



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 25 January 2022
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



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 25 January 2022
6.30pm
Zoom Virtual Meeting Room

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never 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

Cr Pauline Gill, 14 December 2021 to 1 February 2022 approved at Council meeting 14 December 2021

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 14 December 2021

That the minutes of the ordinary meeting held on 14 December 2021 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
Nil
- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
Nil
- 8.2. Deputations
Nil
- 8.3. Public Forum
Public Forums are not conducted during electronic meetings

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

- 11.1. Randell's Cottages, Gumeracha – Cr Malcolm Herrmann
I move that the CEO provides a report to the April council meeting on options for the future of Randell's Workmen's Cottages, Beavis Court, Gumeracha. Such options to include separation of the cottage land from the reserve, council's current investment in the preservation of the buildings and possible end use.

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Amy Gillett Bikeway
- 1. That the report be received and noted.*
 - 2. To authorise that the CEO or his delegate enter into a funding "Deed of Agreement" with the Federal Department of Infrastructure, Transport, Regional Development and Communications.*
 - 3. To authorise the CEO to progress the finalisation of a draft Lease/Licence Agreement to construct the bikeway infrastructure on State Government land with the State Department for Infrastructure and Transport, to be brought back to Council for endorsement and affixing of the Common Seal.*
 - 4. To authorise the CEO to progress the finalisation of a draft Maintenance Agreement with the State Department for Infrastructure and Transport, to be brought back to Council for endorsement and affixing of the Common Seal.*

- 12.2. Wastewater Application Fee Refund Policy Update
 1. *That the report be received and noted.*
 2. *With an effective date of 8 February 2022, to revoke the 18 December 2018 Wastewater Application Fee Refund Policy and to adopt the draft 25 January 2022 Wastewater Application Fee Refund Policy as contained in Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft 25 January 2022 Wastewater Application Fee Refund Policy prior to the effective date.*

- 12.3 Council Assessment Panel (CAP) Membership
 1. *That the report be received and noted.*
 2. *That the term of the current Council Member (Cr John Kemp) and Deputy Council Member (Cr Leith Mudge) on the Council Assessment Panel be extended to the end of the Council term.*
 3. *To undertake a recruitment process for an Independent Presiding Member and three (3) Independent Ordinary Members of the Council Assessment Panel for a term commencing 1 June 2022 and concluding 31 May 2024 (inclusive).*
 4. *To appoint _____ and _____ and the CEO (or delegate) as members of the Council Assessment Panel Independent Member Selection Panel.*

- 12.3. Revocation of Building and Swimming Pool Inspection Policy
 1. *That the report be received and noted.*
 2. *That Council revokes the Building and Swimming Pool Inspection Policy (Appendix 1) with an effective date of 25 January 2022.*

- 12.4. Revocation of Liquor Licensing Policy
 1. *That the report be received and noted.*
 2. *That Council revokes the Liquor Licensing Policy (Appendix 1) with an effective date of 25 January 2022.*

- 12.5. Updating Arrangements for Building Fire Safety Committee Members
 1. *That the report be received and noted.*
 2. *To appoint the following members to the Adelaide Hills Building Fire Safety Committee as the appropriate Authority for the purposes of Section 157 (17) of the Planning, Development and Infrastructure Act 2016 commencing on 27 January 2022 and expiring on 31 May 2022:*
 - a. *Louis Palumbo, Team Leader Building Services as an authorised Council Officer with expertise and qualifications in building surveying and fire safety; and*
 - b. *Tom Warneke, Building Officer as the Council representative with Catherine Clare, Building Officer appointed as deputy member.*
 3. *To appoint Louis Palumbo as the Presiding Member of the Building Fire Safety Committee.*
 4. *With an effective date of 27 January 2022, to revoke the 26 September 2017 Building Fire Safety Committee Terms of Reference and to adopt the draft Building Fire Safety Committee Terms of Reference as contained in Appendix 1.*

- 12.6. Service Review Brief – Civil Services
1. *That the report be received and noted*
 2. *To adopt the draft Service Review Brief – Civil Services as contained in Appendix 1*
 3. *That the Chief Executive Officer be authorised to make minor changes to the draft Service Review Brief – Civil Services arising from the Council’s consideration of the matter.*
- 12.7. Delegations Review January 2022
1. *That the report be received and noted*
 2. *That, having considered a review of Council’s Delegations as presented, the Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts: (refer to agenda)*
- 12.8. Status Report – Council Resolutions Update
Refer to Agenda

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

- 13.1. Council Quarterly Performance Report Q2
Council resolves that the report be received and noted.

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 – 12 January 2022
That the minutes of the CAP meeting held on 12 January 2022 as supplied, be received and noted.
- 17.2. Audit Committee
No meeting held
- 17.3. CEO Performance Review Panel
No meeting held

18. CONFIDENTIAL ITEMS

18.1. Audit Committee Independent Member Vacancy

19. NEXT MEETING

Tuesday 22 February 2022, 6.30pm, 63 Mt Barker Road, Stirling or Zoom Virtual Meeting Room

20. CLOSE MEETING

Council Meeting/Workshop Venues 2022

Dates, times & venues to be confirmed

DATE	TYPE	LOCATION	MINUTE TAKER
FEBRUARY 2022			
Tues 8 February	Workshop	Woodside	N/A
Wed 9 February	CAP	TBA	Karen Savage
Mon 14 February	Audit Committee	Stirling	TBA
Tues 15 February	Professional Development	Stirling	N/A
Thurs 17 February	CEO Performance Review	Stirling	TBA
Tues 22 February	Council	Stirling	Pam Williams
MARCH 2022			
Tues 8 March	Workshop	Woodside	N/A
Wed 9 March	CAP	TBA	Karen Savage
Tues 15 March	Professional Development	Stirling	N/A
Tues 22 March	Council	Stirling	Pam Williams
APRIL 2022			
Tues 12 April	Workshop	Woodside	N/A
Wed 13 April	CAP	TBA	Karen Savage
Wed 20 April	Audit Committee	Stirling	TBA
Tues 19 April	Professional Development	Stirling	N/A
Tues 26 April	Council	Stirling	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.

Community Forums 2022

6.00 for 6.30pm

(dates and venues to be confirmed)

DATE	LOCATION

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

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Malcolm Herrmann

Subject: Randell's Cottages, Gumeracha

1. MOTION

I move that the CEO provides a report to the April council meeting on options for the future of Randell's Workmen's Cottages, Beavis Court, Gumeracha. Such options to include separation of the cottage land from the reserve, council's current investment in the preservation of the buildings and possible end use.

2. BACKGROUND

Randell's Cottages, which are locally heritage listed, are located on a Council Reserve just outside the Gumeracha Town Boundary, but more importantly, in the Environment Food Preservation Area (EFPA).

Members may recall that the subject cottages were of interest to a possible development as a Bed and Breakfast facility, but for this to occur, any prospective developer would need to have title to the land to provide security to finance the development.

The Council made a submission to PlanningSA which conducted a review on EFPA boundaries. The review was completed late last year. Unfortunately, the Review did not support the exclusion of two land parcels –Randell's Workmen's Cottages and Wairoa between Stirling and Aldgate.

This effectively prevents a formal land division but the CEO may discover alternative ways. Members may recall that council disposed of the Barns Norton Summit recently to private enterprise as the land did not have a perceived end use.

Council should take a position on the future of these Cottages. The report from the CEO will provide a basis for council taking a position.

3. OFFICER'S RESPONSE – Melissa Bright, Acting Director Development and Regulatory Services

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal	A functional Built environment
Objective B2	Preserve and enhance the unique character of the Hills for current and future generations
Priority B2.3	Proactively work with developers to ensure that built form complements or enhances existing local character and amenity of our towns, historic buildings and scenic environment

➤ Legal Implications

The Cottages are located at 1 Beavis Court, Gumeracha on Allotment 103 and contained in Certificate of Title Volume 5119 Folio 166. The Cottages are located on Community Land as defined by the Local Government Act 1999 ("Act"). Any proposal for sale or long term occupation of the Cottages must be undertaken in accordance with the community land provisions of the Act.

➤ Risk Management Implications

The review and report will assist in mitigating the risk of:

Failure to explore the options to restore Randall's Cottage and preserve the heritage value of the building leading to a lack of confidence in Council's commitment to the preservation of local heritage places

Inherent Risk	Residual Risk	Target Risk
Low (2D)	Low (1E)	Low (1E)

➤ Financial and Resource Implications

The review and report is unbudgeted but will be managed within existing resources. The financial and staff resource implications of any options identified in the report have not been included in the Long Term Financial Plan.

➤ Customer Service and Community/Cultural Implications

A proposal to restore the Cottages and thus preserve the heritage value of the building would likely be a positive community outcome for the township of Gumeracha.

➤ 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

External Agencies: Planning SA

Community: Not applicable

4. ANALYSIS

The Cottages are the original workman's cottages owned by Mr William Richard Randall. They served as accommodation for employees of Mr Randall's farming operations in the area in the early 1900's. The exact date of construction is unknown. The Cottages are Local Heritage listed covering the "stone dressings, stone chimneys, timber-framed openings and remains of a timber shingle roof".

The Cottages were included on a parcel of land that was vested in Council as a Reserve in 1993 as part of the initial stage of the Beavis Court residential development.

Allotment 103 is 6,450m² in area and includes a fenced stormwater/drainage basin and open space. The site is zoned Productive Rural Landscape Zone but contains no commercial agricultural production. The site is bordered by the River Torrens to the east, rural residential land holdings to the south and north, and Beavis Court to the west (see **Appendix 1**). Along the western interface the site adjoins four allotments located within the Township Zone, three of which have established dwellings in private ownership and a fourth allotment (CT 5145/218) which is Council owned and forms part of the Beavis Court Reserve. The cottages are located at the northern end of Allotment 103 and occupy approximately 180m² of Allotment 103.

Whilst Council has undertaken some minor maintenance works to the cottages since that time, the Cottages have remained in a similar condition as they were when the Land was vested in Council in 1993.

In early 2018, Council received an enquiry from a local community member to explore the opportunity to restore the Cottages as tourist type accommodation (Bed & Breakfast). Should such a proposal be considered in the future, the land would be required to be subdivided from the main reserve.

Initially it was considered that due to the site being located within the EFPA that land division was restricted on the site in line with the directive under s7 of the *PDI Act* (the Act). Based on this, Council made a submission to the recent EFPA Review to excise this portion of land from the EFPA Overlay, to alleviate the procedural burden on any future land division proposal (see **Appendix 2**). However, the State Planning Commission did not consider the excise request fell within the scope of the review process (see **Appendix 3**).

With the option of changing the EFPA recently removed, it is timely that the future options for the Randell's Cottages be reviewed and reconsidered.

5. APPENDICES

- (1) *Site Map*
- (2) *Council Submission to EFPA Review*
- (3) *EFPA Review Outcomes Report*

Appendix 1

Site Map

Randell's Workmen's Cottages



Appendix 2

Council Submission to EPA Review



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File Ref: IC21/10327
OC21/6917
03.64.2-02

4 August 2021

Ms Helen Dyer
Chair
State Planning Commission
GPO Box 1815
Adelaide SA 5001

E-mail: saplanningcommission@sa.gov.au

Dear Ms Dyer

Adelaide Hills Council Submission on the Environment and Food Production Area Statutory Review

The Adelaide Hills Council appreciates the opportunity to engage with the Commission on the Environment and Food Production Area (EFPA or Overlay) statutory review, released for public consultation on 4 June 2021. Having reviewed the Commission's Statement of Position Paper and Review Report we provide the following feedback for your consideration.

AHC Context

The Adelaide Hills has a rich and diverse agricultural history. Primary production in the Adelaide Hills consists of a mix of horticulture, grazing and viticulture generating a combined farm gate value of approximately \$145 million annually.

Approximately 60% of South Australian horticulture is undertaken in the Adelaide Hills, supplying 83% of the State's apple and pear crops annually. The Adelaide Hills (Wine Region) also has a reputation for cooler climate wines, producing for local and overseas markets, with 7.9 million litres of wine exported annually. There is also a burgeoning distillery and cidery scene.

As a region we understand that our economic sustainability is intrinsically tied to the success of these industries and that the EFPA legislation provides long term certainty and security for such land uses. However, an economy cannot raise productivity without change – whether through doing new things or doing old things better. Facilitating innovation and enabling investment is therefore critical to supporting a competitive and productive economy. Indeed, international studies attribute one-fifth to one-half of economic growth to changes in industry composition (PC, 2012).



Evidence Based Policy

Planning policy and regulations have a significant impact on the enablers of productivity and competitiveness. A well-designed planning system can enhance the operation of markets but, if poorly designed, can impede the efficient functioning of markets and restrict the scope and benefit of competition. Planning can create excessive barriers to entry, diversification or expansion, including limiting the number, size, operating model and mix of businesses.

For example, with a finite land supply for development, enhanced competition in land is about the ease with which land can be moved between different activities in response to market conditions. In 2015, the recommendation of the Harper National Competition Review found that planning and zoning legislation should not restrict competition unless it can be demonstrated that the benefits of the restriction to the community as a whole outweigh the costs, and the objectives of the legislation can only be achieved by restricting competition.

Regulations can often fail to meet their objectives because they are not sufficiently adaptable or targeted. In many cases, these problems could be addressed by ensuring that regulation is “fit for purpose” and adopting outcomes-based regulation. Regulation is excessive when it does not accomplish its objective, or when the cost of accomplishing the objective through regulation is excessive or when there is an alternative to regulation that is less costly. It is disappointing that the current review process does not include this type of assessment or consideration. As part of perhaps the largest piece of regulation, as per Treasurer’s Instructions 17, it would be comforting to know that best practice evidence based policy making principles were being consistently and continually applied.

Priority Primary Production Areas

The entire extent of the EFPA, excluding the eastern area surrounding Murray Bridge, has been mapped as part of the [Priority Primary Production Areas](#) (PPPA) mapping project. The PPPA mapping, developed by PIRSA in 2010, provides a starting point to understand what sort of primary production land we are protecting via the EFPA. As the PPPA analysis demonstrates not all agrarian land is the same and although a large area of land is considered to be worthy of priority protection – based on a complex methodology – there is equally a large amount of land that has a lower productive capacity. This is particularly true on the fringes of our townships and rural living areas.

Although somewhat dated now, the level of detail provided by the PPPA provides an opportunity to consider the cost and benefit of the strict EFPA requirements particularly on the fringe of the smaller peri-urban and rural area townships. Examples of the impact of this are provided below for consideration.

Section 7 of the PDI Act

The Section of the Planning, Development and Infrastructure Act, 2016 (the Act) that informs the application and administration of the EFPA contains limitations and opportunities for improvement.



A major consideration is whether there is scope for the architecture of the EFPA and its subsequent boundary application to be re-examined. In particular, whether the EFPA could be applied in a more robust and flexible way. We have alluded to this above when discussing what the PPPA mapping reveals about the composition of productive land within the EFPA, and further analysis also reveals that there is distinctive character traits at the interface of certain boundaries within the EFPA. By way of example the 'hard' interface between major urban/township and peri-urban/primary production areas – where speculation from large scale urban residential expansion threatens the long term viability of the adjoining primary production operations – appears very different to the 'soft' interface between smaller townships and settlements and adjoining primary production areas. We consider that this highlights potential opportunities to test the effectiveness and efficiency of the EFPA and its associated legislative framework.

One such consideration citing the above, is whether minor amendments to the boundary in areas with a soft boundary interface could be considered outside of the restrictive five yearly review cycle.

In addition, a minor amendment to Section 7 of the Act is proposed relating to the exclusion afforded to tourist development and temporary accommodation via Section 7(7)(18a). It is considered that the wording of this clause is outdated, particularly where it refers to 'motels' and it would benefit from alignment to the land use terminology adopted in the Planning and Design Code such as Tourism Accommodation.

Land Supply Report Methodology

It is understood that the Land Supply Report is based on a regional and sub-regional approach where Adelaide Hills Council is grouped with Mount Barker District Council for the purposes of analysing land supply. However, we note that the opportunity to supply affordable and accessible land for housing within each Council could not be more contrasting. This is also in the context of the impacts of COVID and the subsequent trend of migration of people from cities to our peri-urban and rural areas. As a Council we have certainly witnessed over the last 18 months increased demand for land and housing in our Council area. The longevity of this recent trend is not fully understood, however in our view it certainly warrants further consideration as part of any EFPA review. In this context, reviewing land supply across the region needs to take into account the most up to date data regarding localised supply and demand trends to help better inform more robust and responsive peri-urban and rural township planning and development.

