129	(3)	179	(22)
Planning & Development	410	394	15	524	1,353	1,400	47	1,925	62
Policy Planning	-	-	-	-	105	107	3	175	3
Public Health	98	108	(10)	162	309	339	30	499	20
Development & Regulatory Services	1,013	997	15	1,229	2,522	2,600	78	3,645	98
Civil Services	957	950	7	1,428	3,471	3,801	330	5,200	336
Community Wastewater Management System	1,818	1,805	13	1,805	394	526	132	883	145
Emergency Management	-	-	-	-	41	66	25	91	25
IO Director's Office	-	-	-	-	228	231	3	319	3
Open Space Biodiversity	1	-	1	-	330	392	62	554	63
Open Space Operations	-	21	(21)	21	3,277	3,325	48	4,341	27
Open Space - Sport & Rec Planning	5	3	2	10	433	463	29	537	31
Sustainability	-	-	-	-	127	146	19	212	19
Sustainable Assets	-	-	-	-	353	377	24	534	24
Waste	58	70	(12)	70	3,249	3,279	30	4,688	18
Infrastructure & Operations	2,838	2,848	(10)	3,334	11,903	12,605	702	17,360	691
Total	44,684	44,308	376	46,231	28,511	28,283	(228)	37,019	149

5.2 Additional Operating Initiatives

Adelaide Hills Council Quarterly Financial Performance

2019/2020 Operating Initiatives - March 2020

#	Description	Department	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	2019/20 Revised Budget \$'000s
735	Performance Benchmarking	Governance	8	6	● (1)	9
753	Boundary Reform Provision	Governance	9	10	● 1	20
754	Strategic Plan Review	Governance	8	9	● 1	15
726	Sky Trust Implementation	OD & WHS	19	24	● 5	33
705	Women's TDU	Comms, Engagement & Events	13	15	● 2	15
706	Small Events Additional Resources	Comms, Engagement & Events	1	4	● 2	5
727	Customer Experience Survey	CC Director's Office	13	13	● (0)	13
760	Community Perception Survey	CC Director's Office	0	5	● 5	5
120	FABRIK	FABRIK	212	178	● (34)	276
702	Disability Planning Materials	Community Development	-	8	● 8	10
709	Gumeracha 20Yr Event	Community Development	-	-	● -	3
710	Youth Leadership Workshop	Community Development	6	8	● 2	11
723	Community Arts Projects	Community Development	1	4	● 3	5
744	Public Art Acquisition	Community Development	7	1	● (6)	7
747	Reconciliation Funding	Community Development	1	3	● 2	5
748	Multicult Action Plan	Community Development	1	7	● 6	10
751	Regional Health Planning	Community Development	2	22	● 20	38
704	Digital Literacy Services	Libraries and Customer Services	27	28	● 1	39
719	Stirling District Masterplan	DRS Director's Office	8	8	● 0	8
720	Crafers Masterplan	DRS Director's Office	8	-	● (8)	20
759	Local Heritage Fund: Contract	DRS Director's Office	-	10	● 10	20
725	Compliance	Health and Regulatory Services	20	25	● 5	35
740	Heritage Agreements	Open Space	3	5	● 2	5
746	Roadside Marker System	Open Space	-	5	● 5	45
763	Bush Regenerator Officer	Open Space	19	56	● 37	83
713	Smart living workshops	Sustainable Assets	1	2	● 1	3
741	Landscape conservation	Sustainable Assets	-	5	● 5	10
742	Bore water use areas-Management Plans	Sustainable Assets	11	20	● 9	20
752	Promotion Plan & Website Update	Sustainable Assets	-	-	● -	-
755	WSUD Training	Sustainable Assets	-	-	● -	2
718	Kerbside Waste Audits	Waste & Emergency Management	-	10	● 10	10
737	Preparedness Consultancy	Waste & Emergency Management	4	5	● 1	10
757	Green Waste Scoping Study	Waste & Emergency Management	-	15	● 15	15
758	Solar Bins	Waste & Emergency Management	6	7	● 1	7
	Total		410	517	● 108	811



Adelaide Hills
COUNCIL

MORE INFORMATION



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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 13.3

Responsible Officer: Lachlan Miller
Executive Manager Governance & Performance
Office of the Chief Executive

Subject: Publishing Council Meeting Recordings

For: Information

SUMMARY

At its 22 October 2019 meeting, Council considered a Motion on Notice regarding the publishing of Council Meeting recordings on websites. Council subsequently resolved for the Chief Executive to provide a report on the practices of Australian local government entities for publishing meeting recordings on their websites. The requested report could be used as an input to assess the risk and benefits of adopting this practice at Adelaide Hills Council.

The legislative environment regarding council meetings varies between jurisdictions and therefore, pre-COVID-19, this created difficulty in assessing legislative obligations versus individual council voluntary practices. With the impact of COVID-19, each of these jurisdictions has amended their local government legislation to provide options for meetings via electronic participation.

Against the backdrop of this patchwork of legislative provisions, this report focuses on the South Australian jurisdiction but references practices in other jurisdictions. Further practices amongst councils can involve audio and audio/visual recordings however this report is focussed predominantly on audio recordings as per the Council's resolution.

The practice of making audio recordings of council meetings is relatively widespread amongst medium to large councils nationally, usually for the purposes of minute preparation. Subject to the nuances of jurisdictional freedom of information legislation, these recordings are available via application to the respective council. A smaller number of councils make these recordings available on their websites for members of the public to access, this mostly occurred post-meeting however a number live-stream their audio.

A small number of councils, typically the capital city and larger metropolitan councils, live-stream both audio and visual feeds from their meeting, and some of these also publish the recordings on their website.

The key benefit of publishing audio recordings is that a broader cohort of the community has the ability to hear (albeit belatedly) the deliberations of the Council and therefore obtain an understanding of the rationale for the decisions (resolutions) that they read in the meeting minutes.

The key risks associated with the publication of audio recordings are technical failures (thereby disappointing intending listeners); publication of defamatory/inappropriate/privileged material; resourcing associated with publication; and third-party manipulation of recordings.

This report was initially included in the 26 May 2020 Council agenda and was deferred to the June 2020 meeting due to a large number of agenda items.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O4 We actively represent our community

Priority O4.1 Optimise opportunities for the community to access and provide input into the decision-making processes

The *Code of Practice for Council Meeting Procedures* (the Code) sets out the legislated and Council-determined practices and procedures that apply to Council meetings. As such the matter of recording meetings and the management of those recordings (consistent with legislative requirements) are contained within the Code.

➤ Legal Implications

Chapter 6 of the *Local Government Act 1999* (the Act) sets out the legislative requirements regarding council meetings (Part 1).

Section 86 states that, subject to the Act, the procedures to be observed at a meeting of a council will be:

- a) As prescribed by regulation;
- b) Insofar as the procedure is not determined by regulation – as determined by the council.

The *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), set out the procedures to be followed in council and council committee meetings. The Regulations (Part 2, Division 2) prescribe a number of procedures that must be complied with for:

- a) The meetings of council;
- b) The meetings of council committees performing regulatory functions; and
- c) The meetings of any other council committee if the council has by resolution, determined that Part 2 should apply to that committee.

Recording of Council meetings is not prescribed in either the Act or the Regulations, as such it is the preserve of Council (subject to the other legislative provisions outlined below) as to how recordings are made and managed.

The *Freedom of Information Act 1991* provides (amongst other objects) public access to official documents and records. As a meeting recording is a record it is subject to the provisions of that Act.

The *State Records Act 1997* provides for the preservation and management of official records. Meeting recordings are a record albeit a working document with the hard-copy minutes as the enduring record. As such, the recording is able to be disposed of under the provisions of the Act.

The *Surveillance Devices Act 2016* makes provisions relating to the use of surveillance devices. The microphones within the Council Chamber are a listening device however as the conversations being recorded are not ‘private conversations’ for the purposes of the Act, making the use of the listening devices is permissible.

➤ **Risk Management Implications**

Ensuring the currency of practical and legislatively compliant meeting arrangements will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

Publication of meeting recordings on Council’s website or associated social media platforms in their basic form requires some resources from within the Governance & Performance Department, the ICT Department and the Communications, Engagement and Events Department.

However, if editing, indexing or other data manipulation processes are required, the resource impact will be greater and may also require the purchase of software and/or hardware.

➤ **Customer Service and Community/Cultural Implications**

Council meetings that are open to the public are a foundation of the democratic system of local government in South Australia notwithstanding that only a small proportion of the community avail them of the opportunity to attend.

Notwithstanding that the live-streaming of Council meetings under Notice 1 has received minimal uptake to date, it is anticipated that the community would welcome the opportunity to listen to Council meeting recordings on topics of interest.

➤ **Sustainability Implications**

Not directly applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Director Corporate Services
Manager Communications, Engagement and Events
Governance & Risk Coordinator

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

2.1 Audio recordings of AHC Council meetings

As detailed above, the recording of Adelaide Hills Council meetings has occurred for many years for the primary purpose of assisting with the preparation of Council minutes. As minutes are prepared in 'real time' during the Council meeting and there are other redundancy arrangements in place, recordings are rarely accessed to prepare or verify those meeting proceedings that are required to be minuted.

Council's audio recording and public address (within the Chamber) equipment was updated in 2018-19 and it enables a higher quality of recording due to the use of directional microphones. This has removed the potential for the inadvertent recording (and amplification) of other conversations and noises.

Over time, Council has received a number of applications for FOI access to (provision of) Council meeting recordings and these have been granted (less any items considered in confidence under s90 of the *Local Government Act 1999*) where recordings were available.

2.2 Requirement for a report on publishing Council meeting recordings

At its meeting on 22 October 2020 Council considered a Motion on Notice and resolved as follows:

11.1 Publishing Recordings of Council Meetings

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

244/19

I move that Council resolves to request the Chief Executive Officer to provide a report to a future Council meeting on the practices of Australian local government entities for publishing Council Meeting audio recordings on their websites with a view to assessing the risks and benefits of adopting this practice at Adelaide Hills Council.

Carried Unanimously

2.3 Electronic Participation in Council meetings

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

In summary, Notice 1 provided the legislative provisions for Council Meetings to be conducted virtually with Council Members able to participate by electronic means and for the meeting proceedings to be livestreamed (in audio/visual form) via council websites for the community to access, given that the Council Chambers were unable to be used due to the COVID-19 social distancing restrictions.

In response, the Adelaide Hills Council revised its Code to enable the convening of its meetings via the Zoom virtual meeting application and for the meeting proceedings to be live-streamed on the Council's website. Recordings of these meetings are made however these are not loaded onto the website for public access consistent with the provisions of the Code.

2.4 Audio and audio/visual recording and publishing practices in Australian local government entities

Data collection for this report was undertaken through web searches, direct contact with a small number of councils and via local government governance discussion groups. The bulk of the data collection occurred prior to the COVID-19 social distancing restrictions and specifically in South Australia before the gazettal on Notice 1. As such the current practices of councils across the nation with respect to meeting conduct are likely to be different than when the information was collected.

The practice of making audio recordings of council meetings is relatively widespread amongst medium to large councils nationally, usually for the purposes of minute preparation. Subject to the nuances of jurisdictional freedom of information laws these recordings are available via application to the respective council. A smaller number of councils make these recordings available on their websites for members of the public to access, this mostly occurs post-meeting however a number live-stream their audio.

A small number of councils, typically the capital city and larger metropolitan councils (examples in SA include Adelaide City, Burnside and Victor Harbor), live-stream both audio and visual feeds from their meeting, some of these also publish the recordings on their website.

3. ANALYSIS

3.1 Benefits associated with publishing Council meeting recordings on a website

The key benefit of publishing audio (and visual) recordings on a council website is that a broader cohort of the community (i.e. those who are unwilling or unable to attend meetings in person) has the ability to hear (albeit belatedly) the deliberations of the council and therefore obtain an understanding of the rationale for the decisions (resolutions) that they read in the meeting minutes. This could occur regularly or in a one-off sense when the community member hears or reads about a council decision and is interested to learn more.

An associated benefit is that, as the recordings are in the public domain, there is no need for interested parties to go to the time and expense of lodging FOI applications and the resultant processing cost for the council.

3.2 Risks associated with publishing Council meeting recordings on a website

The following are the key risks associated with the publishing of Council meeting recordings on the website:

3.2.1 Recording failures (Low (1C) risk rating)

There is always the potential for an equipment failure or merely a human failure in starting the recording. This in itself is not a risk from a legislative compliance perspective as there are a number of redundancies built into the minute generation process (as discussed earlier) however once recording publication is promoted there would be a level of community expectation that would be unmet from a failed recording.

Mitigations to manage this risk are more administrative controls.

3.2.2 Publication of defamatory/inappropriate comments (Low (3E) risk rating)

Council Members and Officers are responsible, under their respective codes of conduct, for their behaviour during meetings. As such any defamatory or inappropriate comments (including breaches of privacy, copyright, etc.) made are a matter of legal liability for the individual, although there is always the potential for reputational damage to Council from such incidents.

If however, the Council (knowingly or unknowingly) publishes recordings of these incidents, it is the Council that is the defaming party in addition to the offending Member or Officer. This could result in legal liability for the organisation in addition to reputational damage.

While the use of directional microphones lessens the probability of the incidental capture of side comments, the mitigation to manage the above risk would be for an Officer to listen to the entire recording to identify any such statements and redact these accordingly. This would equate to an additional 3-5 hours of resource per Ordinary meeting.

3.2.3 Publication of confidential information (Low (3E) risk rating)

Meeting recordings can contain the deliberations of Council that occur under a s90 confidentiality order. If these deliberations were published prior to the confidentiality order being lifted, Council would be in breach of the *Local Government Act 1999* and potentially other legal liability.

The mitigation to manage this risk would be for an Officer to listen to that section of the recording in which confidential agenda items were considered and redact these accordingly.

3.2.4 Additional resourcing required to improve recording accessibility (Medium (1A) risk rating)

Meeting recordings of over 3 hours length would be difficult for members of the public to navigate. An option is to index (time stamp) the recording to enable easier accessibility to items of interest. To provide this functionality an Officer would need to either index the recording in real-time (this would require an extra Officer at the meeting) or for an Officer to listen to the entire recording to create the indexing.

Similarly, posting recordings on the variety of Council social media (to improve accessibility) would have a resource impact on the Communications, Engagement and Events team.

3.2.5 Manipulation of recordings by third parties to cause detriment (Low (2E) risk rating)

Concerns have been raised that third parties could manipulate the recordings to cause detriment to a Council Member specifically or Council in general. Discussions with other councils that provide recordings on their websites did not identify any instances where this has occurred.

This risk could be partially mitigated through the use of encryption software. However the most effective mitigation is to have the original recording on the website so that any community members with concerns regarding statements attributed to a Council Member can be directed to the recording on the website.

3.2.6 Deputies and public forum participants do not want to have their presentations published (Low (1C) risk rating)

Members of the public speaking at council meetings are aware that proceedings are recorded (due to the signage at the Chamber entrance) however they may not be happy that recordings of their presentations are available on a website.

This risk could be mitigated through guidance on deputation application forms, amended Chamber signage and potentially commentary by the Mayor prior to deputations and public forums commencing.

3.3 Proposed Broadcasting Council Meeting Project

The draft *Annual Business Plan 2020-21* (ABP) contains a capital project regarding the purchase of equipment to enable the audio/visual broadcasting (live-streaming) of Council meetings. If this project is adopted as part of the final ABP there will need to be considerable planning on the equipment to be utilised and the processes and procedures accompanying the broadcasting initiative.

As such, many of the issues canvassed above in relation to the publishing of audio recordings will need to be reconsidered and reconfigured to accommodate the nuances of broadcasting.

3.4 Conclusion

Given the indeterminate timing of the application of Notice 1 -Electronic participation (and the resultant resumption to 'normal' meeting practice), the Local Government Reform legislative review process (scheduled to come into effect on 1 July 2021 which will entail changes to meeting procedure) and the draft ABP broadcasting council meeting project (and associated procedural changes), the Administration does not recommend making amendments to the current regime with regard to the management of Council meeting recordings at this point in time.

4. OPTIONS

The Council has the following options:

- I. As this is an information report it is recommended that Council receive and note the item (**Recommended**)
- II. Take an alternative/additional course of action (**Not Recommended**).

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
AGENDA BUSINESS ITEM**

Item: 13.4

Responsible Officer: Steven Watson
Governance & Risk Coordinator
Office of the Chief Executive

Subject: Policy Register Review – June 2020

For: Information

SUMMARY

Council has developed a range of policies over time, some in response to legislative obligations and others at Council’s discretion. Policies are generally adopted with review to occur at a set period (i.e. 3 years) or as required by changes in legislation.

The attached Policy Register is provided for the Council’s consideration and review to get a consolidated picture of the schedule of policies and review timeframes.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

Council’s Policy Framework is a key component of the wider Governance Framework.

➤ **Legal Implications**

The *Local Government Act 1999*, *Local Government (Elections) Act 1999* and *Development Act 1993* require a number of codes and policies to be developed; these include but are not limited to:

- Code of Practice for Access to Council & Committee Meetings and Documents;
- Complaints Handling;
- Caretaker;
- Internal Review of Council Decisions;
- Public Consultation;
- Procurement.