It is recognised that this is a broader discussion that should form a key piece of upcoming Regional Planning deliberations. Notwithstanding, it is logical that the EFPA Review and its associated analysis should provide a level of analysis that can illuminate and inform future discussions and considerations on peri-urban and rural development within the Greater Adelaide Planning Region.

Character Preservation Districts

With respect to the review of the eight identified items relating to the 2018 Character Preservation Act review, in particular the extent of the Barossa Preservation District into AHC, Council notes that with the introduction of the Planning and Design Code, the underlying policy criteria relating to limiting township encroachment into primary production land and protection of rural character is sufficiently supported. As such the previously held position that the area of



Adelaide Hills Council which has been included in the Barossa Valley Preservation District (BVPD) is not obviously related to the character of the Barossa Valley, or intrinsic to its fabric, is still relevant. In addition, it is noted that the BVPD does not align with the Barossa Valley Wine Region Geographical Index.

It is understood that this may not be the view of all producers – particularly those in the wine industry – that are located within the AHC and the BVPD. In this regard Council would express a desire to further explore this with these producers to better understand the issue from their perspective, particularly if they are concerned with the prospect of the BVPD's removal from the Adelaide Hills Council.

Boundary Amendment Review Requests

It is within the context of the above discussion that Council has identified the following two sites as worthy of review based on the criteria outlined in Test 3:

- Randell's Cottages – 1 Beavis Court, Gumeracha
- Wairoa Site – 142 Mount Barker Road, Aldgate

Randell's Cottages

The site is located within a reserve abutting the northern tip of the Gumeracha Township Zone. At Council's March 2019 meeting a resolution was adopted to seek a minor review of the EFPA Boundary in relation to the site. This was pursued through the Reform process, but was deferred on advice from Senior Staff at PLUS on account of the upcoming EFPA review.

The aforementioned reserve and Cottages are listed as Local Heritage and are owned by Council. The location of the site within the EFPA boundary is affecting a proposed lease arrangement and potential upgrade. The cottages are run down and Council is requesting that the site be excised from the EFPA in order to unlock the potential for investment and adaptive reuse of the local Heritage listed buildings.

The spatial context has been provided (refer Attachment 1) to depict the site's location adjacent the Gumeracha Township Zone, and pertinently its designation as a 'non-Primary Production Priority Area' site in accordance with the PPPA mapping. Council is of the opinion that given the lower order productive capacity of the land, its location adjacent the Gumeracha Township and the opportunities for adaptive reuse that removal of this site from the EFPA would have a negligible impact and not undermine the intent of the Overlay.

Wairoa

The site is located in a Community Facilities Zone (refer Attachment 2) between the Stirling and Aldgate townships. The site is an anomaly from a Zoning perspective, largely due to policy legacy issues and how the existing land uses have evolved. Council sought to address this via the planning reform process, namely the Phase 3 Code amendment, however this was inhibited by the site's inclusion within the EFPA upon its establishment.



This is a site held in private ownership and so Council has limited interest other than it demonstrates a broader issue about how the application of the EFPA boundary creates tension on sites or localities where the dominant existing land use is neither primary production nor environmental conservation/open space.

In addition to the above, given the advancements in satellite and mapping technology it appears to be an opportune time to address boundary inconsistencies, most notably along the Hills Face and urban interface. It is here that evidence suggests boundary inconsistencies cause agitation and additional costs and time delays for applicants.

Summary

Adelaide Hills Council is excited about the future opportunities that may result from continued review and refinement of the planning legislation including the EFPA, as the region has missed opportunities for investment and industry development due to its restrictive and demanding planning regulations.

Following the close of the submission period we would welcome the opportunity to discuss any of the above with the State Planning Commission.

If you have any queries regarding the above comments then please do not hesitate to contact Melissa Bright, Acting Director Development and Regulatory Services on 8408 0522.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Aitken', is written over a light blue rectangular background.

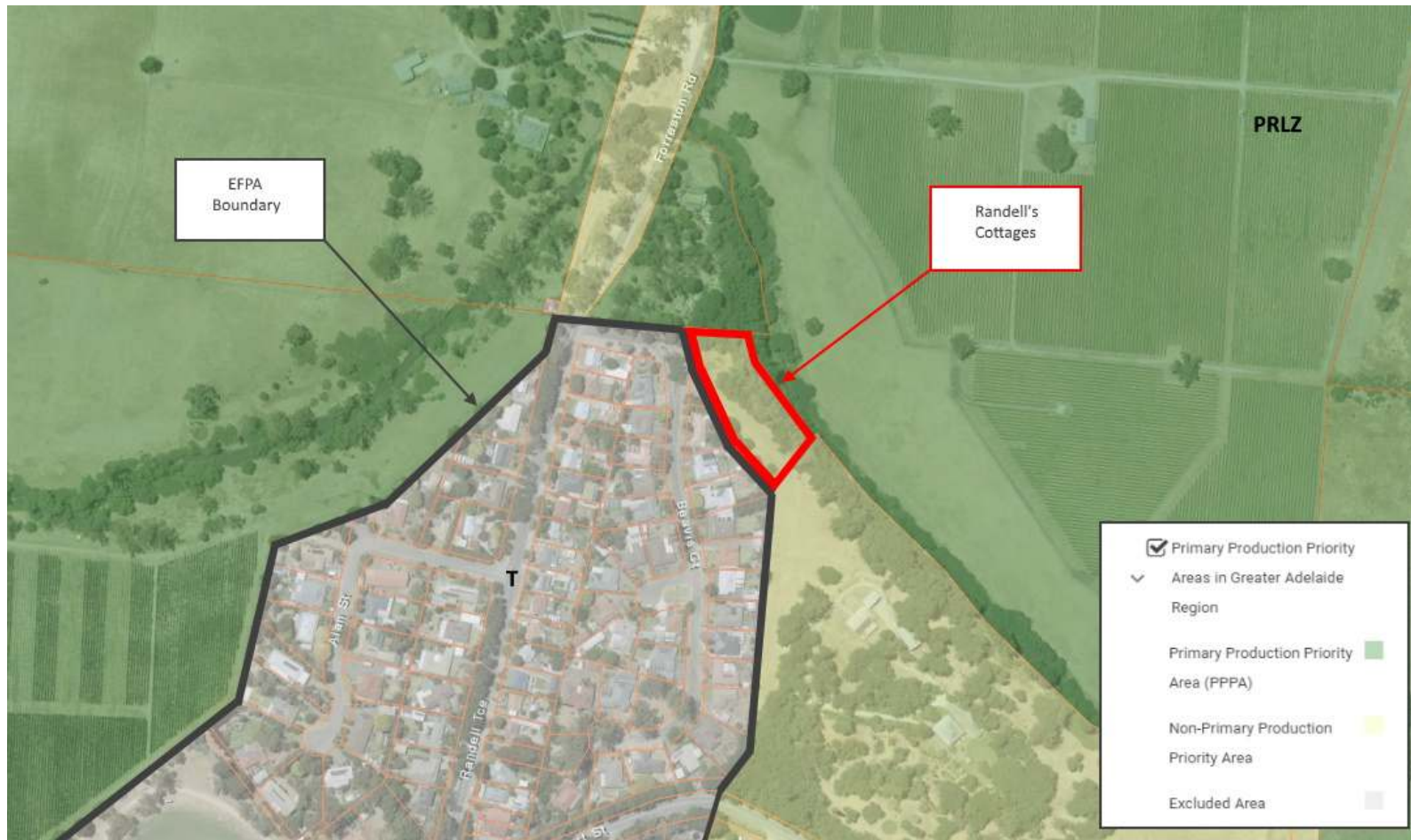
Andrew Aitken
Chief Executive Officer

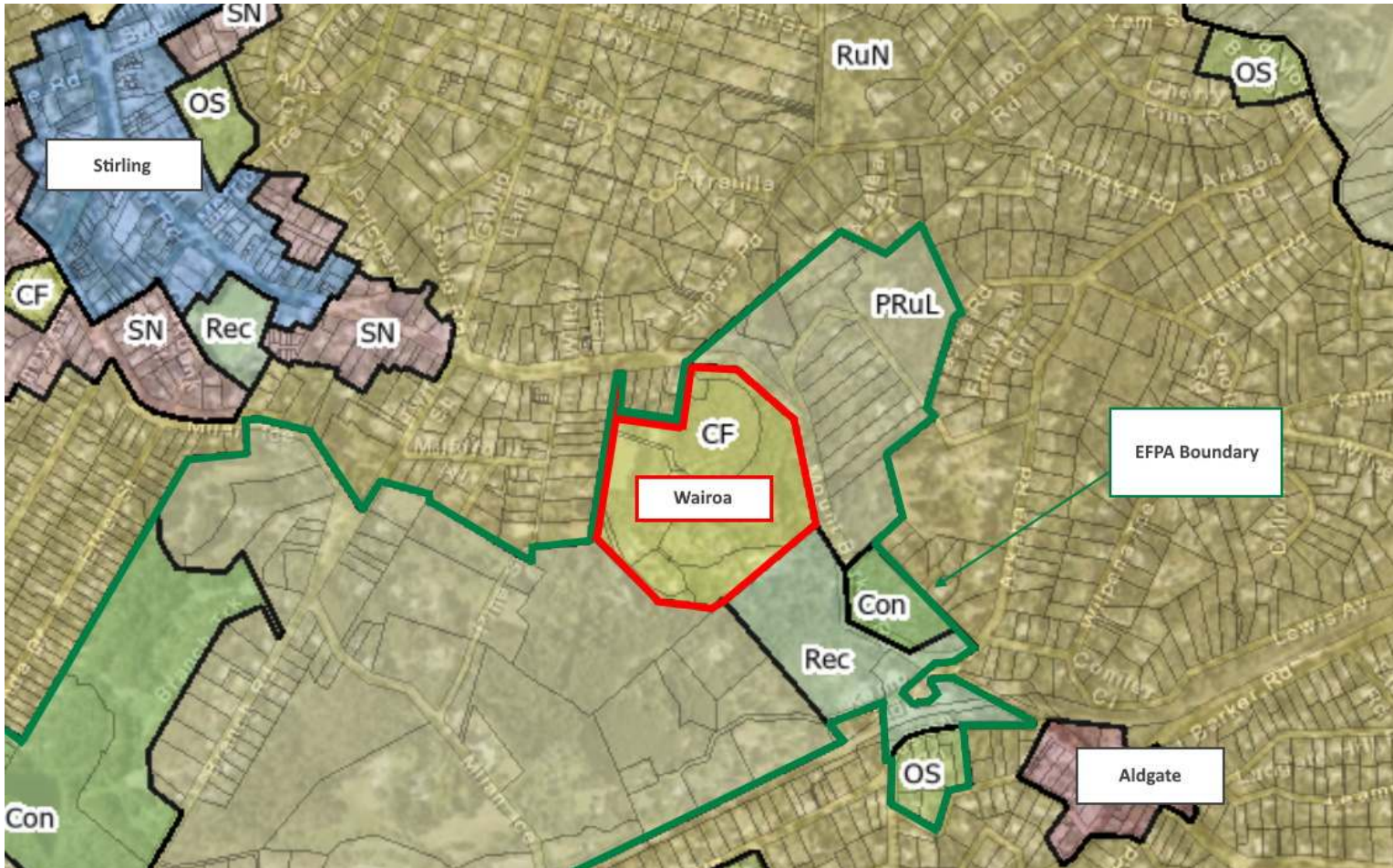
cc: PlanSASubmissions@sa.gov.au

Attachments:

1. Randell's Cottages Site
2. Wairoa Site

Attachment 1 – Randell’s Cottages Site





Appendix 3
EFPA Review Outcomes Report

ENVIRONMENT AND FOOD PRODUCTION AREAS REVIEW 2021

Outcomes Report



STATE
PLANNING
COMMISSION

Pursuant to Section 7 of
the *Planning, Development
& Infrastructure Act 2016*

November 2021



Government of South Australia
Attorney-General's Department



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1. EXECUTIVE SUMMARY

On 30 March 2021, the State Planning Commission (Commission) announced the inaugural review of the Environment and Food Production Areas (EFPA). This Review is a statutory requirement every 5 years under Section 7 of the Planning, Development and Infrastructure Act 2016 (the Act).

Following a two-staged review process being complete (involving a land supply analysis and consultation process), this report now outlines the outcomes of the EFPA Review. The report must be furnished to the Minister for Planning and Local Government, prior to any variations being made to the boundaries of the EFPA.

The proposed boundary variations (which are outlined later in this report) are earmarked to be implemented in 2022, subject to the required legislative steps.

The next five year anniversary (and associated Review) is due in 2027.

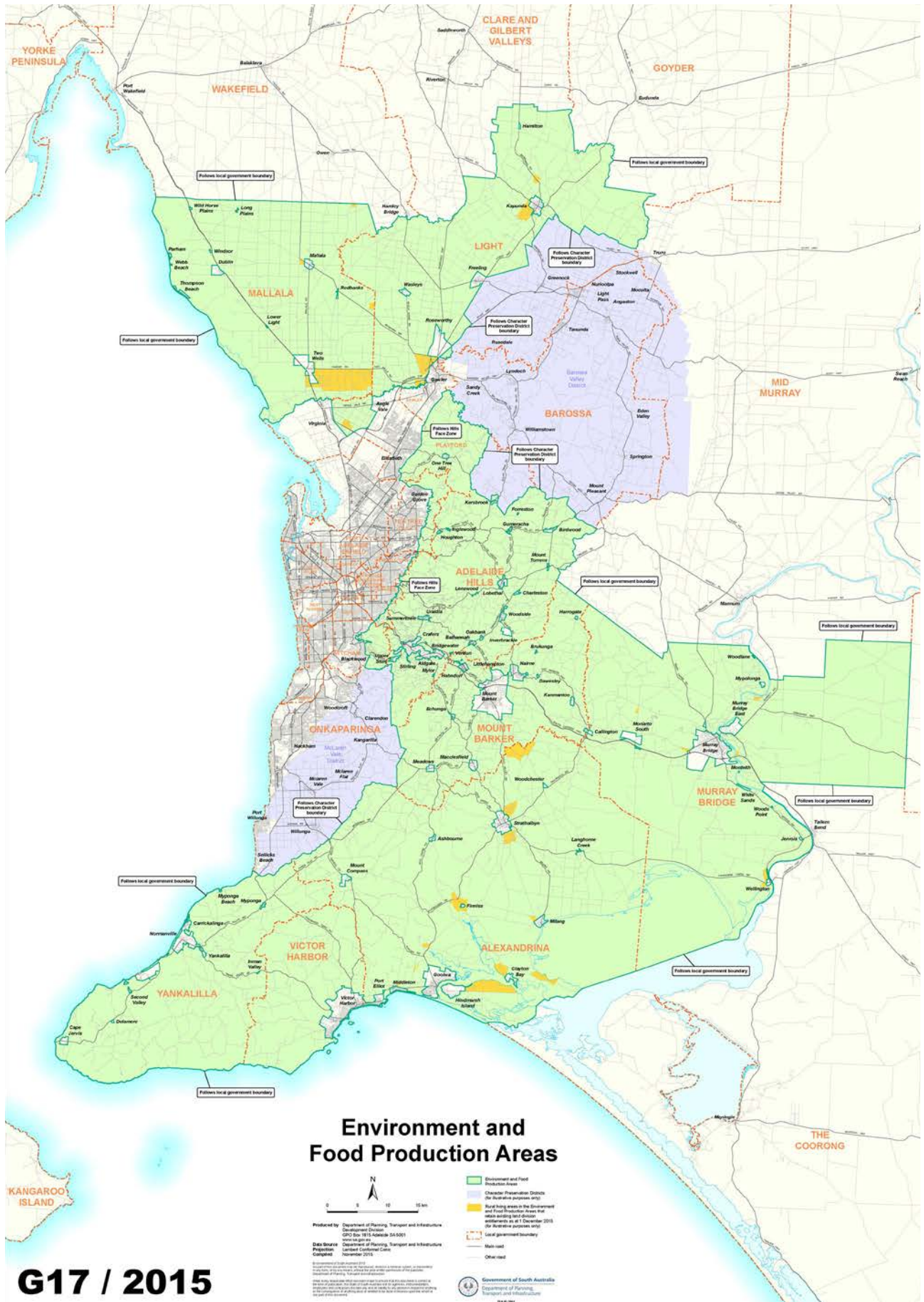
2. BACKGROUND AND CONTEXT

2.1. Environment and Food Production Areas

The Environment and Food Production Areas (EFPA) were introduced in April 2017 to generally protect our valuable food producing and rural areas as well as conserving natural landscapes and environmental resources within certain areas in Greater Adelaide (as shown on in Figure 1 below).