➤ **Risk Management Implications**

Maintenance of a contemporary and legislatively compliant Policy Framework will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

There is no specific budget for the development and implementation of the Program however this is provided for in the Governance budget. The financial implications of individual policies will be identified when submitted for approval.

➤ **Customer Service and Community/Cultural Implications**

Specific policies developed/revised as part of this Program will have customer service implications however there is a community expectation that Council has in place a suite of logical, cohesive and legislatively-compliant policies.

➤ **Sustainability Implications**

Not directly applicable.

➤ **Engagement/Consultation with Committee, Regional Subsidiary, Advisory Group and Community**

Consultation regarding the Policy Framework has previously been undertaken within Council.

Some policies are required by legislation to be subject to consultation prior to adoption (i.e. *Public Consultation Policy*) and for some others it may be desirable to undertake a discretionary consultation approach (the Council can determine this on a policy-by-policy basis).

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Executive Manager Governance & Performance
Manager Property Services
Manager Financial Services
Manager Open Space
Manager ICT
Manager Development Services
Manager Sustainable Assets
Manager Community Development
Manager Library & Customer Service
Team Leader Regulatory Services
Team Leader Information Management
Senior Strategic & Policy Planner
Sport & Recreation Planner

Community: Not Applicable

2. **BACKGROUND**

The Policy Register is provided to enable the Council to fulfil its oversight role, in relation to the Policy Framework.

3. **ANALYSIS**

The Administration has reviewed the Policy Register (**Appendix 1**) and specifically the timings for policy reviews to come before the Council.

Considerable progress has been made in recent years to update and maintain the currency of Council's Policy Framework. A small number of policies remain on the Register which is legislatively or contextually superfluous and these will be targeted for rescission over the forthcoming period.

A number of governance-related policies will be impacted by the proposed legislative changes arising from the Reform Local Government Program. The Bill (containing these legislative changes) was originally scheduled to be tabled in Parliament in the first half of 2020 however the COVID-19 pandemic and the resultant need to bring in more urgent legislative arrangements has led to a deferral until late 2020. On this basis, **Appendix 1**, contains a number of policies that have been identified for a review deferral pending the release of the draft Bill.

4. OPTIONS

The Committee has the following options:

- I. To note the Policy Register as attached (Recommended)
- II. To alter the timings of proposed policy reviews.

5. APPENDIX

- (1) Adelaide Hills Council Policy Register – June 2020

Appendix 1

Adelaide Hills Council Policy Register

June 2020

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Commence Review (traffic light)	Responsible Department	Responsible Officer	Notes
Sport and Recreation Policy	COM-22	Community	Other	16-Dec-08	Apr-11	Dec-10	Open Space	Sport & Recreation Planner	The strategic elements of this policy are going to be incorporated into the Community & Recreation Facility Framework. Subsequent policies or guidelines may be formed as a result. Policy will be revoked when Community & Recreation Facility Framework is in place.
One Team Communication Protocols	GOV-11	Corporate Governance	Other	2-Aug-15	Aug-18	Apr-18	Governance & Performance	Executive Manager Governance & Performance	It would be premature to review the Protocols prior to the Reforming Local Government (legislative) program being better understood due to the potential for new/changed provisions impacting on Council Member/Administration relations. Propose to be workshopped with Council Members when the draft Reform Bill is released (mid-late 2020).
Mayors/Chairpersons Seeking Legal Advice (LGA s78A)	CM-03	Council Member	Other	8-Sep-15	Sep-18	May-18	Governance & Performance	Executive Manager Governance & Performance	While there are not any specific proposed changes to s78A in the Reforming Local Government (legislative) program, given that the current Policy provisions are generally sufficient and relevant, it is not proposed to revise the Policy until the Reform Bill is passed..
Development Application Document Reproduction	DEV-03	Development	Recommended	11-Oct-16	Oct-19	Jun-19	Development & Compliance	Manager Development Services	Policy review underway and will be completed once PDI Act has been implemented in September 2020
Community Loans	FIN-06	Finance	Other	24-Apr-18	Feb-20	Oct-19	Financial Services	Manager Financial Services	Some delays in reviewing this Policy given recent events. Proposed to bring back to Council in August 2020.
Public Transport	COM-23	Community	Other	14-Feb-17	Feb-20	Oct-19	Policy Planning	Director Development & Regulatory Services	Policy to be reviewed in August 2020
Records and Information Management	GOV-13	Corporate Governance	Recommended	14-Feb-17	Feb-20	Oct-19	Information Systems	Manager Information Systems	Policy review completed however confirming requirements of Creative Commons Licence (Copyright licence for Council's works) which may need to be included in the Policy. To be considered by ELT and adopted by Council once licence determined.
Acceptance of External Funding	GOV-07	Corporate Governance	Other	14-Mar-17	Mar-20	Nov-19	Director's Office, CS	Manager Financial Services	Some delays in reviewing this Policy given recent events. Proposed to bring back to Council in September 2020.
Internal Audit (LGA s125)	GOV-18	Corporate Governance	Mandatory	13-Jun-17	Apr-20	Dec-19	Governance & Performance	Executive Manager Governance & Performance	To be considered by Audit Committee for recommendation to Council at the August 2020 meeting.
Prudential Management (LGA s48)	GOV-09	Corporate Governance	Mandatory	13-Jun-17	Apr-20	Dec-19	Governance & Performance	Executive Manager Governance & Performance	To be considered by Audit Committee for recommendation to Council at the August 2020 meeting.
Cemetery Management	COM-06	Community	Recommended	9-May-17	May-20	Jan-20	Property Services	Manager Property Services	Will be reviewed following implementation of the cemetery management system, likely to be September/October 2020
Development Application Fee Waiver	DEV-05	Development	Other	9-May-17	May-20	Jan-20	Development & Compliance	Director Development & Regulatory Services	Policy to be reviewed in July 2020 after new PDI Act fees announced by DPTI
Public Place & Road Naming (LG Act s219(5))	DEV-02	Infrastructure & Assets	Mandatory	9-May-17	May-20	Jan-20	Sustainable Assets	Manager Sustainable Assets	Public notice must be given of the adopting or altering of a policy (s219(7)) - clarity around owner of policy has delayed review.
Liquor Licensing	COM-18	Community	Other	13-Jun-17	Jun-20	Feb-20	Development & Compliance	Director Development & Regulatory Services	Will be considered closer to the scheduled Review Date
School Parking and Associated Facilities	COM-21	Community	Other	13-Jun-17	Jun-20	Feb-20	Sustainable Assets	Director Infrastructure & Operations	Review to consider incorporation into an overarching policy into work on State Government Land.
Rating (LGA Chpt 10)	FIN-02	Finance	Recommended	25-Jun-19	Jun-20	Mar-20	Financial Services	Manager Financial Services	Adopted in June as part of ABP
Building & Swimming Pool Inspection (Dev Act s71A(1))	DEV-01	Development	Mandatory	11-Jul-17	Jul-20	Mar-20	Development & Compliance	Director Development & Regulatory Services	Will be reviewed closer to scheduled July 2020 review date and may change significantly when this section of the Development Act is switched off and the superseding section in the PDI Act is switched on
Community Group Use of Photocopiers	COM-02	Community	Other	11-Jul-17	Jul-20	Mar-20	Library & Customer Services	Director Community Capacity	Will be considered closer to the scheduled Review Date
Grant Giving	COM-05	Community	Other	23-Jul-19	Jul-20	Mar-20	Community Development	Director Community Capacity	minor update to clause 8.1 arising from 23 April 2019 Council meeting, resolution 75/19 has been undertaken along with other minor changes. Review in 2020 will also look more broadly at processes and framework that relate to the policy.
Petitions	GOV-22	Corporate Governance	Recommended	11-Jul-17	Jul-20	Mar-20	Governance & Performance	Executive Manager Governance & Performance	Policy had an amendment in early 2020, a more fulsome review will be more timely when the Local Government Reform Bill is passed..
Unsealed Roads	INF-09	Infrastructure & Assets	Other	11-Jul-17	Jul-20	Mar-20	Sustainable Assets	Director Infrastructure & Operations	Review of policy has commenced.

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Commence Review (traffic light)	Responsible Department	Responsible Officer	Notes
Development Application Fee Refunds	DEV-07	Development	Other	25-Sep-18	Sep-20	May-20	Development & Compliance	Director Development & Regulatory Services	Will be considered closer to the scheduled Review Date
Privately Funded Development Plan Amendments	DEV-10	Development	Other	2-Oct-19	Sep-20	May-20	Development & Compliance	Director Development & Regulatory Services	Review undertaken SPDPC 2 October 2019. No changes to the Policy are suggested. It is also noted that the Policy will be abandoned shortly (by no later than 1 September 2020) given the roll out of the Planning Reforms which do not envisage DPA's as these will be replaced by the Planning & Design Code
Asset Management	INF-03	Infrastructure & Assets	Other	26-Sep-17	Nov-20	Jul-20	Sustainable Assets	Director Infrastructure & Operations	To be considered by Audit Committee for recommendation to Council
Buffers	DEV-06	Development	Other	1-Jan-15	Nov-20	Jul-20	Policy Planning	Director Development & Regulatory Services	The Australian Pesticides and Veterinary Medicines Authority (APVMA) is still in the process of reviewing buffer requirements for the various pesticides. Once completed, staff will then be in a position to review the Buffers Policy.
Burning Permit Policy	ENV-06	Environment & Open Space	Recommended	26-Feb-19	Nov-20	Jul-20	Waste, Health & Regulatory Services	Manager Waste & Emergency Management	Will be considered closer to the scheduled Review Date
Debt Recovery (inc. CWMS Customer Hardship Policy) (LGA s144)	FIN-04	Finance	Mandatory	28-Nov-17	Nov-20	Jul-20	Financial Services	Manager Financial Services	Will be considered closer to the scheduled Review Date
Delegations Policy for the Determination of Development Applications by CAP	DEV-12	Strategy & Development	Mandatory	28-Nov-17	Nov-20	Jul-20	Development & Compliance	Manager Development Services	Will be considered closer to the scheduled Review Date
Enforcement Policy	GOV-10	Environment & Open Space	Recommended	26-Jun-18	Nov-20	Jul-20	Waste, Health & Regulatory Services	Director Development & Regulatory Services	Will be considered closer to the scheduled Review Date
Genetically Modified Crops	ENV-01	Environment & Open Space	Other	18-Dec-18	Nov-20	Jul-20	Policy Planning	Director Development & Regulatory Services	Recent changes to the legislation require this policy to be reviewed. This review will need to run concurrent with Councils process to determine if as Council Area, we opt to stay GM free.
Management of Built Heritage	DEV-09	Development	Other	12-Apr-16	Nov-20	Jul-20	Policy Planning	Director Development & Regulatory Services	Will be considered closer to the scheduled Review Date
Order Making (LGA s259)	GOV-05	Corporate Governance	Mandatory	14-Nov-17	Nov-20	Jul-20	Waste, Health & Regulatory Services	Director Development & Regulatory Services	Policy to be reviewed concurrently with review of the Enforcement Policy to ensure alignment between the two. Revised policy must have public consultation of at least 4 weeks.
Treasury	FIN-03	Finance	Recommended	26-Sep-17	Nov-20	Jul-20	Financial Services	Manager Financial Services	Will be considered closer to the scheduled Review Date
Code of Practice for Meeting Procedures (LGPAMR r6)	GOV-14	Corporate Governance	Mandatory	28-Jan-20	Jan-21	Sep-20	Governance & Performance	Executive Manager Governance & Performance	The Code has a minor amendment in early 2020 regarding petitions and in April 2020 for electronic participation. The Reforming Local Government (legislative) program, specifically contemplates changes to the powers of principal members in the Chamber (disciplinary and deliberate vote) and informal gatherings. As such, a fulsome review of the Code will be required when the Reform Bill is passed.
Play Space	COM-10	Community	Other	27-Mar-18	Jan-21	Sep-20	Open Space	Sport & Recreation Planner	Will be considered closer to the scheduled Review Date
Outdoor Dining	COM-19	Community	Other	24-Apr-18	Mar-21	Nov-20	Property Services	Manager Property Services	Will be considered closer to the scheduled Review Date
Road Rents	INF-06	Infrastructure & Assets	Other	24-Apr-18	Mar-21	Nov-20	Property Services	Manager Property Services	Will be considered closer to the scheduled Review Date
Roadside Trading (Use of Public Road Verges for Business Purposes)	COM-20	Community	Other	24-Apr-18	Mar-21	Nov-20	Property Services	Manager Property Services	Will be considered closer to the scheduled Review Date
Waste and Resource Recovery Service	ENV-05	Environment & Open Space	Other	27-Mar-18	Apr-21	Dec-20	Waste, Health & Regulatory Services	Manager Waste & Emergency Management	Will be considered closer to the scheduled Review Date
Safe Environments	COM-12	Community	Recommended	22-May-18	May-21	Jan-21	Organisational Development	Executive Manager Organisational Development	Will be considered closer to the scheduled Review Date
Lease & Licencing	NEW	Community	Other	Proposed	Jun-21	Feb-21	Property Services	Manager Property Services	To be updated in conjunction with the adoption of the Community & Recreation Facility Framework, unlikely to be until mid 2020
Public Interest Disclosure	GOV-16	Corporate Governance	Recommended	25-Jun-19	Jun-21	Feb-21	Governance & Performance		Will be considered closer to the scheduled Review Date

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Commence Review (traffic light)	Responsible Department	Responsible Officer	Notes
Flags	COM-16	Community	Other	24-Jul-18	Jul-21	Mar-21	Communications & Events	Director Community Capacity	Will be considered closer to the scheduled Review Date
Provision of Physical Models or other Visual Representation Tools for Major Development Proposals which require Public Notification	DEV-11	Development	Other	24-Jul-18	Jul-21	Mar-21	Development & Compliance	Director Development & Regulatory Services	Will be reviewed closer to scheduled April 2021 review date
Street Lighting	INF-08	Infrastructure & Assets	Other	24-Jul-18	Jul-21	Mar-21	Engineering Asset Management	Director Infrastructure & Operations	Will be considered closer to the scheduled Review Date
Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae	ENV-02	Development	Other	23-Jul-19	Jul-21	Mar-21	Development & Compliance		Will be considered closer to the scheduled Review Date
Tributes for Commemorative Services	COM-13	Community	Other	24-Jul-18	Jul-21	Mar-21	Communications & Events	Director Community Capacity	Will be considered closer to the scheduled Review Date
Volunteer Engagement	COM-04	Community	Recommended	24-Jul-18	Jul-21	Mar-21	Community Development	Director Community Capacity	volunteer engagement survey being undertaken which will inform the development of the policy along with other work in the volunteer space.
Directional Signage	INF-07	Infrastructure & Assets	Other	26-Feb-19	Sep-21	May-21	Sustainable Assets	Director Infrastructure & Operations	Will be considered closer to the scheduled Review Date
Local Heritage Grant Fund Guidelines - Procedure	DEV-13	Development	Other	26-May-20	Nov-21	Jul-21	Development & Compliance	Director Development & Regulatory Services	The 2020 review is complete following the the first round of the Grant Fund. Refinements have been made to the Procedure to streamline the procedure, a review will be undertaken following the second grant round in 2021.
Advisory Group Operation and Conduct	GOV-1	Corporate Governance	Other	18-Dec-18	Dec-21	Aug-21	Governance & Performance	Executive Manager Governance & Performance	Will be considered closer to the scheduled Review Date
Wastewater System Application Fee Refunds	COM-24	Community	Other	18-Dec-18	Dec-21	Aug-21	Waste, Health & Regulatory Services	Manager Waste & Emergency Management	Will be considered closer to the scheduled Review Date
Council Member Conduct (LGA s63)	CM-04	Council Member	Mandatory	28-Jan-20	Jan-22	Sep-21	Governance & Performance	Executive Manager Governance & Performance	The Reforming Local Government (legislative) program specifically contemplates changes to the provisions regarding Council Member conduct and complaints handling. As such, a fulsome review of the Code will be required when the Reform Bill is passed.
Festivals & Events	COM-11	Community	Other	27-Aug-19	Mar-22	Nov-21	Communications & Events	Manager Communications, Engagement and Events	Staff are working on a draft new F&E Policy with a review focus on motorsport events and fireworks. Council adopted a draft policy for consultation purposes in June 2019 and consultation subsequently occurred. A report on the adoption of a final policy will be prepared for the August 2019 meeting.
Tree Management	ENV-04	Environment & Open Space	Other	26-Mar-19	Mar-22	Nov-21	Sustainable Assets	Director Infrastructure & Operations	Will be considered closer to the scheduled Review Date
Community Information Display	COM-09	Community	Other	26-Mar-19	Mar-22	Nov-21	Communications & Events	Manager Libraries and Customer Service	Will be considered closer to the scheduled Review Date
Risk Management	GOV-19	Corporate Governance	Recommended	28-May-19	Apr-22	Dec-21	Governance & Performance	Executive Manager Governance & Performance	To be considered by Audit Committee for recommendation to Council
Caretaker (LGEA s91A(1))	GOV-06	Corporate Governance	Mandatory	22-May-18	May-22	Jan-22	Governance & Performance	Executive Manager Governance & Performance	Will be considered closer to the scheduled Review Date
Development Applications Involving Regulated Trees	DEV-08	Development	Other	14-Jun-16	Jun-22	Feb-22	Development & Compliance	Director Development & Regulatory Services	Will be considered closer to the scheduled Review Date
Council Member Training and Development (LGA s 80A)	CM-05	Council Member	Mandatory	24-Jul-18	Sep-22	May-22	Governance & Performance	Executive Manager Governance & Performance	Will be considered closer to the scheduled Review Date
Disposal of Assets (LGA s49(1d))	FIN-07	Finance	Mandatory	10-Oct-19	Sep-22	May-22	Financial Services	Manager Financial Services	Adopted 27 August 2019, effective 10 September 2019
Council Member Allowance and Support (LGA s 77(1)(b))	CM-02	Council Member	Mandatory	27-Nov-18	Nov-22	Jul-22	Governance & Performance	Executive Manager Governance & Performance	Policy lapses at a general election of council.
Procurement (LGA s49)	GOV-08	Corporate Governance	Mandatory	27-Aug-19	Nov-22	Jul-22	Financial Services	Manager Financial Services	