The controls of the EFPA primarily precludes the division of land for the purpose of creating additional allotments for residential development. More information can be found at: www.plan.sa.gov.au/en/EFPA

Figure 1: South Australia's Environment and Food Production Areas and Character Preservation Districts



G17 / 2015

2.2. EFPA Review Scope

On 30 March 2021, the State Planning Commission (Commission) announced the inaugural review of the EFPA boundaries. This review is a statutory requirement every five years under Section 7(9) (b) of the *Planning, Development and Infrastructure Act 2016* (the Act). As the EFPA provisions of the legislation was operational from April 2017, this means that the review is required to be completed by April 2022.

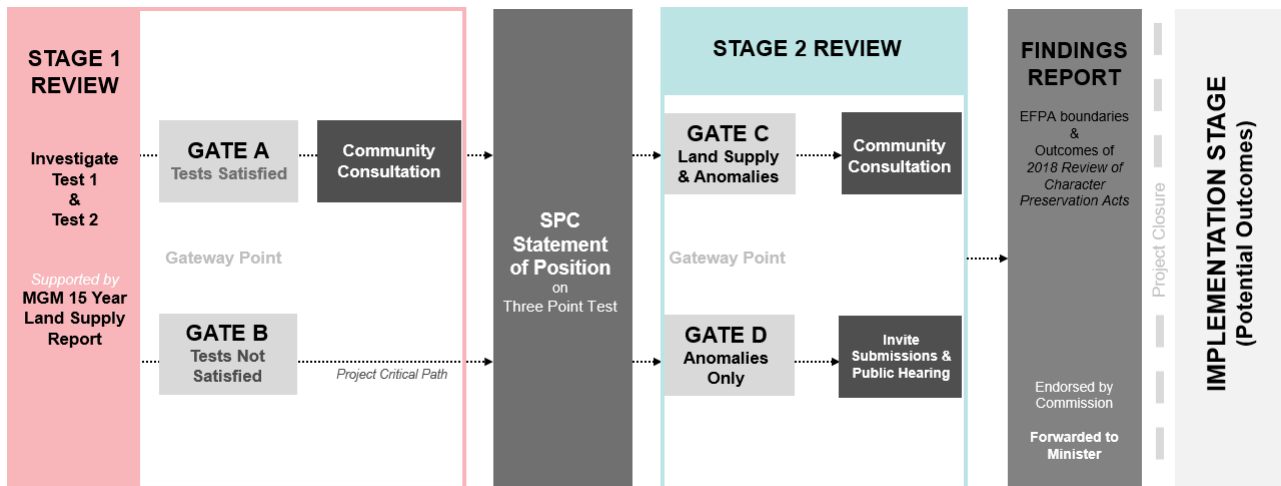
The Act sets out formal procedures for any variation to the EFPA and also that boundaries may only be varied by the Commission under certain circumstances. For ease of reference, these circumstances are referred to as the ‘Three Point Test’ and are set out under section 7(3) of the Act as follows:

If the Commission is satisfied, that:

- Test 1: an area or areas within Greater Adelaide outside environment and food production areas are unable to support the principle of urban renewal and consolidation of existing urban areas; **and**
- Test 2: adequate provision cannot be made within Greater Adelaide outside environment and food production areas to accommodate housing and employment growth over the longer term (being at least a 15-year period); **or**
- Test 3: that the variation is trivial in nature and will address a recognised anomaly.

2.3. EFPA Review Process

For the inaugural EFPA Review, the Commission adopted a staged program with defined project gateways to manage the scope of the Review, as outlined in the diagram below:



Stage 1 of the review involved an investigation by the Commission as to whether there is at least a 15-year supply of residential and employment land (‘Tests 1 and 2’), requiring an analysis of Greater Adelaide’s land supply and demand. This analysis is contained in the Environment and Food Production Areas (EFPA) Review Report and was based on data and information derived from the Land Supply Report discussed in the next section.

The outcome of the Stage 1 investigations led to project gateways – Gate A (Tests 1 & 2 satisfied) or Gate B (Tests 1 & 2 not satisfied). Gate B is chosen if there is an adequate supply of land for residential and employment purposes for at least the next 15 years; if not, Gate A is chosen.

If Gate A were to be chosen a full review of EFPA boundaries and its relationship with land supply as well as anomalies is considered to be in the scope of the review (Gate C). The Gate B pathway leads to the scope of the review being contained to trivial variations that are recognised anomalies (Gate D).

As explained more in following sections, **Gate B (in Stage 1) and Gate D (in Stage 2)** were applicable to this inaugural EFPA Review process.

2.4. Land Supply Report (LSR)

The LSR for Greater Adelaide provides data and information on land supply and demand. It is a component of the broader Growth Management Program.

The components of the Growth Management Program are outlined below.

Growth Management Program					
Land Supply Reports (LSR)	Population Projections	Regional Plans	Code Amendments	EFPA and CPD other policy reviews	On-line mapping & reporting tool (accessible information)

The monitoring of land supply and demand is a core activity of PLUS and includes analysis of:

- urban development trends
- population growth and projections
- employment trends
- land supply and demand
- housing construction activity.

The LSR was prepared with input from other key government agencies (Renewal SA, Housing SA, Department for Infrastructure and Transport).

The LSR provides a point in time analysis of residential and employment land development trends, and projected demand and land supply. This information is used as an evidence base to determine that the land use planning system has capacity to provide an adequate supply of appropriate land to meet projected demand.

The Land Supply Report (LSR) provides a detailed overview of residential and employment land supply, and demand within the Greater Adelaide Planning Region (GAPR) over a 15-year time period – information that is required in order to determine ‘Tests 1 and 2’ of the EFPA Review.

2.5. EFPA Review Report (Stage 1) and Commission's Statement of Position

The EFPA Review Report (Stage 1) provided a detailed overview of residential and employment land supply, and demand within the Greater Adelaide Planning Region (GAPR) over a 15-year time period, utilising information derived from the Land Supply Report.

This [report](#) can be viewed on the PlanSA Portal.

Based on the findings of the Stage 1 Review Report, the Commission released a '[Statement of Position](#)', which concluded:

"It is the Commission's position that there is an adequate provision of land in Greater Adelaide to accommodate housing and employment growth over the next 15 years.

Therefore the review will follow the Gate B pathway which leads on to Gate D and sets the scope of the review as Test 3 only – the consideration of variations of the boundary that are trivial in nature and will address a recognised anomaly.

This position is based on the Commission's assessment of the requirements under the Act, outlined in the Three Point Test and the evidence base presented in the EFPA Review Report appended to this Position Statement."

2.6. Relationship between EFPA and Character Preservation Districts (CPD)

The two CPD are shown in purple in Figure 1.

The State Government's previous 2018 *Review of the Character Preservation (Barossa Valley) Act 2012* and *Character Preservation (McLaren Vale) Act 2012* (the CP Acts) recommended that the Commission investigate the merits of amendment of the CPD for eight identified locations, in the context of Greater Adelaide's growth.

Section 7(4) of the Act establishes a clear legal relationship between the EFPA and CPD in so far as any removal of land within a CPD will trigger the application of the EFPA over that land instead.

Given this legal connection, the scope of the Commission's review of the EFPA boundaries also included a concurrent assessment of the eight locations identified in the 2018 Review in the event that the relevant Acts are first amended by Parliament to vary or remove land from the Character Preservation Districts.

As the 2018 Review was a separate and completed process which included public consultation, the Commission did not invite further public submissions. Notwithstanding, it is however noted that 10 submissions regarding CPD sites or issues were received as part of the EFPA Review.

On 5 August 2021, the Commission finalised its recommendations to the Minister for Planning and Local Government that no changes be undertaken to the eight locations. This was on the basis of the findings of the Land Supply Report, which underpinned the EFPA review and confirmed that there is an adequate supply of land in the Greater Adelaide to accommodate urban growth for the next 15 years.

Further information regarding the 2018 CP Acts Review can be accessed via the PlanSA Portal.



2.7. Assessment Definitions for Boundary Variations

The wording of ‘Test 3’ of the Act requires that potential variations to the boundary of the EFPA must be trivial in nature and address a recognised anomaly. The Commission considers that such variations could involve either a reduction or an expansion of the extent of EFPA boundaries (subject to being within the scope of Test 3).

To aid in the assessment of variations against Test 3, the definitions of ‘trivial’ and ‘recognised anomaly’ were considered against the Macquarie Dictionary definitions being:

- *Trivial* – of little importance; trifling; insignificant
- *Recognised* – known to be specified, to identify from knowledge of appearance or character, to acknowledge formally as existing
- *Anomaly* – deviation from the common rule or analogy.

In terms of the practical assessment of variation requests being recognised as ‘anomalies’, the Commission (with administrative support provided from the Planning and Land Use Services division of the Attorney General’s Department) considered the context of each site and locality as well as considering matters including zoning, land use, cadastre boundary or other relevant land characteristics, which may be inconsistent with the EFPA restrictions.


In terms of assessing requests as being trivial or not, the Commission considered practical matters such as the size of the land in question, the precedence that varying the boundaries could set on the integrity of the EFPA more broadly, the potential interface impacts of varying boundaries could have on other land, or existing / envisaged land uses sought in the Planning and Design Code.

3. PUBLIC CONSULTATION FOR STAGE 2 OF THE REVIEW

Stage 2 of the Review included a public consultation process inviting submissions from landowners or any other stakeholders in relation to identifying any potential anomalies in the EFPA boundaries, so as to inform the Commission on potential variations that could be considered to fit within the scope of ‘Test 3’. The consultation period commenced 4 June 2021 and was to conclude on 30 July 2021; however, this was extended by a week to 6 August 2021 following a one week state-wide lockdown due to COVID-19.

Engagement included:

- Public Notices in the Advertiser and various regional newspapers
- Media releases
- Social Media – Facebook, LinkedIn and Twitter
- Letters to key State Agencies, Local Governments, key industry and community group stakeholders
- Letters to parties who had previously contacted Planning and Land Use Services in relation to requested variations to EFPA boundaries.



Details of the Review were also placed on the PlanSA portal (SA Planning Portal) together with an electronic submission form for interested parties to complete. A template of this submission form is provided in Appendix B.

Through June and early July 2021, six community information sessions were held in Council offices located at:

- Victor Harbor
- Murray Bridge
- Kapunda
- Strathalbyn
- Stirling
- Mallala

The purpose of the sessions was to assist people in understanding the scope and process of the Review, to discuss any potential variations to EFPA boundaries and how to participate via lodging a submission.

Attendees at the sessions were predominantly landowners (or consultants) who had an interest in excluding land from the EFPAs to enable further residential subdivision. Council staff were also in attendance at the sessions.

3.1. Submissions Received

A total of 90 written submissions were received by the Commission during the consultation period. A breakdown of the submissions received identifies that:

- the majority of submissions (53) were from landowners (or their representatives) seeking amendment to the EFPA in relation to their property or other matters
- 13 submissions were received from the following Councils:
 - Adelaide Hills
 - Adelaide Plains
 - Alexandrina
 - Town of Gawler
 - Light Regional Council
 - Rural City of Murray Bridge
 - City of Mitcham
 - Mount Barker Council
 - City of Onkaparinga
 - City of Playford
 - City of Tea Tree Gully
 - City of Victor Harbor
 - Yankalilla Council

- 
- 6 submissions were received from a range of industry bodies or groups, being:
 - Crop Science Society of SA
 - Horse SA
 - Housing Industry Association
 - Local Government Association
 - Master Builders Association
 - Urban Development Institute of Australia
 - 4 submissions were from State Government departments, being:
 - Attorney-General's Department (two submissions)
 - Environment Protection Authority
 - Murraylands and Riverland Landscape Board
 - 3 submissions were received from Members of Parliament
 - 11 submissions were received from other community members or groups in relation to Character Preservation District matters.

Copies of submissions received can be found in **Appendix C**.

In addition to the above, as part of this Review, the Commission has also assessed a further 17 sites arising from representations made to Government for EFPA boundary variation requests since the inception of the EFPA commenced in 2017.

These are in the form of letters to Planning and Land Use Services, State Planning Commission, the Minister for Planning and Local Government, and/or from submissions from other planning consultation processes (such as the recent Planning and Design Code consultation).

3.2. Review Hearing

The State Planning Commission hosted a hearing on Thursday, 2 September 2021 at Auchendarroch House at Mount Barker to hear verbal representations from landowners or other representatives in relation to their written submissions provided during consultation.

The hearing was held in a manner that met with COVID-19 safety requirements that were in place at the time of the hearing with 8 people choosing to attend remotely via video link. In total 30 submissions were the subject of verbal representations at the hearing. These are denoted as ** in the Submission Summary Table in **Appendix D**.

3.3. Key Issues Raised from Submissions

From the 90 submissions received there were some frequently raised common issues, which generally fell into five main categories:

1. Seeking an amendment to the EFPA boundary as it affects a property
2. Seeking amendments to EFPA legislation or policies
3. Queries or concerns about the EFPA review process, including the Land Supply Report (LSR)
4. Concerns regarding the EFPA boundaries applying to rural living or similar zones
5. Concerns regarding potential impacts on Character Preservation Districts

3.3.1. EFPA Boundary Variation Requests

The majority of submissions sought the removal or variation of EFPA boundary so as to enable residential subdivision to occur and/or to facilitate land being rezoned to enable residential subdivision in the future.

Some other issues raised to justify a request to vary EFPA boundaries included:

- enabling the creation of titles around existing multiple houses or shacks situated on a single title (e.g. multiple farm dwellings on rural allotments or leasehold shack areas on Hindmarsh Island or adjacent the River Murray)
- anomalies where EFPA boundaries do not currently align with roads or allotment boundaries
- land having low food production potential due to poor soils, low rainfall etc.
- expansion of EFPA to regional areas beyond Greater Adelaide which are of high primary production value
- the Hills Face Zone boundaries containing various anomalies, errors or out of date / irrelevant boundaries (and EFPA boundary sharing same issues)
- certain urban type settlements being inappropriately located in EFPA (e.g. Templers).

Commission's Response

The Commission acknowledges the justification and arguments put forth in relation to submissions to vary the EFPA boundaries. In preparation for this Report, the Commission considered every written submission received as well as the matters raised by speakers who presented at the Review Hearing.

Each site was assessed by the Commission against 'Test 3' of Section 7 (3)(b) of the Act and the relevant Dictionary Definitions applicable to that Clause.

Appendix C contains all submissions which were received and assessed by the Commission during the formal consultation period.

Appendix D provides a table summarising the nature of the variation request for each site (including historical variation requests received prior to the EFPA Review), as well as the decision of the Commission in relation to that variation request.

Appendix F displays an indicative map of the location of each variation request.

It is noted that, given the very limited scope for variations due to the precise wording of Section 7 (3)(b) of the Act, the vast majority of variation requests were declined by the Commission as they were one of the following:

- not deemed to be a recognised anomaly nor trivial in nature, **or**
- deemed to be a recognised anomaly but which was not trivial in nature, **or**
- deemed to be trivial in nature, but not deemed to be a recognised anomaly.

In relation to one submission requesting the EFPA be extended beyond Greater Adelaide to other productive rural areas of the State, the Commission notes this is outside of the scope of Section 7 of the Act (which confines EFPA to only apply within the Greater Adelaide Planning Region).

Commission Comment

The Commission notes that although the vast majority of submissions were declined in relation to 'Test 3' it has noted that some submissions appear to relate to certain proposals that the EFPA may not necessarily prevent.

This is based on the legislation only precluding land division creating one or more additional allotments for residential development. If a proposal does not propose an additional allotment, or if a relevant authority and the Commission is satisfied that an additional allotment to be created will not be used for 'residential development' then the EFPA does not preclude such a proposal (subject to the Commission taking into account the objective that areas of rural, landscape, environmental or food production significance within Greater Adelaide should be protected from urban encroachment).

Individual proposals should therefore be discussed with the appropriate relevant authorities where doubt may exist about an assessment against the EFPA controls.

3.3.2. Legislative or Policy Issues

Certain submissions raised concern regarding the existing EFPA legislative framework such as:

- Section 7 of the Act being a 'blunt tool' which does not have flexibility to enable a site by site assessment of land division on its merits.
- The relevant 'tests' in Section 7 to enable meaningful variations to EFPA boundaries, do not enable a sub-regional or township level analysis of land supply and demand (but rather inappropriately involve an aggregation of land supply and demand for the whole of Greater Adelaide).
- The five year increments between EFPA Reviews do not enable flexibility to adapt to changing circumstances
- There is a lack of clarity as to what constitutes 'residential development and/or what constitutes 'primary production' in terms of EFPA controls on land division.