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Commence Review (traffic light)	Responsible Department	Responsible Officer	Notes
Public Consultation (LGA s50)	COM-01	Community	Mandatory	28-Jan-20	Jan-23	Sep-22	Communications & Events	Manager Communications, Engagement and Events	The LGA has been undertaking a review and update of a model Public Consultation Policy following the Supreme Court decision in the case of Coastal Ecology Protection Group Inc & Or v City of Charles Sturt (2017) SASC 136. The LGA has confirmed the review of its model PCP is currently on hold, pending the outcome of an ongoing legal review. It makes sense for AHC to await the outcome of this legal review and release of the model Public Consultation Policy so it can inform review of our own PCP. At this stage the draft Policy is scheduled for Oct 2019 council meeting
Fraud Corruption Misconduct & Maladministration	GOV-02	Corporate Governance	Recommended	28-Apr-20	Oct-23	Jun-23	Governance & Performance	Executive Manager Governance & Performance	Draft revised Policy has been considered by the Audit Committee and adopted by Council. Additional work required on CEO Investigation process which is delaying the scheduling of the report for Council's consideration.
Code of Practice for Access to Council Meetings, Committees & Documents (LGA s92)	GOV-17	Corporate Governance	Mandatory	23-Apr-19	Nov-23	Jul-23	Governance & Performance	Executive Manager Governance & Performance	May be impacted by the Reforming Local Government (legislative) program, if so the review date will be brought forward.
Complaints Handling (LGA s 270(a1)(b))	GOV-04	Corporate Governance	Mandatory	26-Nov-19	Nov-23	Jul-23	Director's Office, CCS	Director Community Capacity	To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08.
Informal Council Gatherings (LGA 90(8a))	GOV-12	Corporate Governance	Mandatory	23-Jul-19	Nov-23	Jul-23	Governance & Performance	Executive Manager Governance & Performance	The Reforming Local Government (legislative) program specifically contemplates changes to the provisions regarding informal gatherings and discussions. As such, a fulsome review of the Policy will be required when the Reform Bill is passed.
Internal Review of Council Decisions (LGA s 270(1))	GOV-01	Corporate Governance	Mandatory	26-Nov-19	Nov-23	Jul-23	Service Improvement	Coordinator Services Strategy and Innovation	The Reforming Local Government (legislative) program specifically contemplates changes to the provisions regarding Council Member conduct and complaints handling. As such, a fulsome review of the Code will be required when the Reform Bill is passed. To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08
Request for Service (LGA s270(a1)(a))	GOV-03	Corporate Governance	Mandatory	26-Nov-19	Nov-23	Jul-23	Director's Office, CCS	Coordinator Services Strategy and Innovation	To be done in consideration of GOV-01, GOV-03 & GOV-04.
Unreasonable Complainant Conduct Policy	GOV-08	Corporate Governance	Other	26-Nov-19	Nov-23	Jul-23	Director's Office, CCS	Coordinator Services Strategy and Innovation	To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08.
Burials Outside Cemeteries	COM-15	Community	Other	22-Jan-19	Jan-24	Sep-23	Property Services	Manager Property Services	Will be considered closer to the scheduled Review Date

Item 18 Minutes of Committees

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 25 MAY 2020
63 MT BARKER ROAD STIRLING**

In Attendance**Members:**

Cr Malcolm Herrmann	Presiding Member
Peter Brass	Independent Member
David Moffatt	Independent Member
Cr Leith Mudge	Council Member

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Lachlan Miller	Executive Manager Governance & Performance
Mike Carey	Manager Financial Services

1. COMMENCEMENT

The meeting commenced at 6.00pm

2. APOLOGIES/LEAVE OF ABSENCE**2.1. Apology**

Paula Davies

Moved Peter Brass

S/- Cr Leith Mudge

23/AC20

Carried

2.2. Leave of Absence

Nil

2.3. Absent

Nil

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 25 MAY 2020
63 MT BARKER ROAD STIRLING**

3. MINUTES OF PREVIOUS MEETINGS

3.1. Audit Committee Meeting – 20 April 2020

Moved Cr Leith Mudge
S/- David Moffatt

24/AC20

That the minutes of the Ordinary Council meeting held on 20 April 2020, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried

4. Delegation of Authority

In accordance with the Audit Committee Terms of Reference, the Committee has no delegated decision-making powers. The Recommendations in Item(s) 6.3, 6.9 and 6.10 are to be submitted to Council for consideration.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF AUDIT COMMITTEE

Nil

6. OFFICER REPORTS – DECISION ITEMS

6.1. Action Report and Work Plan Update

Moved Cr Leith Mudge
S/- Peter Brass

25/AC20

The Audit Committee resolves that the report be received and noted.

Carried Unanimously

6.2. Quarterly Council Performance Report – Q3

Moved Peter Brass
S/- Cr Leith Mudge

26/AC20

The Audit Committee resolves that the report be received and noted

Carried

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 25 MAY 2020
63 MT BARKER ROAD STIRLING**

6.3. Budget Review 3

Moved Peter Brass
S/- David Moffatt

27/AC20

The Audit Committee:

1. Resolves that the report be received and noted.
2. Recommends to Council the proposed budget adjustments presented in Budget Review 3 which result in:
 - a. a reduction in the Operating Surplus from \$411k to an Operating Deficit of \$13k for the 2019-20 financial year.
 - b. changes to capital resulting in a proposed capital expenditure budget of \$16.526m for the 2019-20 financial year from:
 - i. a reduction in Capital Expenditure of \$448k
 - ii. the proposed carry forward of capital project income of \$1.774m and expenditure of \$1.454m to the 2020-21 financial year.
 - c. an increase in Council's current Net Borrowing Result from \$4.100m to \$4.395m for the 2019-20 financial year as a result of the proposed operating and capital adjustments.

Carried Unanimously

6.4. End of Financial Year Reporting Timetable

Moved Cr Leith Mudge
S/- David Moffatt

28/AC20

The Audit Committee resolves that the report be received and noted.

Carried

6.5. Internal Financial Controls Update

Moved David Moffatt
S/- Peter Brass

29/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To note the further developments that have been undertaken in the improvement of internal financial controls.

Carried

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 25 MAY 2020
63 MT BARKER ROAD STIRLING**

6.6. Financial Controls Review Interim Management Letter

Moved Cr Leith Mudge
S/- Peter Brass

30/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. Notes the communication received from Galpins from their Interim visit relating to the 2019-20 Financial Controls Review and the Management Responses to their findings from the Interim Audit.

Carried

6.7. LGRS Risk Evaluation – Action Plan Review

Moved David Moffatt
S/- Cr Leith Mudge

31/AC20

The Audit Committee resolves that the report be received and noted

Carried

6.8. Risk Management Plan – Quarterly Update

Moved Peter Brass
S/- David Moffatt

32/AC20

The Audit Committee resolves that the report be received and noted.

Carried

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 25 MAY 2020
63 MT BARKER ROAD STIRLING**

6.9. Internal Audit Quarterly Update

Moved Peter Brass
S/- Cr Leith Mudge

33/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To recommend to Council to adopt the revised Strategic Internal Audit Plan v1.4a as contained in Appendix 1.

Carried

6.10. Annual Business Plan and Budget 2020-21 (attachment to be distributed as a late paper)

Moved Cr Leith Mudge
S/- David Moffatt

34/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To advise Council that the Committee has reviewed the draft Annual Business Plan 2020-21 (ABP), as contained in Appendix 1, in terms of the assumptions underpinning the Plan, its consistency with the Strategic Management Plans and the adequacy of the plans in the context of maintaining financial sustainability.
3. That, on the basis of the Committee's review, to recommend the ABP to Council for community consultation.

Carried

7. CONFIDENTIAL ITEMS

Nil

8. NEXT MEETING

The next ordinary meeting of the Audit Committee will be held on Monday 17 August 2020 from 6.00pm at 63 Mt Barker Road, Stirling.

9. CLOSE MEETING

The meeting closed at 8.08pm.

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 4 JUNE 2020
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Cr Mark Osterstock

Members:

Ms Paula Davies	Independent Member
Mayor Jan-Claire Wisdom	
Cr Nathan Daniell	
Cr Kirsty Parkin	

In Attendance:

Andrew Aitken	Chief Executive Officer
Lachlan Miller	Executive Manager Governance & Performance
Megan Sutherland	Executive Manager Organisational Development

1. COMMENCEMENT

The meeting commenced at 6.03pm

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Nil

2.3 Absent

Nil

Presiding Member _____ 9 July 2020

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 4 JUNE 2020
63 MT BARKER ROAD STIRLING**

3. MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 9 April 2020

Moved Mayor Jan-Claire Wisdom

S/- Cr Nathan Daniell

PRP 5/20

That the minutes of the CEO Performance Review Panel meeting held on 9 April 2020 as distributed, be confirmed as an accurate record of the proceedings of that meeting

Carried

4. PRESIDING MEMBER'S OPENING COMMENTS

The Presiding Member welcomed the Panel members and expressed his appreciation to be meeting in the Chamber and his hope that the COVID-19 restrictions will abate further in the near future.

5. DELEGATION OF AUTHORITY

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE

Nil

7. OFFICER REPORTS – DECISION ITEMS

7.1 2019 – 2020 CEO Performance Targets Update

Moved Mayor Jan-Claire Wisdom

S/- Paula Davies

PRP 6/20

The CEO Performance Review Panel resolves that the report be received and noted.

Carried

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 4 JUNE 2020
63 MT BARKER ROAD STIRLING**

7.2 Proposed 2020 – 2021 CEO Performance Targets

Moved Cr Kirsty Parkin
S/- Paula Davies

PRP 7/20

The CEO Performance Review Panel resolves that the report be received and noted.

Carried

7.3 Adjournment

Moved Cr Kirsty Parkin
S/- Mayor Jan-Claire Wisdom

PRP 8/20

That the meeting be adjourned for 15 minutes.

Carried

The meeting was adjourned at 7.11pm

The meeting resumed at 7.30pm

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Nil

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 4 JUNE 2020
63 MT BARKER ROAD STIRLING**

10. CONFIDENTIAL ITEMS

**10.1 Advice on preferred Consultant to undertaken CEO Performance & Remuneration Review
– Exclusion of the Public**

Moved Mayor Jan-Claire Wisdom
S/- Cr Nathan Daniell

9/20

Pursuant to section 90(2) of the *Local Government Act 1999* the CEO Performance Review Panel (the Panel) orders that all members of the public, except:

- Executive Manager Governance and Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland

be excluded from attendance at the meeting for Agenda Item 10.1 (Advice on preferred Consultant to undertake the CEO Performance and Remuneration Review) in confidence.

The Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

Section 90(3)(d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) that would, on balance, be contrary to the public interest, the disclosure of which could reasonably be expected to prejudice the commercial position of the business which supplied the information and to confer a commercial advantage on a third party.

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

Carried

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 4 JUNE 2020
63 MT BARKER ROAD STIRLING**

**10.1.1 Advice on preferred Consultant to undertaken CEO Performance & Remuneration Review
– Confidential Item**

Moved Mayor Jan-Claire Wisdom

S/- Cr Nathan Daniell

PRP 10/20

The CEO Performance Review Panel resolves:

- 1. That the report be received and noted.**
- 2. To advise the Administration that Morton Philips is the Panel's preference to undertake the CEO performance and remuneration review for 2019/2020.**

Carried

11. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on 9 July 2020 at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 7.50pm.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JUNE 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 8 July 2020]

In Attendance

Presiding Member

Geoff Parsons (via audio/visual link)

Members

Ross Bateup (via audio/visual link)

David Brown (via audio/visual link)

John Kemp (via audio/visual link)

Karla Billington (via audio/visual link) - Observer

In Attendance

Marc Salver

Deryn Atkinson

Sam Clements

Melanie Scott

Doug Samardzija

Sarah Davenport

Karen Savage

Director Development & Regulatory Services

Assessment Manager

Team Leader Statutory Planning

Senior Statutory Planner

Statutory Planner

Statutory Planner

Minute Secretary

1. Commencement

The meeting commenced at 6.33pm

2. Apologies/Leave of Absence

2.1 Apologies

Piers Brissenden

2.2 Leave of Absence

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JUNE 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 8 July 2020]

3. Previous Minutes

3.1 Meeting held 11 March 2020

The minutes were adopted by consensus of all members (6)

That the minutes of the meeting held on 11 March 2020 be confirmed as an accurate record of the proceedings of that meeting.

4. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 28 November 2017.

5. Presiding Member's Report

The Presiding Member:

1. Formally welcomed John Kemp as a new member of Council's Assessment Panel, joining the meeting tonight. John has previous experience on the Panel and the Panel looks forward to the contribution that John will make.
2. Formally thanked Linda Green, previous member on the Panel, for her very valuable contribution and assistance in terms of the Panel's decision making. Linda brought a good local perspective to the Panel.
3. Welcomed Karla Billington, who is a special member appointed to the Panel with a background in water quality and water management, as an Observer to the meeting. Karla has no formal voting rights but is able to be called upon to assist when items come before the Panel that relate to her area of expertise.

6. Declaration of Interest by Members of Panel

Nil

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JUNE 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 8 July 2020]

7.2 Matters Deferred

7.2.1 **Development Application 13/30/473 by Mark Musolino for filling of land to a maximum depth of 6.2 metres (non-complying) at 24 & 28 Emmett Road, Crafers West**

Deferred from meeting 8 May 2019

“At the request of Council staff, that a decision on the matter be deferred to enable Council administration to repeat the public notification process in order to comply with the requirements of Regulation 22(5) of Development Regulations 2008.”

Deferred from meeting 10 July 2019

“That a decision on the matter be deferred to enable the applicant to:

- *Provide clean fill certificates or undertake soil samples, surface and ground water testing and analysis by a suitably experienced and qualified site contamination consultant to provide evidence that the fill placed on the site is not contaminated and suitable for a private open space area associated with a dwelling, and that there is no risk of pollution to surface or underground waters.*
- *Provide clarification of the pre 2010 land form, the existing land form with the fill in situ and the final form of the land proposed following the landscaping shown in the landscape concept plan”.*

Refer to Item 9.1 of these Minutes.

8. Staff Report

8.1 **COVID-19 Amendment to Council Assessment Panel (CAP) Operating and Meeting Procedures to include the legal requirement to conduct CAP meetings electronically**

The following recommendation was adopted by consensus of all members (7)

That the Council Assessment Panel adopts the amended Operating and Meeting Procedures as detailed in Appendix 2 of this report to replace the Operating and Meeting Procedures adopted on 9 October 2019.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JUNE 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 8 July 2020]

Moved John Kemp Carried unanimously
S/- David Brown (8)

That proceedings be suspended to allow items 9.1 to 9.4 to be brought forward on the agenda.

9. Development Assessment Applications

9.1 Development Application 13/30/473 by Mark Musolino for filling of land to a maximum depth of 6.2 metres (non-complying) at 24 & 28 & 32 Emmett Road, Crafers West

9.1.1 Representations
Nil

9.1.2 Decision of Panel

The following recommendation was adopted by consensus of all members (9)

A. The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT Development Plan Consent to Development Application 13/30/473 by Mark Musolino for filling of land to a maximum depth of 6.2 metres (non-complying) at 24, 28 & 32 Emmett Road Crafers West subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Statement of support prepared by Mark Musolino dated 17 January 2013
- Statement of effect prepared by Botten Levinson dated March 2017
- Vegetation Restoration Report prepared by Ecological Associates Pty Ltd dated 23 November 2017
- Survey plans (sheets 1, 2 and 3 of 3 reference 3856 plan 3856XI) titled site levels & contour plan and enlargements prepared by Olden and Van Senden Pty Ltd dated 4 October 2012 and 1 August 2014
- Tree Management Plan prepared by Gordon Sykes dated 23 July 2014 and received by Council 25 February 2016
- Site Location and Layout Plan, Site Elevation & Topographic Contours plan and Inferred Extent of Imported Fill Materials & Test Pit Locations (October 2019) prepared by MUD Environmental reference ME-296 Revision 1 figures 1, 2 & 3 received by Council.

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REASON: To ensure the proposed development is undertaken in accordance with the approved plans.