Commission's Response

The Commission acknowledges the matters raised from submissions in relation to various concerns or queries regarding the current legislative framework and expression of this framework in the Planning and Design Code and associated Practice Direction #1.

This Outcomes Report however only seeks to address matters within scope of the Review (being the consideration of EFPA boundary variations).

3.3.3 Review Process or Land Supply Report Issues

A number of submissions raised issues or concerns with the process of the EFPA Review and/or with the methodology of the land supply and demand analysis that preceded the Commission's Statement of Position on 'Tests 1 and 2'.

The following outlines the key issues raised and the Commission's response.

Land Supply Report – Greater Adelaide Planning Region

A number of submissions noted that the LSR did not provide an adequate region by region analysis, the subsequent differences in population trends and impacts on housing supply and demand.

Commission's Response

Pursuant to the PDI Act, the LSR for the EFPA was only required to undertake an assessment of residential and employment land supply and demand over the next 15 years for the entire Greater Adelaide Planning region. The PDI Act does not require a sub-regional analysis of land supply and demand.

The land supply analysis that informs the EFPA review indicates that there is sufficient land supply (Greenfield, Infill & employment) in the Greater Adelaide Planning Region to meet projected demand over the next 15 years.

COVID-19 Related Impacts on Population Growth

A number of submissions noted concern that the LSR did not address the impacts of COVID-19 on population growth and trends, and the subsequent impacts on housing demand.

Commission's Response

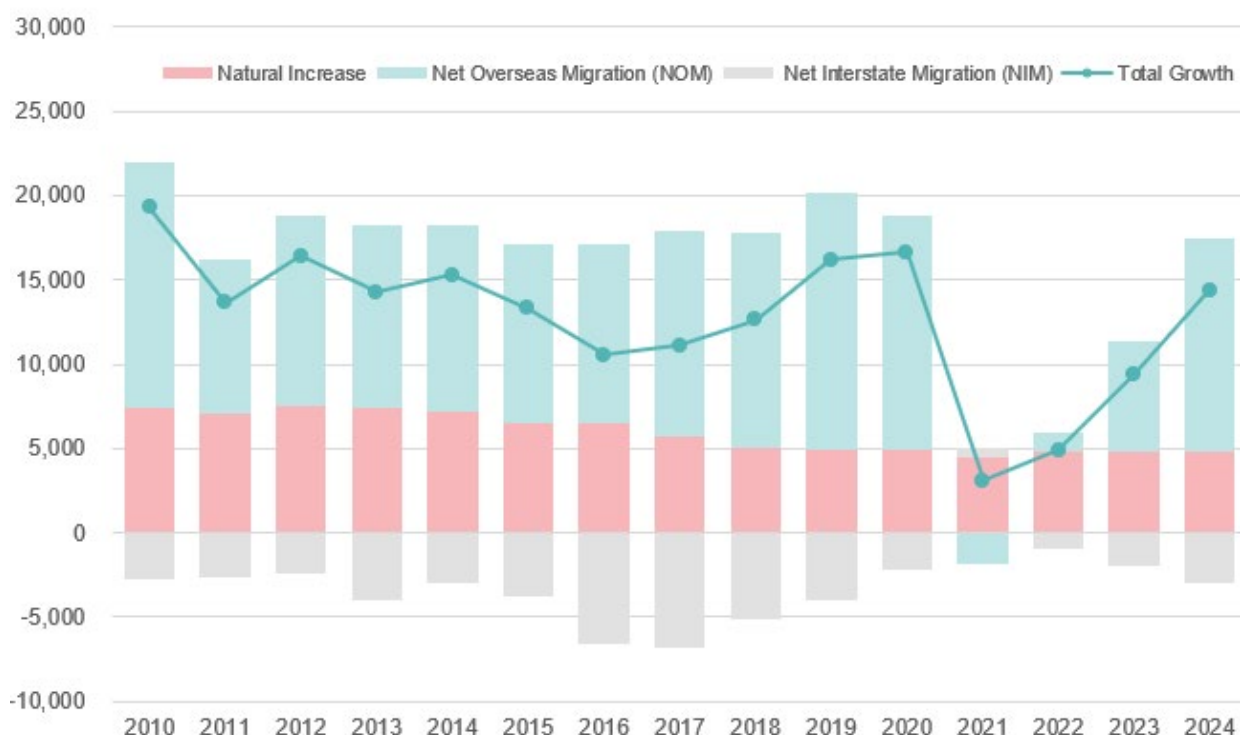
Since March 2020, Australia's international borders have been mostly closed due to the COVID-19 pandemic. This closure has halted the flow of overseas migrants to and from Australia and effectively eliminated population growth from this source.

Up until March 2020, Net Overseas Migration (NOM) has contributed around 240,000 (60%) to Australia's population growth each year. In the year to March 2021, there was a net NOM loss of 95,000 persons.

In South Australia, NOM is our most significant population growth component and over the past decade has averaged around 14,000 per annum (60-70%). It is expected that the COVID-19 related NOM impacts at the national level will flow through to all states and territories, and South Australia's share of the national NOM figure is likely to be significantly lower in the short-term. This has been confirmed by the latest data from the ABS which shows that NOM has shifted from a net gain of around 18,000 for the 12 months to March 2020, to a net annual loss of 3400 to March 2021.

On a positive note, the Covid-19 pandemic has seen South Australia reverse a long term trend of Net Interstate Migration (NIM) losses (approximately 4000 per annum) to record its first annual gain (960) in over 20 years. However the interstate migration gains do not counter the large overseas migration losses as shown in Figure 3 below.

Historical and projected population change – South Australia



Exactly how COVID-19 will impact on our population growth rate over the next 10 years is difficult to establish at this point in time. However it is highly likely that we will see below average population growth for the next few years for the following reasons:

- NOM is likely to remain extremely low for as long as our international borders are closed.
- NIM is likely to remain positive in the short-term to medium-term due to South Australia's relative success in managing the COVID pandemic. This has led to strong migration inflows and fewer people leaving for study, employment and family reasons.

Both NOM and NIM are assumed to start returning to pre-COVID levels from 2022/23.

Despite the COVID-19 related impacts on population growth in the short-term, the 2020 Land Supply Reports have continued to use the State government endorsed medium and high growth population projections to develop the demand scenarios used in the EFPA Review report. These scenarios present a more optimistic view of growth than if we had revised the projections downward to account for the short-term COVID related impacts on growth.

A revised set of projections based on the results of the 2021 census should be completed by December 2022.

Currency of data used to inform the Land Supply Report

Some submissions suggested that more contemporary population data should have been utilised in considering Tests 1 and 2.



Commission's Response

The Commission considers that the LSR has used population projections based on the results of the 2016 census. This was the best available information at the time of publication. Data for the 2021 census was collected on 10th August 2021; however, the first data will not become available until June 2022.

The land supply and dwelling construction data used in the LSR is from June 2020. Again, this was the best available information at the time and the Department is currently working on a June 2021 land supply and demand update.

Timing of the Inaugural EFPA Review

Some submissions suggested that the Commission has undertaken the inaugural EFPA Review prematurely.

Commission's Response

It is noted that Section 7(10) of the Act states "The Commission must conduct a review under subsection (9)(b) on a 5 yearly basis". There is no other reference in the section or broader Act to provide additional guidance on this. The Commission is satisfied that it has conducted the Review in accordance with Section 7 of the Act.

Homebuilder Stimulus Package impacts on Land Supply

A number of submissions noted that the Federal HomeBuilder Program has also contributed to the changed demand for housing land. This Program was established as an economic response to COVID-19 to assist the residential construction market by encouraging the commencement of new builds and renovations. It provides eligible owner-occupiers (including first home buyers) with a grant to help build a new home or substantially renovate an existing home. Applications for the grant closed on 14 April 2021.

Commission's Response

The HomeBuilder program has seen a significant increase in overall housing construction activity with a larger than usual share going to the Greenfield estates. While this is mostly driven by the HomeBuilder stimulus, there are also some early indications that the pandemic has seen more people buying detached houses away from the more densely settled areas of the city. This will need to be carefully monitored in the coming years to establish whether or not it is an emerging trend or just a COVID induced anomaly.

3.3.4. EFPA applying to Rural Living or similar zones

A number of submissions raised concerns or sought explanation as to why the EFPA currently applies over areas zoned as Rural Living or other 'non-rural' type zones. Other submissions raised concerns, more generally, with the perceived conflict between EFPA controls preventing subdivision for residential development within Rural Living Zones, which goes against the fundamental intent of these zones.

In addition, some submissions raised issues around the EFPA applying over various settlements (e.g. Templers and Middle Beach) which in essence operate as small 'townships' containing urban uses such as dwellings, shops and other services. The submissions assert the EFPA is inconsistent in that the EFPA has only been applied by virtue of these locations not previously being recognised by an urban type planning zoning.

Commission's Response

Whilst the Commission acknowledges the matters raised, it cannot amend boundaries through this current review where such changes could not reasonably be viewed as 'trivial' – a core requirement of Test 3.

3.3.5. Character Preservation Districts Issues

A number of submissions were received raising concerns that the EFPA Review may result in variations to boundaries of the Character Preservation District at McLaren Vale or the Barossa.

In particular, a number of submissions raised strong concerns that land south of McLaren Vale may be included within the defined township boundary via the EFPA Review process. These concerns were in relation to recommendations in the final report from the 2018 CP Acts Review, which outlined that the Commission should give further consideration (in the context of Greater Adelaide's growth) to eight locations (including south of McLaren Vale) that were the subject of submissions in the 2018 Review.

Commission's Response

These matters relate to a separate process outside of the EFPA Review and is discussed in further detail in Section 2.6 in this report.

4. ENDORSED BOUNDARY VARIATIONS

The following section documents the various requests to change the boundary of the EFPA in submissions received by the Commission during the public consultation period.

4.1. Commission's Approved Variations to EFPA boundaries

The Commission has approved variations to the EFPA boundary for each of the following three sites, which were received from public submissions prior to and during the EFPA Review public consultation period.

Each site is deemed to involve a variation that is trivial in nature and will address a recognised anomaly (being 'Test 3' as part of the Review process).

No.	Address	Council Area	Decision
22 & 44C	Jagger Road, Encounter Bay (intersection with Three Gullies Rd)	Victor Harbor	Amend EFPA to remove from it from the allotment and align to zone boundary
44B	1-10/124 Franklin Parade, Encounter Bay	Victor Harbor	Amend EFPA to remove it from the subject area
44D	384 Greenhills Road and 21 and 29 Panorama Drive, Hindmarsh Valley	Victor Harbor	Amend EFPA to remove it from the subject portions of the allotments

4.1.1. Jagger Road, Encounter Bay

Submission Number: 22 & 44C

Submitter: Landowner and City of Victor Harbor

Subject Land: Jagger Road, Encounter Bay (intersection with Three Gullies Road)

Council Area: City of Victor Harbor

Zoning: Hills Neighbourhood Zone

Subject Area Size: 7000m²

Summary:

Seeks the removal of the EFPA from a 7000m² allotment which has been developed with a residence and is within a residential type Zone.

Map of Subject Site:



ENVIRONMENT & FOOD PRODUCTION REVIEW 2021

P&D Code Zones
 HN - Hills Neighbourhood
 Ru - Rural

- EFPA Submission
- Environment and Food Production Areas
- P&D Code Zones
- Parcel Cadastre

PLN ID: 6015
 70 m
 Reference Scale: 1:2,500

Submission No: 44C

Date: 8/10/2021

0.7 ha
 132 JAGGER RD ENCOUNTER BAY SA 5211 LT 348 F165597
 ENCOUNTER BAY
 VICTOR HARBOR

Assessment:

The subject land is developed with a dwelling and is zoned Hills Neighbourhood, contiguous with the adjoining established residential area to the north.

The subject land is separated from the adjoining residential development by an undeveloped road reserve with Jagger Road being realigned in recent years to the south of the allotment instead.

The land was previously in the General Farming Zone in the Council's Development Plan at the time of the original EFPA maps being drafted, but was subsequently rezoned to a Residential Zone via the approval of a Development Plan Amendment in June 2017 (with the process commencing prior to the EFPA legally coming into operation in April 2017).

The DPA logically rezoned the land taking into account the realignment of Jagger Road to the south of the allotment, which had resulted in the allotment becoming contiguous with other residential zoned land to the north and isolated from broader rural land to the south.

The site represents a recognised anomaly between the planning zoning and the intent of the EFPA, which arose due to an overlapping of the timing of two separate planning processes in 2017. The removal from the EFPA is considered trivial as it only affects a single residential allotment immediately contiguous with other residential zoned land, which is isolated from rural land and unlikely to be used for primary production purposes or other meaningful ways that is consistent with the EFPA Objectives.

Commission's decision:

Remove EFPA from the subject allotment and align to zone boundary.

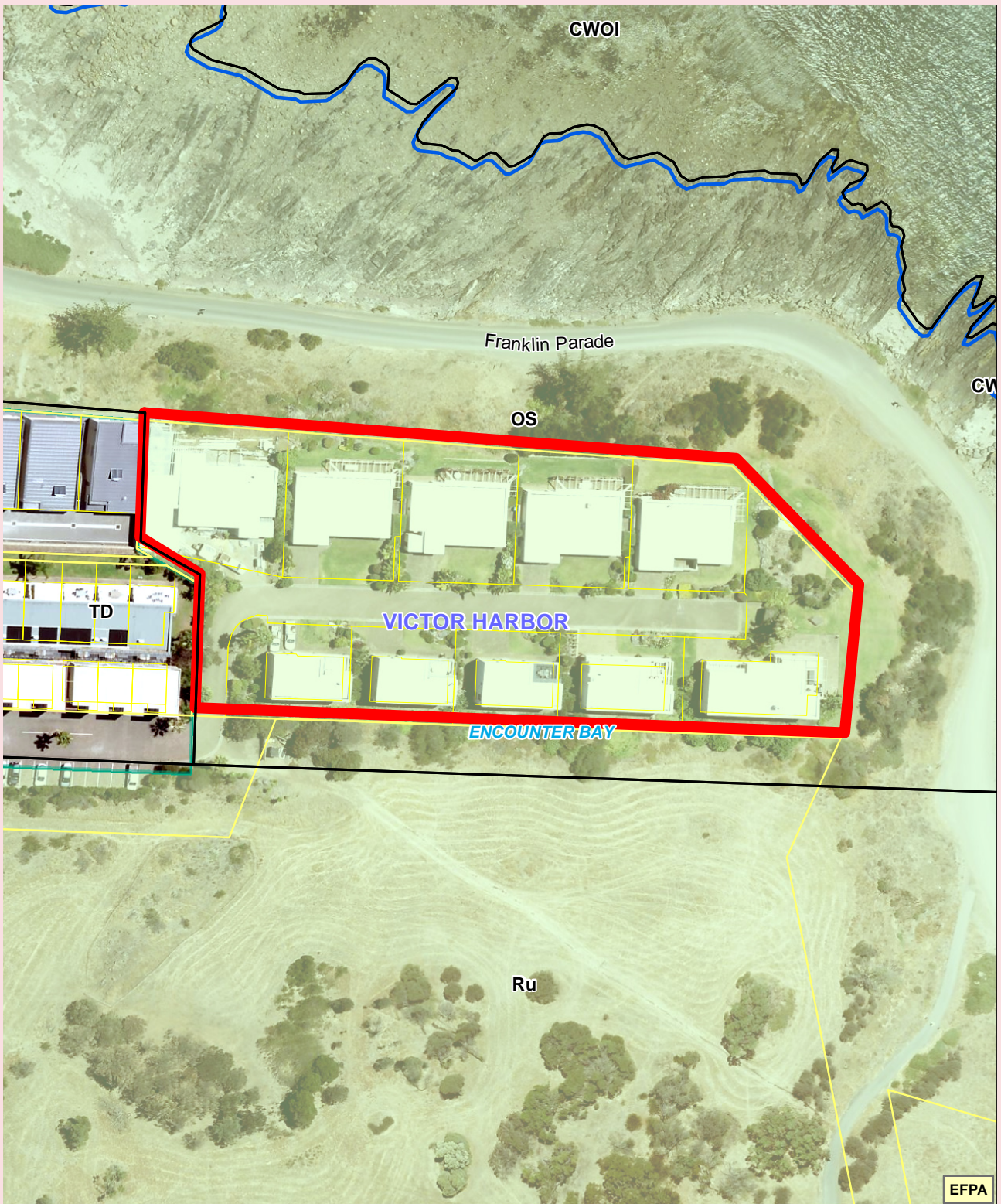
4.1.2. Franklin Parade, Encounter Bay

Submission Number:	44B
Submitter:	City of Victor Harbor
Subject Land:	1-10/124 Franklin Parade, Encounter Bay
Council Area:	City of Victor Harbor
Zoning:	Open Space Zone
Subject Area Size:	7000m2 approx.