NOTES

- (1) Development Approval Expiry**
This development approval is valid for a period of twelve months commencing from the date of the decision notification. However if the development hereby approved is substantially commenced within the twelve (12) month period then it shall be completed within three (3) years of the date of such notification. This time period may be further extended beyond the 3 year period by written request to and approval, by Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee. Please note that in all circumstances a fresh development application will be required if the above conditions cannot be met within the respective time frames.
- (2) Requirement For Further Applications**
The applicant is reminded any fencing and earthworks greater than 9 cubic metres requires development approval and will be the subject of separate application.
- (3) Existing Encroachment Identified**
The fill which encroaches over the side boundary into 24 Emmett Road remains unresolved. This development authorisation in no way implies approval from Council for this encroachment. The applicant is encouraged to continue negotiations with 24 Emmett Road to resolve this new and historical encroachment which will likely require a further application to Council to rectify this situation.
- (4) Works On Boundary**
The development herein approved involves work within close proximity to the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.
- (5) Any soil imported to the site should be sources from a commercial supplier where possible. Should waste soils be generated from another site to be imported to this site, the soils should be classified and imported in accordance with EPA requirements.**

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- (6) All surplus soils to be removed from the site must be managed in accordance with relevant EPA guidelines and/or requirements of waste or recycling depots authorised by the EPA.
- (7) Construction and demolition waste materials should be disposed off-site in accordance with the requirements of waste or recycling depots authorised by the EPA.
- (8) Should any unforeseen materials (including asbestos containing materials) be identified during any excavation works and/or soil handling and management activities, it is recommended that these soils are quarantined, and further advice is sought from an appropriately qualified environmental consultant.
- (9) **Erosion Control During Construction**
Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.
- (10) **EPA Environmental Duty**
The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.
- (11) **Department of Environment, Water & Natural Resources (DEWNR) – Native Vegetation Council Note**
The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:
www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

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- B. Should Development Plan Consent be granted to this application, the CAP provide delegation to the Assessment Manager to resolve any further application to vary the proposal.**

9.2 Development Application 19/1021/473 by Richard Whitehead for change of land use to include horse keeping (maximum 5 horses), construction of a horse keeping & farm building, outdoor arena, associated lighting & earthworks at 163 Taminga Grove, Bridgewater

9.2.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Bradley Nunn & Lucia Balogh	135 Taminga Grove Bridgewater	Did Not Attend

The applicant, Richard Whitehead, and his representative, Gregg Jenkins (Heynen Consulting) were invited to answer questions from the Panel via audio/visual link.

9.2.2 Decision of Panel

The following was adopted by consensus of all members (10)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 19/1021/473 by Richard Whitehead for a change of land use to include horse keeping (maximum 5 horses), construction of a horse keeping & farm building, outdoor arena, associated lighting & earthworks at 163 Taminga Grove Bridgewater subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- **Plans from John C Bested & Assoc reference number 16934 drawing number 16934-ENG sheets 1, 2, 3 and 4 of 4**
- **Manure Management Plan date stamped by Council 17 February 2020**
- **Stables farm building plans – drawing number 16934 -10 rev 2, 16934 -11 rev 1, 16934 -12 rev 1, 16934 -13 rev 1, 16934 -14 rev 1 , 16934 -15 rev1 all date stamped by Council 17 February 2020 and amended Stormwater and runoff management plan 16934 -16 rev 1 dated 5 May 2020**

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- Landscape Plan prepared for client Melissa Whitehead and date stamped by Council 5 May 2020
- Exterior Scene 1/Planning Data from Dialux date stamped by Council 17 February 2020 and Horse Training Field dated 21.06.2019.

REASON: To ensure the proposed development is undertaken in accordance with the approved plans.

(2) Arena Lighting

All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of adjacent properties.

REASON: Lighting shall not detrimentally affect the residential amenity of the locality.

(3) Arena Lighting Hours

The proposed arena lighting shall only be operated between 9.00am and 9.00pm and all lights shall be switched off no later than 9.00pm.

REASON: Lighting shall not detrimentally affect the amenity of the locality.

(4) Arena Activity Hours

All horses not stabled on the property shall be removed from the property no later than 9.00pm on any day.

REASON: To maintain the amenity of the locality in which the subject land is situated.

(5) External Finishes

The external finishes to the building herein approved shall be as follows:

WALLS: Colorbond© Woodland Grey or similar
ROOF: Colorbond© Basalt or similar

REASON: The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.

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(6) Maintenance of Stables and Surrounding Areas

The stables and manure receptacle shall be at all times maintained and kept in good order and repair. Manure from stables, yards and ménage areas shall be either stored undercover in an impervious surface protected from stormwater intrusion or in impervious containers prior to disposal from the land and in any case not within 10m of any property boundary. This does not, however, preclude use of the manure for domestic garden purposes on the land.

REASON: To ensure good land management practises, minimise smell and to ensure no adverse impacts on the water quality of any watercourse.

(7) Maintenance Of Horse-keeping Area

- a) The area where the horses are kept shall be maintained in a satisfactory condition at all times so as not to create any insanitary conditions or become a nuisance, be offensive or injurious to health.
- b) The horse/s shall not be exercised or ridden on the above land in such a manner as to annoy neighbours by way of dust, noise or otherwise.
- c) The horse/s shall be confined to sections of the horse yard on a rotation basis such that ground cover may regenerate in the unused sections. Where ground cover does not regenerate, the earth shall be covered with suitable material so as to reduce a dust nuisance.
- d) Horses shall not be grazed when paddocks are waterlogged, or when excessive soil pugging is caused.

REASON: To avoid dust nuisance to adjacent properties and adequate control of surface water run-off.

(8) Maximum Number of Horses

No more than five horses shall be kept on the subject land.

Yards or enclosures shall not be added to the stables without the prior written approval of Council.

The horses shall be contained at all times within a fenced area, as indicated on the approved plan.

REASON: To ensure the proposed development is undertaken in accordance with the approved plans.

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(9) Retention of Screening Trees

The screen of existing trees and shrubs as shown on the various site plans and the Landscape Plan prepared for client Melissa Whitehead and dated stamped by Council 5 May 2020 shall be retained and maintained in good health and condition at all times with any dead or diseased plants being replaced as necessary in the next planting season.

REASON: To maintain and enhance the visual amenity of the locality in which the subject land is situated.

(10) Overflow From Rainwater Tanks

Overflow from rainwater tanks shall be treated on site to the satisfaction of Council in accordance with the amended Stormwater and runoff management plan 16934 -16 rev 1 dated 5 May 2020.

REASON: To minimise erosion and protect the environment and ensure that no ponding of stormwater resulting from development occurs on adjacent sites.

(11) Management of Wastewater Treatment System

Prior to the use of the wastewater treatment system associated with the Development, an audible and visible alarm connected to that treatment system shall be located within the existing dwelling located on the Land. Any additional alarm in the horse-keeping building must be non-audible.

REASON: To maintain the amenity of the area and protect the environment from an environmental hazard.

(12) Landscaping

a) In addition to the landscaping shown on the Landscape Plan prepared for client Melissa Whitehead and date stamped by Council 5 May 2020, further landscape screening shall be planted extending from the driveway entrance of the applicant's house to the driveway access for the new building.

b) All landscaping shall be planted prior to occupation of the Development and thereafter shall be maintained in good health and condition at all times to the Council's reasonable satisfaction. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

REASON: To maintain and enhance the visual amenity of the locality in which the subject land is situated.

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NOTES

- (1) Development Plan Consent Expiry**
This Development Plan Consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.
- (2) Erosion Control During Construction**
Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.
- (3) EPA Environmental Duty**
The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.
- (4) Department of Environment and Water (DEW) - Native Vegetation Council**
The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:
www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

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9.3 Development Application 19/1054/473 by Goodhouse Pty Ltd for two storey dwelling alterations & additions and deck (maximum height 3m) at 7 Beadnell Crescent, Bridgewater

9.3.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Helen Thompson	9 Beadnell Crescent Bridgewater	Via Audio/Visual Link

The applicant's representative, Mark Thomas, addressed the Panel via audio/visual link.

9.3.2 Decision of Panel

Moved John Kemp Carried
S/- Ross Bateup (11)

The Council Assessment Panel DEFERS consideration of Development Application 19/1054/473 by Goodhouse Pty Ltd for two storey dwelling alterations & additions, deck (maximum height 3m) at 7 Beadnell Crescent Bridgewater to enable the applicant to explore options for inclusion in the development proposal to ameliorate overlooking and impact on the privacy of the neighbouring property at 9 Beadnell Crescent, Bridgewater.

Moved David Brown Carried unanimously
S/- Ross Bateup (12)

That the late submission received for Item 9.4 from the applicant, Derek Grove, be accepted to inform the decision making process of the Panel.