Summary:

The land is fully developed with residential uses. As such the EFPA being applied over the site represents an anomaly.

Map of Subject Site:



ENVIRONMENT & FOOD PRODUCTION REVIEW 2021

P&D Code Zones
 CWOI - Coastal Waters and Offshore Islands
 OS - Open Space
 Ru - Rural
 TD - Tourism Development

- EFPA Submission
- Environment and Food Production Areas
- P&D Code Zones
- Parcel Cadastre
- Coastline Mean High Water 2016

PLN ID: 6015
 25 m
 Reference Scale: 1:1,000

Submission No: 44B

Date: 8/10/2021

0.7 ha
 Franklin Parade
 ENCOUNTER BAY
 VICTOR HARBOR

Assessment:

The subject land is zoned Open Space Zone but is fully developed with 10 residential units. The site is immediately adjacent to a tourist accommodation development in the Tourism Development Zone (to the west) and gains vehicular access through that land.

Removal of the EFPA would better reflect the existing situation on the ground of the land being fully developed with an entrenched urban use and associated infrastructure and as such has no potential for rural uses, food productivity or other objectives sought by the EFPA. On balance, although not critical that the EFPA be removed, the request to vary the EFPA is considered to be justified.

The size of the site is considered trivial in the context of the EFPA applied to the broader area and there is unlikely to be any impact upon activity on the ground as a result of the removal of EFPA, given the future development of the site is generally limited via the Open Space Zone.

Commission's decision:

Remove EFPA from the subject land.

4.1.3. Greenhills Road and Panorama Drive, Hindmarsh Valley

Submission Number:	44D
Submitter:	City of Victor Harbor
Subject Land:	384 Greenhills Road, Hindmarsh Valley 21 and 29 Panorama Drive, Hindmarsh Valley
Council Area:	City of Victor Harbor
Zoning:	Rural Zone, Rural Living Zone
Subject Area Size:	Portion of land for removal - approx. 700m ²

Summary:

Council seeks the EFPA boundary be amended to follow cadastre boundary. These three allotments are split with the Zone boundary, with the EFPA erroneously dissecting the allotments rather than following the cadastre boundary.

Map of Subject Site:



EFPA

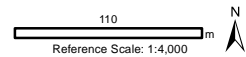


ENVIRONMENT & FOOD PRODUCTION REVIEW 2021

PLN ID: 6015

P&D Code Zones
 DU - Deferred Urban
 Ru - Rural
 RuL - Rural Living

- EFPA Submission
- Portion to be removed from EFPA
- Environment and Food Production Areas
- P&D Code Zones
- Parcel Cadastre



Submission No: 44D

Date: 8/10/2021

6.9 ha
 Panorama Dr
 HINDMARSH VALLEY
 VICTOR HARBOR

Assessment:

The subject land consists of three allotments developed for rural living purposes. The EFPA boundary follows the Rural and Rural Living Zone boundary, which dissects the three allotments and does not follow cadastral, resulting in an inconsistent policy framework for the properties.

Re-alignment of the EFPA to the rear boundary of the allotments would be the first step to also amending the zone boundary in the same manner via a potential future Code Amendment process to fully address the anomaly that exists in relation to the three allotments.

As the allotments are already developed with dwellings and unlikely to be re-subdivided, the removal of the EFPA from the rear portions of the allotments is viewed as trivial.

Commission's decision:

Amend so that the EFPA boundary follows the rear boundaries of the three subject allotments.

4.2. Approved Technical Mapping Corrections

Appendix E displays a series of minor technical and administrative corrections to the EFPA mapping that have been identified by Planning and Land Use Services since the inception of the EFPA in 2017.

These corrections typically relate to a slight misalignment of the EFPA boundary with cadastral and or zone boundaries. This current Review is the appropriate vehicle to correct these recognised anomalies, with each one being approved by the Commission in accordance with 'Test 3' (being trivial in nature).

The following table summarises the endorsed corrections:

Location	Council Area	Issue description	Decision
EFPA coastal boundary (entire extent)	Various	<p>Alignment of coastal boundary of EFPA to LGA boundary now differs from the intent of the original GRO Map (due to the LGA boundary being more accurately re-defined seawards, during the Planning and Design Code transition).</p> <p>The EFPA coastal boundary is now at odds with the Zoning framework boundary in the Planning and Design Code mapping.</p>	Amend the seaward extent of the EFPA from the low water mark (LGA boundary) to the high water mark, and the coastal cadastral boundary to align with Planning and Design Code mapping system to better maintain the original intent of the EFPA Coastal boundary in the GRO Map G17_2015.

All Rural Living Areas demarcated in orange on GRO Map G17_2015	Various	<p>The current GRO Map contains various orange areas demarcating "Rural Living Areas.</p> <p>At the time the EFPAs were introduced, a transitional period allowed for the assessment of land division applications proposing the creation of one or more additional allotments.</p> <p>This transitional period ended on 31 March 2019.</p>	The visual representation of these areas is now redundant and accordingly the GRO Map should now be amended to change all these areas from orange to green (as per all other areas in the EFPA).
South of Hume Reserve Road, Murray Bridge	Rural City of Murray Bridge	Suburban Activity Centre Zoned land identified as Environment and Food Production Area	EFPA to be removed from Suburban Activity Centre Zoned land as it addresses a trivial anomaly of the fundamentally urban type zoning being within the EFPA.
Houghton	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone / cadastral boundaries
Birdwood	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone / cadastral boundaries
Lenswood	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Balhannah	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Verdun	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone / cadastral boundaries
Bridgewater	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Uraidla	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Aldgate	Adelaide Hills Council	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Dawesley	Mount Barker	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries

Woodlane	Murray Bridge	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Monarto South	Murray Bridge	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Wasleys	Light	Better alignment of EFPA and Zone boundary to cadastre	Align EFPA to current cadastral boundaries
Redbanks	Adelaide Plains	Better alignment of EFPA and Zone boundary to cadastre	Align EFPA to current cadastral boundaries
Long Plains	Adelaide Plains	Better alignment of EFPA and Zone boundary to cadastre	Align EFPA to current cadastral boundaries
Two Wells	Adelaide Plains	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries
Vista	Tea Tree Gully	EFPA boundary not aligned to Planning and Design Code Zones	Align EFPA to current zone boundaries

5. IMPLEMENTATION OF APPROVED BOUNDARY VARIATIONS

Section 7(8) of the Act sets out that the Commission must publish a notice in the Government Gazette and on the PlanSA portal (SA planning portal) if it seeks to vary the boundaries of the EFPA. However, the Commission can only publish such a notice upon completion of a Review and furnishing a report on the outcome of the review to the Minister for Planning and Local Government (Subsection 9(b)).

Following any notice of the Commission as per the above, Sections(12) through to (16) then set out a process of Parliamentary consideration of the Commission’s notice as well as the EFPA Review Outcomes Report (which includes the potential for Parliament to disallow the notice to vary the EFPA).

This process involves a 14-day sitting period in Parliament.

In addition to the above, a subsequent amendment to the boundaries of the EFPA Overlay within the mapping of the Planning and Design Code will also be required to exactly reflect any variations made to the EFPA boundaries arising out of this Review.

Given the above required legal steps, any actual legal operation of variations to EFPA boundaries arising from this Outcome Report, will most likely not occur until early to mid-2022.



6. CONCLUSION AND NEXT STEPS

On 30 March 2021, the State Planning Commission (Commission) announced the inaugural review of the Environment and Food Production Areas (EFPA). This review is a statutory requirement every 5 years under Section 7 of the Planning, Development and Infrastructure Act 2016 (the Act).

Following a two-staged review process (involving a land supply analysis and consultation process), this report now outlines the outcomes of the review and signifies its completion. The report must now be furnished to the Minister for Planning and Local Government, prior to the Commission pursuing any actual variations to the boundaries of the EFPA.

These variations are summarised as:

- the removal or variation of the EFPA at three locations arising from public submissions, and
- a further 20 technical or administrative corrections to the mapping of the EFPA, mainly being alignment to cadastral boundaries and other minor updates.

The operation of these variations are earmarked to be implemented in early to mid-2022, including subsequent amendment to the EFPA Overlay in the mapping of the Planning and Design Code.

The next five year anniversary (and associated Review) is due in 2027. Should it become necessary before then, the Commission can conduct an inquiry into a variation/s to the EFPA boundaries.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.1

Responsible Officer: Peter Bice
Director
Infrastructure and Operations

Subject: Amy Gillet Bikeway – Stage 4 Agreement

For: Decision

SUMMARY

Council has been advocating for the completion of stage 4 (Mount Torrens to Birdwood) and Stage 5 (Birdwood to Mount Pleasant) of the Amy Gillett Bikeway since the completion of Stage 3 by the State Government in 2014.

Following strong community support and the Federal Member for Mayo Rebekah Sharkie MP, The Hon Michael McCormack MP, Former Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development allocated \$2.6M to complete Stage 4 (Mount Torrens to Birdwood), the commitment delivered via the Department of Infrastructure, Transport, Regional Development and Communications through the Community Development Grants Programme (CDG), as per **Appendix 1**. Council has been given a final time extension to 31 January 2022 to confirm the necessary arrangements will be in place to finalise the funding agreement.

Provision of funding is dependent on the preparation and execution by Adelaide Hills Council and the Department for Infrastructure and Transport of the funding agreement that sets out the terms and conditions under which the funding is provided, including confirmation of project cost estimates, final designs and SA Government land lease for the project.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To authorise that the CEO or his delegate enter into a funding “Deed of Agreement” with the Federal Department of Infrastructure, Transport, Regional Development and Communications.**
- 3. To authorise the CEO to progress the finalisation of a draft Lease/Licence Agreement to construct the bikeway infrastructure on State Government land with the State Department for Infrastructure and Transport, to be brought back to Council for endorsement and affixing of the Common Seal.**

4. To authorise the CEO to progress the finalisation of a draft Maintenance Agreement with the State Department for Infrastructure and Transport, to be brought back to Council for endorsement and affixing of the Common Seal.

1. GOVERNANCE

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

- Goal A functional Built Environment
- Objective B1 Our district is easily accessible for Community, our businesses and visitors.
- Priority B1.1 Increase accessibility to our district through the development and delivery of high priority trails and routes for all cyclists (on-road, off road, commuters, recreational) and pedestrians.
- Priority B1.3 Progress state-wide and inter-regional connectivity of cyclist routes by partnering with neighbouring councils.

Trails and Cycling Routes Management Policy

Support Tourism and economic development within the Adelaide Hills Region.
Foster community involvement and stewardship of trails and cycle routes

➤ **Legal Implications**

The Deed of Agreement would be between Adelaide Hills Council (AHC) and the Federal Government, with a Maintenance Agreement to be between AHC and the Department for Infrastructure and Transport (DIT).

➤ **Risk Management Implications**

Entering into the necessary agreements with the Department for Infrastructure and Transport and with the Federal Government will mitigate the risk of;

The funding commitment from the Federal Government being withdrawn and Stage 4 not progressing.

Inherent Risk	Residual Risk	Target Risk
Medium (1A)	Low (1C)	Low (1C)

➤ **Financial and Resource Implications**

Cost estimates for maintenance on the track (proposed Stage 4 Mount Torrens to Birdwood) are in the vicinity of \$40,000 per annum, based on existing costs as reported by the Department of Infrastructure and Transport, and Council's estimates based on internal staffing costs and contracted unit rates. This comprises auditing, mostly slashing (approx. \$3k per km, likely twice a year), with minor crack sealing and edge break works. Initially, given the new surface there will not be any civil costs associated, but after a few years, this will be when potential need for crack sealing or minor edge breaks are possible.

To support Council in these costs, priority access to State Government Sport and Recreation funding may be provided to will offset some costs, and particularly if civil works are required; however the duration of this is not certain. Once the formal Maintenance Agreement is drafted we are currently seeking some surety in this regard. Additionally, there is likely to be support in development of 'Friends of' groups similar to those in other areas in South Australia who can assist with some tasks, which may also offset some of the costs.

It should be noted that should Stage 4 be successfully constructed and completed, in the near future it is possible that Stage 5 (from Birdwood to Mount Pleasant – 8.6km) may also be constructed.

Were a similar model of State Government ownership (and depreciation), and AHC maintenance be in place for Stage 5, then a slightly lower operating expense would be incurred (as whilst it is slightly longer, half of the trail would be in The Barossa Council area). This could be considered in LTFP forecasts.

Resource Implications: the project will require 1.0 FTE to deliver, and so will most likely utilise an existing FTE from our Project Delivery Team, or require an external Project Manager to be appointed from within the available funding. If an internal resource is used, depending on the level of other new capital works Council determines for 2022/23 Annual Business Plan then additional resource may be required to deliver them.

Cost Overruns: It is acknowledged that the estimate for the project was developed over 18 months ago, with the high level of investment by all level of Government in infrastructure projects this is placing upward pressure on the delivery cost of certain projects.

As part of the funding agreement with the Federal Department it has been acknowledged that a review of the project cost and subsequent available funding can be included in the funding agreement (this hold point would be at the construction tender outcome stage). If this were not successful, then a Budget Review can occur and Local Roads and Community Infrastructure Program Phase 3 funds may be able to be allocated.

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

The community response to surveying in the development of previous Annual Business Plans and Long Term Financial Plans indicate support for the completion of the Amy Gillett Bikeway.

➤ **Sustainability Implications**

Based on the experiences shared on construction of the first 3 stages and potential broader connections to trails, it is forecast that the Amy Gillett Bikeway would generate sustained positive impacts both economically and socially.

➤ **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>	October 2019 Workshop – Adelaide Wine Capital Trail Ongoing CEO progress updates
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Federal Department of Infrastructure, Transport, Regional Development and Communications South Australian Department of Infrastructure and Transport
<i>Community:</i>	2016-17 Annual Business Plan Development

2. BACKGROUND

The bikeway is named in honour of cyclist Amy Gillett who was tragically killed in 2005 during a training ride with the Australian Women’s Cycling Team.

Stage 1 of the Amy Gillett Bikeway from Oakbank to Woodside was built by the State Government in 2010 on an abandoned rail corridor.

Stage 2 to Charleston and Stage 3 to Mount Torrens were then constructed, but since 2014 work on the remainder of the planned bikeway has stalled because no further monies were allocated by the State Government. Stage 4 Mount Torrens to Birdwood is covered by the Federal funding commitment of \$2.6m. However, the State Government’s proposed Stage 5 from Birdwood to Mt Pleasant remains unfunded.

Following strong community support and the Federal Member for Mayo Rebekah Sharkie MP, The Hon Michael McCormack MP, Former Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development allocated \$2.6M to complete Stage 4.

Federal Member for Mayo Rebekha Sharkie MP has been a long-time supporter of the Amy Gillett Bikeway and Council recognises her efforts in securing this successful Federal funding outcome.

3. ANALYSIS

To date, the feedback from businesses and community on the success and impact of the existing Amy Gillett Stages (1-3) has been positive. The support from residents and community has become apparent through consultations on the topic, including a specific question relating to whether or not AHC should explore the completion of Stages 4 and 5 of the bikeway, as well as willingness around financial investment from AHC to do so in the 2016-17 ABP Consultation.

The responses to two of the relevant questions from the 2016-17 Annual Business Plan development consultation are detailed below, with the complete consultation outcomes report relating to the Amy Gillett Questions included in **Appendix 3**.

In response to the question:

Are you supportive of extending the Amy Gillett Bikeway 6.2km between Mt Torrens and Birdwood (Stage 4)?

The responses were as follows (responses from 218 people):

RESPONSE	NUMBER	PERCENTAGE
YES	210	(96.3%)
NO	5	(2.3%)
Unsure	3	(1.4%)
TOTAL	218	100%

In response to the question:

If yes, what contribution level do you feel Council should provide (excluding ongoing maintenance/depreciation)?