9.4 Development Application 20/37/473 (20/D44/473) by Derek Grove for Land Division (1 into 2) (non-complying) (SCAP relevant authority) at 15 Tiers Road, Woodside

9.4.1 Representations
Nil

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9.4.2 Decision of Panel

The following recommendation was adopted by consensus of all members (13)

The Council Assessment Panel considers that the proposal is seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and advise the State Commission Assessment Panel that it DOES NOT SUPPORT the proposed land division in Development Application 20/37/473 (20/D044/473) by Derek Grove for Land Division (1 into 2) (non-complying) (SCAP relevant authority) for the following reasons:

- The proposal is inconsistent with Woodside (Rural Surrounds) Policy Area PDC 2 as it will create an additional allotment.
- The proposal is inconsistent with Watershed (Primary Production) Zone PDC 20 as it is for the purposes of creating an additional allotment and is not for the purposes of a minor readjustment of boundaries to correct anomalies nor is it to improve the management of land for the purposes of primary production and/or the conservation of its natural features.
- The existing allotment is not considered to be of a suitable size for primary production and no evidence has been provided to suggest that reducing its size further will increase its suitability for primary/food production purposes.
- The proposal seeks to justify the create of an additional allotment in order to establish a hypothetical primary/food production use when it is questionable whether it is a suitable site based on the size of the proposed allotment, its natural features and site constraints and that it abuts the Township of Woodside, directly at odds Council-wide Interface Between Land Uses PDC 13(a).
- The proposal will create an additional allotment within the flood plain area, contrary to Council-wide Hazards PDC 1.
- The land division will not improve or enhance water quality as the land is not connected to Council's CWMS and is therefore contrary to Watershed (Primary Production) Zone Objective 2.
- Existing natural resources on site are unlikely to be able to be suitably protected by buffers and land management strategies due to the limited size of the proposed allotments.

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8.2 **Delegation of Power & Functions of Council Assessment Panel (CAP) as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016* and *Regulations***

The following recommendation was adopted by consensus of all members (14)

1. 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 Regulations made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 4 June 2020 and entitled Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 and Regulations - Powers of an Assessment Panel (Instrument C) are hereby delegated by the Council Assessment Panel on this 10th day of June 2020 to Adelaide Hills Council and to the Assessment Manager subject to the conditions and/or limitations specified herein in the proposed Instrument of Delegation; and
2. Such powers and functions may be further delegated by Adelaide Hills Council and the Assessment Manager in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as both the Council and Assessment Manager sees fit, unless otherwise indicated herein in the proposed Instrument of Delegation.

8.3 **Policy for Council Assessment Panel Review of Decisions of the Assessment Manager**

The following recommendation was adopted by consensus of all members (15)

1. That the Council Assessment Panel adopts the draft Policy for the Council Assessment Panel Review of Decisions of the Assessment Manager as detailed in *Appendix 2* of this report, including the following underlined amendment to Clause 6.10, with a commencement date being the designated date of Phase 3 of the Planning & Design Code, to be announced by the Minister for Planning in due course:
 - 6.10 The deferral will be to the next ordinary meeting of the CAP, or such longer period of time as is determined by the CAP, and/or the Presiding Member in consultation with the Assessment Manager, to enable the information sought to be obtained and considered.
2. That the Director Development & Regulatory Services be permitted to make any formatting, nomenclature or other minor changes to the Policy before the designated date.

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10. Policy Issues for Advice to Council

Nil

11. Other Business

11.1 The Assessment Manager advised that a Policy regarding Notification of Accreditation from Accredited Professionals, including Panel members, is being submitted to Council for adoption. There is a requirement in that Policy that notifications of accreditation should be provided within 3 business days to the CEO of Council. Following discussion it was agreed that the draft Policy be amended to allow 5 business days for notification.

11.2 The Assessment Manager reminded the Panel members of the requirement to obtain their Accreditation and, on behalf of the CEO, requested those members who need to obtain accreditation to submit their applications by the end of June, noting that it may take approximately two months for the Accreditation Authority to assess the applications. All Panel members need to be accredited by the designated date, which is currently indicated to be September 2020.

12. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

Nil

13. Confidential Item

Nil

14. Next Meeting

The next ordinary Council Assessment Panel meeting will be held on Wednesday 8 July 2020.

15. Close meeting

The meeting closed at 9.39pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 June 2020
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 18.1

Responsible Officer: Jennifer Blake
Manager Communications, Engagement & Events
Community Capacity

Subject: Event Opportunity

For: Decision

1. Event Opportunity – Exclusion of the Public

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- CEO, Andrew Aitken
- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Communications, Engagement & Events, Jennifer Blake
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (Event Opportunity) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

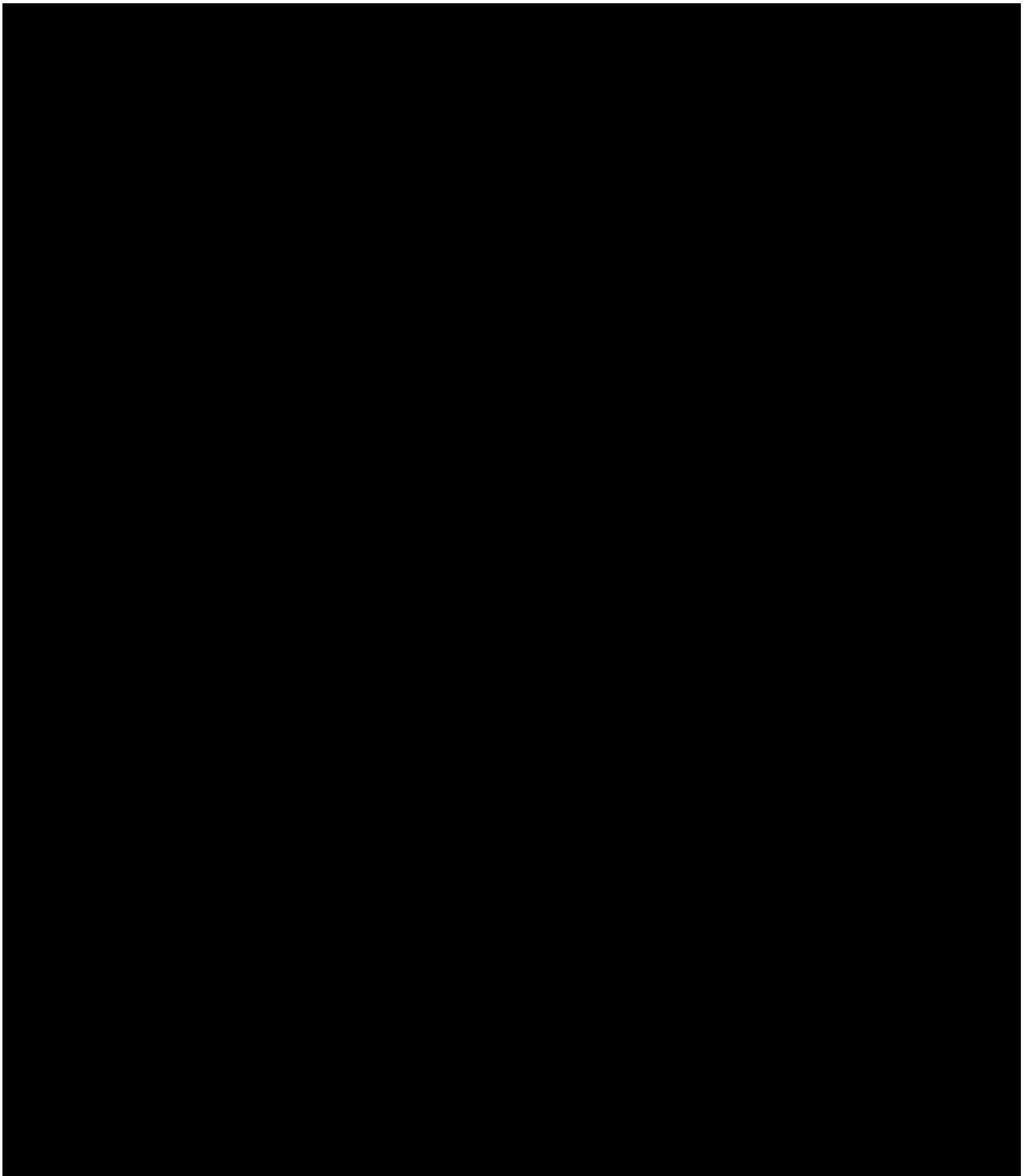
Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which –

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

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

Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is 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/agency/business who supplied the information by disclosing specific quotes and modelling by the tenderer.

2. Event Opportunity – Confidential Item



6. Event Opportunity – Period of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3) (j) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the relevant event details are announced by the relevant Minister, but not longer than 31 December 2020.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.