The responses were as follows (responses from 200 people):

RESPONSE	NUMBER	PERCENTAGE
\$250,000	16	8%
\$500,000	20	10%
\$750,000	16	8%
\$1.33 million	148	74%
TOTAL	200	100%

Since the announcement of the funding commitment, Council staff had been liaising with the Federal Department and supplying required information for the formal funding agreement.

The current old railway corridor is under the care and control of the State Government. The first 3 stages of the Amy Gillett were funded and constructed by the State Government. The State Government currently undertakes the operations and maintenance requirements of the Stage 1 – 3 of Amy Gillett and this will continue.

On-going ownership and maintenance of the Stage 4 infrastructure of Amy Gillett has required ongoing discussion with the State Government. Additionally, a licence agreement has needed to be put in place providing the authority for AHC to construct on the DIT land required for the Bikeway.

A preliminary draft of the agreement can be seen in **Appendix 2**, as it provides detail in relation to the alignment of Stage 4, however please note that this was prior to the position now reached that the Department for Infrastructure and Transport would own and depreciate the Asset (i.e. and thus renew at end of life). This has progressed whilst other elements of the project have been progressing to ensure there is not a delay in the project once funding and the other agreements are in place.

The proposed agreement with the State Government will provide certainty and clarity to the Federal Government on the long term ownership and maintenance of this infrastructure. This was the final piece of required information before the formal funding agreement could be provided to Council and the subsequent funding made available to commence the construction works.

Having received the communication from the Chief Executive of the Department for Infrastructure and Transport, Mr Tony Braxton-Smith, Council is now in a position to progress with executing the Deed of Agreement for the Federal funding, should Council agree to the terms in the letter contained in **Appendix 4**, that outlines the principles underpinning the Maintenance Agreement sought by DIT.

Should this not be agreed to, then the Commonwealth funding of \$2.6M will not be received, and the Amy Gillett Bikeway will not be constructed at this time.

4. OPTIONS

Council has the following options:

- I. To authorise that the CEO or his delegate enter into a funding “Deed of Agreement” with the Federal Department of Infrastructure, Transport, Regional Development and Communications (Recommended)
- II. To authorise the CEO to progress the finalisation of a draft Lease/Licence Agreement to construct the bikeway infrastructure on State Government land with the State Department for Infrastructure and Transport, to be brought back to Council for endorsement and affixing of the Common Seal. (Recommended)
- III. To authorise the CEO to progress the finalisation of a draft Maintenance Agreement with the State Department for Infrastructure and Transport, to be brought back to Council for endorsement and affixing of the Common Seal. (Recommended)
- IV. Not Approve the CEO to progress the development of the above Agreements. (Not Recommended)

5. APPENDICES

- (1) Community Development Grants Approval Letter
- (2) Draft Licence Agreement
- (3) 2016-17 Consultation Outcomes – Amy Gillett
- (4) Confirmation of Proposed Arrangements from DIT

Appendix 1

Community Development Grants Approval Letter



The Hon Michael McCormack MP

**Deputy Prime Minister
Minister for Infrastructure, Transport and Regional Development
Leader of The Nationals
Federal Member for Riverina**

Ref: MS21-000618

27 MAY 2021

Mayor Jan-Claire Wisdom
Mayor
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Dear Mayor

I am pleased to advise I have approved funding of up to \$2,600,000 (GST exclusive) under the Community Development Grants Programme to the Adelaide Hills Council for the Amy Gillett Bikeway – Mount Torrens to Birdwood project. This approval delivers on a 2020 Australian Government commitment.

I would ask that you keep the details of this letter confidential until a Funding Agreement is signed.

Provision of funding is dependent on the preparation and execution by both parties of a Funding Agreement that sets out the terms and conditions under which the funding is provided, and the settling of other details, including confirmation of final cost estimates, final designs and SA Government land lease for the project. You will shortly be contacted by an officer from the Department of Infrastructure, Transport, Regional Development and Communications to discuss the Funding Agreement.

Please be aware you must enter into a Funding Agreement within four weeks of the project being approved otherwise the offer of funding will be reviewed and may be withdrawn. The funding amount is provided on the basis that it does not attract GST as the payment will be made by one government-related entity to another government-related entity. This circumstance is specifically covered by an appropriation under Australian law and falls within the terms of Australian Taxation Office ruling GSTR 2012/2.

I have written to Senator Andrew McLachlan, Senator for South Australia, advising of the approval for the Amy Gillett Bikeway – Mount Torrens to Birdwood project.

Your Funding Agreement outlines your obligations regarding acknowledgement and publicity for this project. Should you hold an event to celebrate a milestone for your project, please contact the Department via the project officer you normally deal with. I would appreciate it if you could provide three non-parliamentary sitting dates for your event at least eight weeks prior to the earliest date, so I can do my best to make arrangements to attend. If I am unavailable, I will organise a representative to attend on behalf of the Australian Government and the Department will liaise directly with you.

I wish you every success with the Amy Gillett Bikeway – Mount Torrens to Birdwood project.

Yours sincerely



Michael McCormack

Appendix 2
Draft Licence Agreement

LICENCE AGREEMENT MEMORANDUM

BETWEEN:

COMMISSIONER OF HIGHWAYS a body corporate pursuant to the *Highways Act 1926 (SA)* of 50 Flinders Street, Adelaide SA 5000 (**Commissioner**)

AND

ADELAIDE HILLS COUNCIL of PO Box 44 Woodside SA 5244 (**Licensee**)

THE PARTIES AGREE AS FOLLOWS:

This is a Licence Agreement between the Commissioner and the Licensee under the terms of the Head Agreement between the Commissioner and the Licensee dated [*insert date of Head Agreement*].

In consideration of the Licence Fee, the Commissioner grants to the Licensee and the Licensee accepts a non-exclusive licence to use the Site for the Permitted Use for the duration of the term of the Licence Agreement on the terms and conditions of this Licence Agreement.

The terms of this Licence Agreement are as described in clause 8 of the Head Agreement, which incorporates terms and conditions of the Head Agreement.

SCHEDULE OF PARTICULARS

ITEM 1 **LAND**

The whole of the land comprised and described in Certificate of Title Volume 5411 Folio 182 and Certificate of Title Volume 6230 Folio 61.

ITEM 2 **SITE**

That portion of the Land being Piece 102, 101 of Deposited Plan 28653, Piece 44, 43 of Deposited Plan 114390, Allotment 48, 47, 46, 45 and more particularly delineated as green on the plan attached to this Licence Agreement Memorandum.

ITEM 3 **PERMITTED USE**

- Pathway to be used by members of the public for pedestrian and bicycle traffic;
- Landscaping; and
- Public Amenity.

ITEM 4 **TERM**

Commencement Date:

Expiry Date:

ITEM 5

LICENCE FEE

Amount: \$1.00 (exclusive of GST) per annum

Payable: within thirty (30) days if demanded by the Commissioner

ITEM 5

SPECIAL CONDITIONS

As specified (if any) in Annexure A annexed hereto.

EXECUTED AS AN AGREEMENT

THE COMMON SEAL of the)
COMMISSIONER OF HIGHWAYS)
was hereto affixed by the authority)
of the Commissioner:)

.....
Signature of Authorised Officer (above)

.....
Name (above)

.....
Position/Title (above)
Department for Infrastructure and Transport

The **COMMON SEAL** of)
ADELAIDE HILLS COUNCIL)
was affixed in the presence of:)

.....
Mayor (sign above)

.....
Chief Executive Officer (sign above)

.....
Print Name (above)

.....
Print Name (above)

PLAN

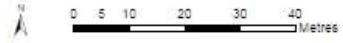


Shared Use Path (SUP) - Adelaide Hills Council

Legend

D28853_QP101

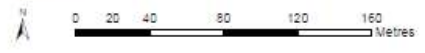
SUP over portion of Commissioner's Land (indicative)



Shared Use Path (SUP) - Adelaide Hills Council

Legend

- D114390_AL48
- SUP over portion of Commissioner's Land (indicative)



Shared Use Path (SUP) - Adelaide Hills Council

Legend

D114390_AL47

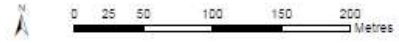
SUP over portion of Commissioner's Land (indicative)



Shared Use Path (SUP) - Adelaide Hills Council

Legend

- D114390_AL46
- SUP over portion of Commissioner's Land (indicative)



Shared Use Path (SUP) - Adelaide Hills Council

Legend

- D114390_AL45
- SUP over portion of Commissioner's Land (indicative)

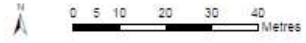


Shared Use Path (SUP) - Adelaide Hills Council

Legend

D114390_QP44

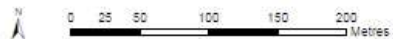
SUP over portion of Commissioner's Land (indicative)



Shared Use Path (SUP) - Adelaide Hills Council

Legend

- D114390_QP43
- SUP over portion of Commissioner's Land (indicative)



ANNEXURE A

SPECIAL CONDITIONS

The Licensee:

- must not use or promote the Premises as an unsealed walking or recreational trail or pathway. The Licensee must not undertake any activities on the Premises which suggest that the Premises can be used as an unsealed walking or recreational trail or pathway.
- must not commence construction works to create a sealed pathway prior to submitting its design drawings and plans to the Licensor for review and approval (refer to item 'Licensee Works' above), including a Construction Environmental Management Plan (CEMP).
- agrees that all construction works must be conducted in accordance with the Environment Protection Act 1993.
- acknowledges that there is a potential for contamination to exist within the soil and/or groundwater at the Premises. Associated with this are potential risks to human health associated with the inhalation, dermal contact and/or ingestion of contaminated dust/particulates that may be generated or groundwater that may be intercepted during construction works. To reduce the risk to human health, the implementation of the following provisions should be undertaken:
 - Minimisation of dust generation during construction works;
 - All site workers should be equipped with appropriate personal protective equipment (PPE), including gloves, long sleeve shirts and pants; and
 - Site workers should maintain appropriate hygiene, i.e. wash hands prior to eating and at the end of the day.
- must ensure that any removal of ballast and / or soil as part of the construction works on the Premises must be undertaken in accordance with appropriate disposal management practices, including the relevant SA EPA guidelines.
- acknowledges that known contaminated material should be managed in accordance with the relevant SA EPA and national guidelines as part of the construction works. A contamination consultant should be engaged if required.
- agrees that stockpiling of material during construction works should be undertaken in accordance with the SA EPAs *Guideline for stockpile management: Waste and waste derived products for recycling and reuse 2019*, and should consider stockpiling on hardstand and employ appropriate erosion/ sediment control, if required.
- must not remove contaminated material from the Premises during construction works, unless the materials have been assessed in accordance with the SA EPAs *Current criteria for the classification of waste – including Industrial and Commercial Waste (Listed) and Waste Soil 2010*.
- acknowledges that contingency procedures should be in place to manage unexpected or gross contamination if encountered during the construction works. If such contamination is encountered, construction works should cease and enquiries made to the Licensor before continuing with construction works.
- agrees that if refuelling activities are to occur as part of the construction works, appropriate spill control measures should be in place.

- agrees that if chemicals or hazardous materials are to be used for the construction works, they should be handled and stored in an appropriate manner, i.e. banded and on hardstand, and in accordance with the relevant MSDS and industry practice.
- acknowledges that discharges to stormwater during construction works are prohibited unless the appropriate licences have been acquired to undertake such activity.
- acknowledges that the construction, maintenance, repair and replacement of the pathway on the Premises will be at the Licensee's cost.
- must install adequate signage along the pathway advising users of the pathway not to deviate from the pathway into the rail corridor verge.
- must take all reasonable steps not to cause or permit any activity which may contribute to any existing contamination. Should the Licensee cause or permit any activity which results in contamination the Licensee shall retain all liability and responsibility for any contamination clean up including all costs associated with doing so.
- acknowledges that no warranty, condition, description or representations whatsoever as to the state quality, fitness, and/or suitability of the Land is or has been given or implied for any purpose whatsoever by or from:
 - anything said or done whether expressly or impliedly by the Licensor or any agent of the Licensor; or
 - any statutory or other warranties, conditions, descriptions or representations expressed or implied by any person whatsoever as to the state or quality of the Land or of the fitness or suitability of the Land or any part of it for any purpose whatsoever.

The Licensor:

- has not of itself or through any agent whatsoever made any warranty or representation to the Lessee with respect to:
 - any past use of the land;
 - the presence or otherwise of any contaminants or pollutants, toxic, noxious or dangerous substance in, on, or under the Land;
 AND the Licensee acknowledges that no such warranty or representation has been made.

Appendix 3

2016-17 ABP Consultation Outcomes – Amy Gillett

Project Report

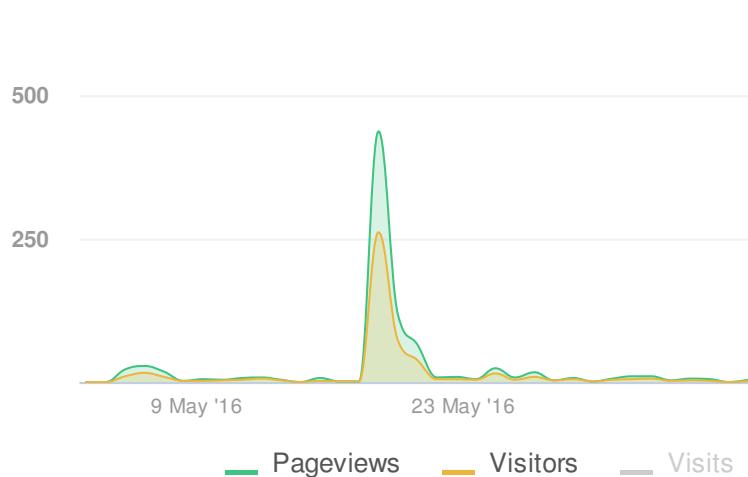
4 May 2016 to 3 June 2016

Adelaide Hills Council

Annual Business Plan Consultation

Amy Gillett Bikeway

Visitors Summary

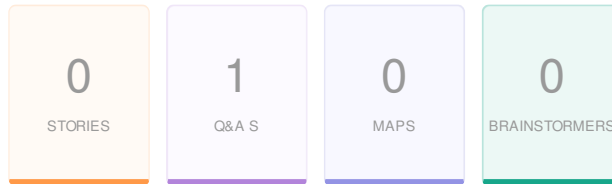
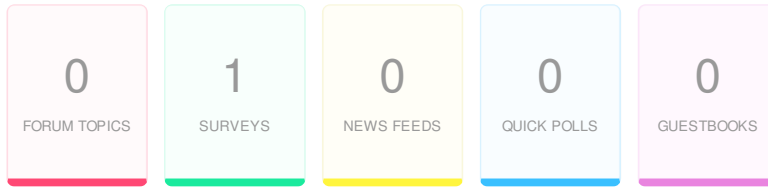


Highlights

TOTAL VISITS	522	MAXIMUM SINGLE DAY VISITORS	268
ENGAGED VISITORS	219	INFORMED VISITORS	230
		AWARE VISITORS	472

Aware Participants		472	Engaged			219
Aware Actions Performed	Participants		Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	472		Contributed on Forums	0	0	0
Informed Participants	230		Participated in Surveys	32	185	2
Informed Actions Performed	Participants		Contributed to Newsfeeds	0	0	0
Viewed a video	0		Participated in Quick Polls	0	0	0
Viewed a photo	0		Posted on Guestbooks	0	0	0
Downloaded a document	0		Contributed to Stories	0	0	0
Visited the Key Dates page	0		Asked Questions	0	0	0
Visited an FAQ list Page	0		Placed Pins on Maps	0	0	0
Visited Instagram Page	0		Contributed to Brainstormers	0	0	0
Visited Multiple Project Pages	13					
Contributed to a tool (engaged)	219					

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Qanda	Q&A - Amy Gillett Bikeway	Published	22	0	0	0
Survey Tool	How do you roll?	Published	292	32	185	2

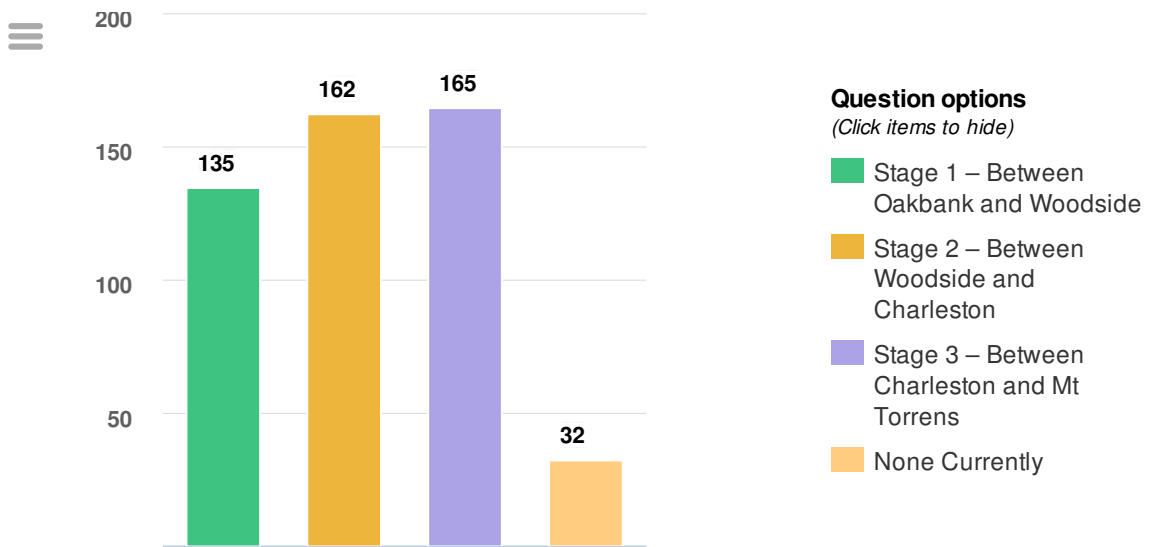
ENGAGEMENT TOOL: SURVEY TOOL

Tool title/name: How do you roll?

VISITORS	292	CONTRIBUTORS	219	CONTRIBUTIONS	220
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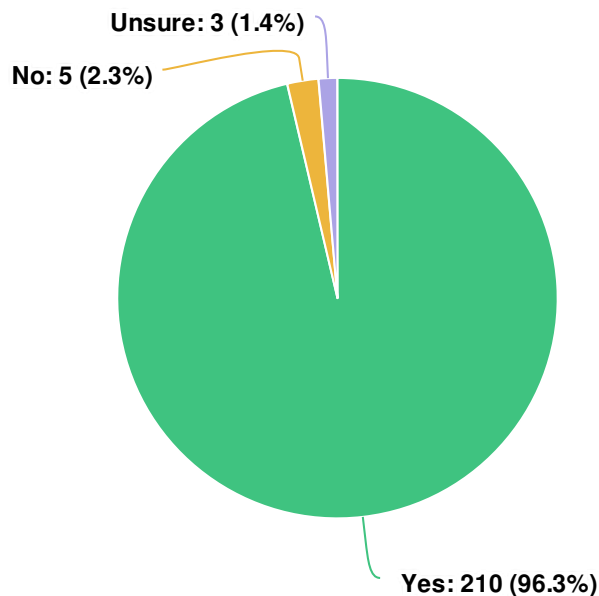
Which sections of the Amy Gillett Bikeway do you currently use (select all that apply)?

Optional question



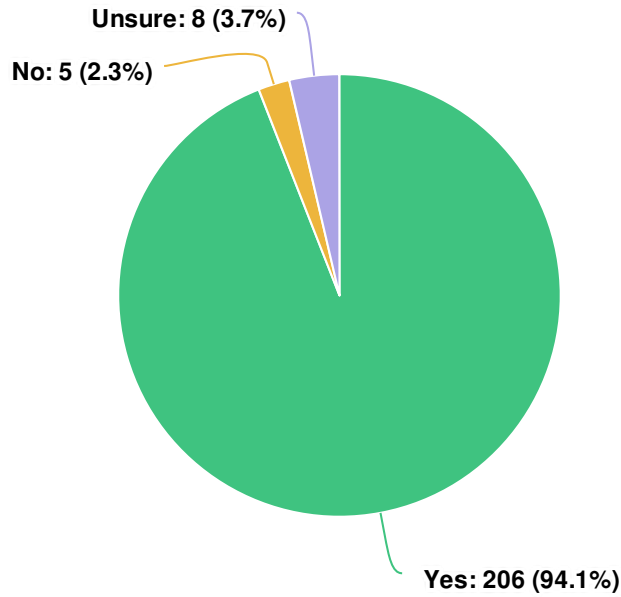
Are you supportive of extending the Amy Gillett Bikeway 6.2km between Mt Torrens and Birdwood (Stage 4)?

Optional question



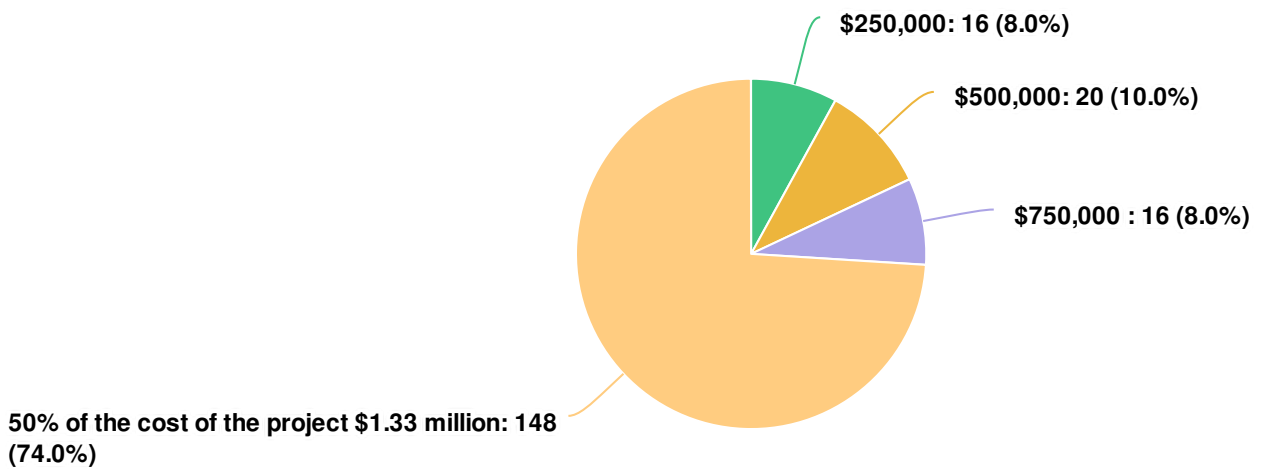
Are you supportive of extending the Amy Gillet Bikeway 8.8km between Birdwood and Mount Pleasant in future years (Stage 5)?

Optional question



If Yes, what contribution level do you feel Council should provide (excluding ongoing maintenance/depreciation)? In order to meet these ongoing costs an increase in rate revenue of between 0.3% and...

Optional question



Appendix 4

Confirmation of Proposed Arrangements from DIT



*In reply please quote
Enquiries to Wayne Buckerfield
Telephone 0401 124 293*

**OFFICE OF THE CHIEF
EXECUTIVE**

50 Flinders Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

Mr Andrew Aitken
CEO Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ABN 92 366 288 135

Dear Andrew,

AMY GILLET BIKEWAY STAGE 4

Following on-going discussions between our respective officers, this letter serves to confirm the proposed arrangements between the Department for Infrastructure and Transport (DIT) and Adelaide Hills Council (Council) in relation to the construction and maintenance of Stage 4 of the Amy Gillett Bikeway (between Mount Torrens and Birdwood) for which Council has been successful in securing construction funding from the Australian Government.

The following provisions are proposed, noting that they are consistent with the established approach with other councils across the State for regionally significant paths and at the same time recognise your Council's situation:

- The path of Stage 4 of the Amy Gillett Bikeway (Path) will be primarily located within the disused rail corridor on lands vested in the Commissioner of Highways.
- DIT will be the owner of the Path asset on completion and will account for the asset on its balance sheet along with associated depreciation.
- Insurance for the elements of the Path that would normally be insured (ie structures) will be included in DIT's program of insurance, which includes public liability insurance. However it is worth noting that Council would also need to hold suitable insurances for works and public liability associated with the maintenance service agreement outlined below.
- Construction of the Path will be managed by Council and funding for the construction will be met within the allocation Council has secured from the Australian Government. In the event that further funding is required to complete the works, this will be a matter for Council and the Australian Government to resolve.

OFFICIAL

- Standards adopted by Council for the construction of the Path shall be in accordance with appropriate Australian standards with technical decisions by Council during design and construction being made based on minimising ongoing maintenance costs.
- Upon Completion of the construction works, Council will assume the responsibility for ongoing maintenance of the Path at its cost and in accordance with an agreement to be entered into with the Commissioner of Highways. The agreement will in essence be a maintenance services agreement that requires Council to undertake inspections and perform ongoing maintenance activities at its cost to ensure the Path remains fit for purpose and to ensure safety of the Path for users.

If Council are in agreement with this proposal, officers from our respective organisations can work together to finalise a suitable maintenance agreement as a next step.

We trust the above commitment enables Council to provide necessary assurance to the Australian Government to proceed with the grant, and I look forward to continuing to work with Council to support delivery of bikeway.

Yours sincerely,



Tony Braxton-Smith
Chief Executive
COMMISSIONER OF HIGHWAYS

14 January 2022

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Alexis Black
Team Leader, Environmental Health
Development & Regulatory Services

Subject: Policy Review – Wastewater Application Fee Refund Policy

For: Decision

SUMMARY

Council’s Environmental Health Officers (EHO) undertake inspections on the installation of onsite wastewater control systems. These inspections attract wastewater application fees which are set under the *Legislation (Fees) Act 2019*.

Council has in place a *Wastewater Application Fee Refund Policy* (the “Policy”) to ensure a transparent, fair and consistent approach is applied when assessing applications for a fee refund. A review of the refund Policy has been undertaken.

The existing Policy has satisfactorily ensured fees are refunded in a fair and consistent manner. Upon review, it has been determined that the existing Policy requires minor administrative changes and reformatting into the current policy template and, as such, a revised Policy is attached to this report for consideration and endorsement.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. With an effective date of 8 February 2022, to revoke the 18 December 2018 *Wastewater Application Fee Refund Policy* and to adopt the draft 25 January 2022 *Wastewater Application Fee Refund Policy* as contained in *Appendix 1*.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft 25 January 2022 *Wastewater Application Fee Refund Policy* prior to the effective date.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C4 An active, healthy, thriving and resilient community

Priority C4.1 Support community wellbeing through our contribution to public health planning, disaster recovery activities and the implementation of strategies that aim to measure and enhance wellbeing

➤ Legal Implications

Council is required under the *SA Public Health Act 2011* to assess applications received for on-site wastewater disposal systems. In meeting its obligation under the *SA Public Health Act 2011* Council's EHOs must take into account the following regulatory instruments:

- *SA Public Health Act 2011*
- *SA Public Health (Wastewater) Regulations 2013*
- *On-Site Wastewater System Code 2013*
- *AS/NZS 1547:2012 On-Site Domestic Wastewater Management*

➤ Risk Management Implications

The maintenance of a Wastewater System Application Fee Refunds Policy will assist in mitigating the risk of:

Poor governance practices occurring leading to a loss of stakeholder (i.e. customer and audit) confidence.

Inherent Risk	Residual Risk	Target Risk
Medium (2D)	Low (2D)	Low (2E)

Note that the Policy is part of a suite of controls.

➤ Financial and Resource Implications

Annual budget income projections are made based on the expected number of wastewater applications that will be received each year. Minimal applications are received for wastewater system fee refunds and therefore adopting the revised policy will have no financial or resource implications to Council.

➤ Customer Service and Community/Cultural Implications

Review of the Policy will ensure all fee refund requests are processed in a transparent, consistent and fair manner.

➤ Sustainability Implications

Not Applicable.

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

As there are only minor changes proposed, consultation on the development of this report was not required:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

Wastewater systems are a means of collecting, treating and safely disposing of domestic wastewater in non-sewer areas. The installation of wastewater systems for new or existing properties are assessed by Council EHO's under the *On-Site Wastewater System Code 2013* to ensure that they do not present a public health risk to the occupants, neighbours, environment or watercourses.

Ensuring that such systems are installed and maintained in accordance with the legislative requirements allows for better community planning while also protecting the safety of the community.

This report has been prepared as part of the review of the Policy which has been undertaken pursuant with the Policy Review Schedule. The Policy was first introduced to ensure that a consistent, fair and transparent approach was applied when refunding any fees associated with a wastewater system application. The current Policy was adopted by Council on 18 December 2018 (Res: 332/18).

Since implementation of the Policy, Council has received over 2000 wastewater applications with approximately 120 being withdrawn, 72 prior to approval being issued. The majority of wastewater applications withdrawn are for new dwellings or addition to existing dwellings, hence the withdrawal of the application does not have any public health implications. Applications are withdrawn by the owner of the property for many reasons including sewer availability, financial limitations, development and site constraints, deferment etc. Council has received less than 10 requests for a fee refund all of which received the full amount in accordance with this policy.

3. ANALYSIS

Wastewater system applications attract an application fee based on the assessment and inspections required to be undertaken by Council's EHO. The initial process involves a desk top assessment and site inspection, further inspections are undertaken as the work progresses.

The application can be withdrawn at any time, however it is unlikely to be withdrawn upon the commencement of works. For this reason the Policy does not provide a fee refund once works have commenced. Prior to works commencing fee refunds are available to applicants dependent upon the stage of their application.

The existing Policy in its current form satisfactorily ensures a consistent and systematic approach is taken when processing fee refund requests resulting in fair and transparent reviews being undertaken.

As the current Policy has been effective in refund requests being processed in a transparent and fair manner there are no comprehensive changes recommended. Some minor administrative changes have been made due to legislative changes, and the Policy formatted into the current policy template. These changes are highlighted in the proposed revised Policy (**Appendix 1**).

4. OPTIONS

Council has the following options:

- I. To determine to adopt the revised Policy (**Appendix 1**). (Recommended).
- II. To determine an alternative course of action (Not Recommended).

Should the Council identify the need for substantial amendments to the revised Policy, it is recommended that they be referred to staff for review to allow for analysis of the implications of the amendments, prior to the matter being brought back to Council for further consideration.


5. APPENDIX

- (1) *Wastewater Application Fee Refund Policy – January 2022 (draft)*

Appendix 1

*Wastewater System Application Fee Refund Policy –
January 2022 (draft)*

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<p><WASTEWATER SYSTEM APPLICATION FEE REFUNDS></p>
--	---

<p>Policy Number:</p>	<p>The Governance team will allocate the policy number.</p>
<p>Responsible Department(s):</p>	<p>Development & Regulatory Services</p>
<p>Relevant Delegations:</p>	<p>As per the Delegations Register and as detailed in this Policy</p>
<p>Other Relevant Policies:</p>	<p>Fees and Charges Policy</p>
<p>Relevant Procedure(s):</p>	<p>Nil</p>
<p>Relevant Legislation:</p>	<p><i>SA Public Health Act 2011</i> <i>SA Public Health (Wastewater) Regulations 2013</i> <i>Legislation (Fees) Act 2019</i></p>
<p>Policies and Procedures Superseded by this policy on its Adoption:</p>	
<p>Adoption Authority:</p>	<p>Council</p>
<p>Date of Adoption:</p>	<p><i>To be entered administratively</i></p>
<p>Effective From:</p>	<p><i>To be entered administratively</i></p>
<p>Minute Reference for Adoption:</p>	<p><i>To be entered administratively</i></p>
<p>Next Review:</p>	<p>No later than December 2024 or as required by legislation or changed circumstances</p>

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.1	14/8/2012	Initial Policy	Council Resolution Item 10.3,201
1.2	8/12/2015	No Amendments	SPDPC Considered Item 12.2,59
1.3	18/12/2018	No Amendments	Council Resolution Item 12.7,322/18

DRAFT

WASTEWATER APPLICATION FEE REFUNDS POLICY

1. INTRODUCTION

- 1.1 The policy provides Council and its administration with principles and guidelines for assessing any application for the refund of fees associated with withdrawn wastewater applications.
- 1.2 The policy was developed to ensure that all requests received by Council are assessed in a transparent, fair and consistent manner providing an equitable and accountable outcome for all applicants, while also permitting applicants to receive a partial refund if they choose not to proceed with the intended works.

2. OBJECTIVES

- 2.1 The objective of this policy is to provide guidance with regard to how much of the wastewater system application fees should be refunded to an applicant in the event the application is withdrawn. In all other instances all application fees are to be retained by Council.

3. SCOPE

- 3.1 This policy applies to all wastewater applications received by Council but does not include applications that have been refused or approved applications that have subsequently lapsed.

4. POLICY STATEMENT

- 4.1 In situations where a wastewater system application is withdrawn and upon a written request from the applicant, the maximum fee that may be refunded shall be calculated in accordance with the policy.

Fee	Refund
1. Lodgement Fee <ul style="list-style-type: none"> • Where no inspections have been undertaken by an Environmental Health Officer. 	All fees minus lodgement fee to be refunded
2. Site inspection Fee <ul style="list-style-type: none"> • Where desk top assessment and site inspection only has been undertaken by an Environmental Health Officer. 	All fees minus lodgement fee to be refunded
3. Plumbing Inspection fee	No refund

<ul style="list-style-type: none"> Where plumbing compliance inspection has been undertaken by an Environmental Health Officer 	
<p>4. Wastewater System / Drains Inspection fee</p> <ul style="list-style-type: none"> Where tanks/drains compliance inspection has been undertaken by an Environmental Health Officer 	No refund
<p>5. Wastewater System Disposal Inspection fee</p> <ul style="list-style-type: none"> Where final compliance inspection has been undertaken by an Environmental Health Officer 	No refund
<p>6. Where the value of a Council Officer's time devoted to a particular proposal is estimated to be greater than the fees retained by Council, the Director Development & Regulatory Services may reduce the refund accordingly.</p>	

5. DELEGATION

5.1 The Chief Executive Officer has the delegation under the SA Public Health Act 2011 to:

- Approve, amend and review any procedures that shall be consistent with this Policy; and
- Make any legislative, formatting, nomenclature or other minor changes to the Policy during the period of its currency.

6. AVAILABILITY OF THE POLICY

6.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Deryn Atkinson
Manager Development Services
Development & Regulatory Services

Subject: Council Assessment Panel (CAP) Membership

For: Decision

SUMMARY

The Council Assessment Panel (CAP) is established under Sections 82 and 83 of the *Planning, Development and Infrastructure (PDI) Act 2016* (the Act). The CAP consists of four (4) Independent Members including the Independent Presiding Member and one (1) Council Member, with another Council Member as a deputy.

The terms of office for the current four (4) Independent Members and Council Members on the CAP concludes on 31 May 2022. It is therefore necessary to commence a recruitment and selection process for independent members in early 2022 to ensure that the appointment of these members occurs before the expiry date.

Section 83 (1) (c) of the Act requires independent CAP members to be accredited professionals and Section 7 of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019* (the Regulations) requires the independent CAP members to have certification as an Accredited Professional - Planning Level 2 to perform the functions, powers and duties of an Assessment Panel member.

The purpose of this report is to approve the commencement of a recruitment process for the selection of Independent Members and to appoint the Selection Panel. The report also seeks the extension of the appointment term of the Council member and deputy Council member on the CAP to the end of the Council term.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That the term of the current Council Member (Cr John Kemp) and Deputy Council Member (Cr Leith Mudge) on the Council Assessment Panel be extended to the end of the Council term.
 3. To undertake a recruitment process for an Independent Presiding Member and three (3) Independent Ordinary Members of the Council Assessment Panel for a term commencing 1 June 2022 and concluding 31 May 2024 (inclusive).
 4. To appoint _____ and _____ and the CEO (or delegate) as members of the Council Assessment Panel Independent Member Selection Panel.
-

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 O4.3	Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
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

Sections 82 and 83 of the *Planning, Development and Infrastructure Act 2016* (the Act), require Council to have an Assessment Panel comprising a maximum of five (5) members, of which at least four (4) must be Independent Members (including an independent Presiding Member) and no more than one (1) Council Member.

Furthermore, Section 7 of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019* (the Regulations) requires the independent CAP members to have certification as an Accredited Professional - Planning Level 2 to perform the functions, powers and duties of an Assessment Panel member.

➤ **Risk Management Implications**

The appointment of appropriately qualified independent members to Council’s Assessment Panel will assist in mitigating the risk of:

Poor governance practices leading 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**

The costs specifically associated with this report relate to the advertising costs for the Expressions of Interest process. The costs have been incorporated in the Directorate’s operational budget.

The on-going costs associated with independent CAP members are the sitting fees of \$500 ex GST (Presiding Independent Member) per meeting and \$380 ex GST (ordinary Independent Member) per meeting. The Council Member on the Panel is currently paid a sitting fee of \$190 per meeting. These sitting fees are budgeted for in the 2021-22 Budget.

The resource implications are predominately in relation to undertaking the Independent Member selection process.

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

There is an expectation that the CAP members are competent and understand the role and functions of the Panel, and their individual obligations, with regard to the Code of Conduct for Assessment Panel Members.

➤ **Sustainability Implications**

It is considered important to have a CAP comprising Independent Members with the necessary skill set. This provides rigour in the assessment process and ensures that any implications associated with proposed developments are mitigated where possible.

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

No public consultation was required in the preparation of this report:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

The CAP is an independent body that has been established as the “relevant authority” under Section 83(1) of the Act to consider certain types of development applications which generally include major commercial, industrial and residential developments and land divisions requiring public notification. The CAP particularly considers those developments where the public notification process has resulted in representations from representors opposed to the development and who wish to be heard. The CAP currently considers around 2-4% of all applications received by the Council, with the remainder considered by staff under delegations.

Council has adopted the Terms of Reference (TOR) for the CAP (**Appendix 1**).

CAP Independent Members

In accordance with Section 83(1)(c) of the Act, a person appointed as an independent member of an assessment panel must be an accredited professional and it is considered that the Panel should therefore comprise persons with the following skill set:

- a) Independent presiding member - qualifications in urban and regional planning, accreditation as an Accredited Professional Planning - Level 2 and knowledge of the Adelaide Hills Council area.
- b) Three independent members - persons with knowledge of the Adelaide Hills Council area, accreditation as an Accredited Professional Planning - Level 2 and qualifications in one or more of the following areas:
 - i) urban and regional planning
 - ii) architecture and design
 - iii) landscape architecture, and
 - iv) environmental management.

To take account of the implementation date of the Act, Council approved a 12 month extension to the term of office for the current four (4) Independent Members and Council Members on the CAP to conclude on 31 May 2022. It is therefore necessary to commence a recruitment and selection process for independent members in early 2022 to ensure that the appointment of these members occurs before the current term’s expiry date.

CAP Council Members

At its 26 May 2020 meeting, Council made the following appointments of a Council Member to the CAP and a Deputy Member as per the Terms of Reference.

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

3. ANALYSIS

Selection Criteria

Clause 2.3 of the CAP's TOR and the Act (as mentioned above) outlines the relevant skills and experience required of Panel members. This will be used to guide the selection process.

Sitting Fees

While it is envisaged that both the TOR and sitting fees will require review prior to the 1 June 2022 commencement date, it is not considered necessary to conduct the review prior to undertaking the recruitment.

Selection Panel

If Council determines to commence a recruitment process, it will also need to determine a Selection Panel. Historically the Selection Panel for CAP Independent Members has consisted of the Mayor and two Council Members, with the CEO and Director providing advisory assistance as required. It is proposed that in place of the Mayor, the CEO (or delegate) be appointed to the Selection Panel due to the expertise of Council Officers in the disciplines associated with the CAP's functions.

If Council seeks to utilise a voting process for the determination of the Selection Panel members, the Appointments to Positions Process contained in Clause 4.7 of Council's *Code of Practice for Council Meeting Procedures*, with modifications to suit the legislative requirements of the conflict of interest and informal gatherings provisions, can be utilised.

To meet the 31 May 2022 term end date, the Selection Panel will need to complete its process and provide a recommendation to Council no later than the 26 April 2022 Ordinary meeting.

CAP Council Members

As identified above, the appointment terms for the CAP Council Member (Cr Kemp) and the Deputy (Cr Mudge) are due to conclude on 31 May 2022. Given the upcoming periodic election in November 2022, any new appointments or term extensions will be for a short period.

On this basis, and given the complexities of the planning system to be understood in order to be an effective CAP member, it is recommended that the current CAP Council Members' terms of office be extended to the end of the Council term.

Should Council wish to conduct an election to determine the CAP Council Member and Deputy, the voting process referred to above can be utilised.

4. OPTIONS

Council has the following options:

- I. To determine to commence the Council Assessment Panel Presiding and Independent Member recruitment and selection process and appoint the Selection Panel members (Recommended)
- II. To determine to extend the existing Council Members' positions to the end of the Council Term. (Recommended)
- III. To determine an alternative course of action (Not Recommended)

5. APPENDIX

- (1) Council Assessment Panel Terms of Reference

Appendix 1

Council Assessment Panel Terms of Reference

Council Assessment Panel

Terms of Reference



Adelaide Hills Council Assessment Panel

Terms of Reference

Adopted 26 September 2017

1. BACKGROUND

- 1.1 The Adelaide Hills Council Assessment Panel (**CAP**) was appointed as a relevant authority under Section 82 and 83 of the *Planning, Development and Infrastructure Act 2016 (Act)* by resolution of the Adelaide Hills Council (**the Council**) on 26 September 2017.
- 1.2 The CAP is a relevant authority under the Act and, during transition to the Act, will act as a delegate of the Council for the purpose of the *Development Act 1993*.

2. MEMBERSHIP OF CAP

Appointment of Members

- 2.1 The CAP will be constituted of five (5) Members (**CAP Members**), to be appointed by the Council, comprising:
 - 2.1.1 One (1) Member of the Council (**Council Member**); and
 - 2.1.2 four (4) Independent Members (**Independent Members**), not being Members of the Council or State Parliament.
- 2.2 The Council may determine that the CAP will be constituted by a different number of members for different classes of development, in which case the relevant details will be specified by the Council.
- 2.3 When appointing CAP Members, the Council may have regard to the following:
 - 2.3.1 the candidate's knowledge of the operation and requirements of the Act and, during transition to the Act, the Development Act;
 - 2.3.2 in relation to Independent Members, the candidate's qualifications or experience in a field that is relevant to the activities of the CAP;
 - 2.3.3 in relation to the Council Member, the candidate's experience in local government;
 - 2.3.4 that a balance of qualifications and experience among CAP Members is desirable;
 - 2.3.5 that diversity of membership is desirable, including gender diversity among CAP Members;
 - 2.3.6 such other matters as the Council considers relevant.

Appointment of Deputy Members

- 2.4 The Council must appoint at least one Deputy Member to the CAP for the purpose of filling in for a CAP Member who is unable to attend a CAP meeting or part of a CAP meeting.
- 2.5 Subject to clause 2.6, a Deputy Member must not be a Member of the Council or State Parliament.
- 2.6 Where a Deputy Member appointed for the Council Member is also a member of the Council, that person may not act as a deputy for any other CAP Member (whereas a Deputy Member who is not a member of the Council may act as a deputy for any CAP Member).
- 2.7 In appointing a Deputy Member, the Council may have regard to the matters in clause 2.3, as well as to the qualifications and experience of the CAP Member to whom the candidate will be a deputy.
- 2.8 Unless the context otherwise requires, a reference to a CAP Member in this document includes a Deputy Member.

Expression of Interest

- 2.9 The Council will call for expressions of interest for appointment of CAP Independent Members.
- 2.10 The Council will call for nominations of interest from Council Members for the appointment of the CAP Council Member and the Deputy Member.

Presiding Member and Acting Presiding Member

- 2.11 The Council will appoint an Independent Member to be the Presiding Member of the CAP for such term and on such conditions as determined by the Council.
- 2.12 The Presiding Member will preside at any CAP meeting at which he or she is present.
- 2.13 In the event that the Presiding Member is not present at a meeting (or part thereof) an Independent Member will be appointed as Acting Presiding Member by those CAP Members who are present at the meeting.
- 2.14 A Presiding Member is eligible to be reappointed as the Presiding Member at the expiry of his or her term of office as determined by the Council.
- 2.15 In the event that the Presiding Member resigns or is removed from office, the Council will appoint an Independent Member to be the Presiding Member for such term and on such conditions as determined by the Council.

Term of Appointment

- 2.16 Subject to clause 5, Independent Members will be appointed for a term of up to two (2) years and on such other conditions as determined by the Council.

- 2.17 Subject to clause 5, the Council Member will be appointed for a term of up to two (2) years, or for the remainder of their current elected term, whichever occurs first and on such other conditions as determined by the Council.
- 2.18 The Deputy Member will be appointed for a term of up to two (2) years, or for the remainder of their current elected term, whichever occurs first and on such other conditions as determined by the Council.
- 2.19 A CAP Member is eligible for reappointment for a further term, or further terms, upon the expiry of his or her current term as determined by the Council.
- 2.20 An Independent CAP Member whose term of office has expired may nevertheless continue to act as a Member until the vacancy is filled or for a period of six months from the expiry of the Member's term of office, whichever occurs first.

3. VACANCY IN MEMBERSHIP

- 3.1 In the event of a vacancy arising in the office of a CAP Member, the Council may appoint a person to be a CAP Member for the balance of the original CAP Member's term of office as soon as is reasonably practicable in the same manner as the original CAP Member was appointed.
- 3.2 The CAP Member appointed to fill a vacancy may be a Deputy Member in which case that person will automatically cease to be a Deputy Member.
- 3.3 In appointing a CAP Member pursuant to clause 3.1, the Council may have regard to the matters in clause 2.2 or 2.7 as the case requires.
- 3.4 A vacancy in the membership of the CAP will not invalidate any decisions of the CAP, provided a quorum is maintained during meetings.

4. CONDITIONS OF APPOINTMENT

- 4.1 At all times, CAP Members must act honestly, lawfully, in good faith, and in accordance with any code of conduct applicable to CAP Members.
- 4.2 CAP Members may be remunerated as determined by the Council for the reasonable time and costs incurred by CAP Members in attending CAP meetings and training as agreed to by the Assessment Manager.
- 4.3 Different levels of remuneration may be fixed by the Council for Independent Members, the Presiding Member and a Deputy Member who is not a Council Member.
- 4.4 Upon the commencement of Section 83(1)(c) of the Act:
 - 4.4.1 CAP Members, excluding a Member who is a Member or former Member of the Council, must be accredited professionals under the Act; and
 - 4.4.2 CAP Members who are Members or former Members of the Council must have sufficient experience in local government to satisfy the Council that they are appropriately qualified to act as a Member of the CAP.

5. REMOVAL FROM OFFICE

- 5.1 A CAP Member will automatically lose office where:
- 5.1.1 the CAP Member has become bankrupt or has applied to take the benefit of a law for the relief of insolvent debtors;
 - 5.1.2 the CAP Member has been convicted of an indictable offence punishable by imprisonment;
 - 5.1.3 in the case of a Council Member, the Member ceases to be a member of the Council.
- 5.2 Subject to Clause 5.4, the Council may by resolution remove a CAP Member from office where, in the opinion of the Council, the behaviour of the CAP Member amounts to:
- 5.2.1 a breach of a condition of his or her appointment as a CAP Member;
 - 5.2.2 misconduct;
 - 5.2.3 a breach of any legislative obligation or duty of a CAP Member;
 - 5.2.4 neglect of duty in attending to role and responsibilities as a CAP Member;
 - 5.2.5 a failure to carry out satisfactorily the duties of his or her office;
 - 5.2.6 a breach of fiduciary duty that arises by virtue of his or her office;
 - 5.2.7 the inability to carry out satisfactorily the duties of his or her office.
 - 5.2.8 except in relation to Deputy Members, a failure without reasonable excuse to attend three consecutive CAP meetings without the CAP previously having resolved to grant a leave of absence to the CAP Member; or
 - 5.2.9 in relation to a Deputy Member, a failure without reasonable excuse on three consecutive occasions to attend a meeting of the CAP when requested to do so; or
 - 5.2.10 for any other reason the Council considers appropriate.
- 5.3 The removal of the CAP Member pursuant to clause 5.2 will take effect upon the Council passing a resolution to remove the CAP Member from office (unless the Council resolves otherwise), and such resolution will be confirmed in writing to the CAP Member within 7 days of being passed.

- 5.4 Prior to resolving to remove a CAP Member from office pursuant to clause 5.2, the Council must:
- 5.4.1 give written notice to the CAP Member of:
 - 5.4.1.1 its intention to remove the CAP Member from office pursuant to clause 5.2; and
 - 5.4.1.2 the alleged behaviour of the CAP Member falling within clause 5.2.1 or reason the Council considers it appropriate to remove the CAP Member,not less than 7 days before the meeting of the Council at which the matter is to be considered;
 - 5.4.2 give the CAP Member an opportunity to make submissions to the Council on its intention to remove the CAP Member from office either orally at the Council meeting at which the matter is to be considered, or in writing by such date as the Council reasonably determines; and
 - 5.4.3 have due regard to the CAP Member's submission in determining whether to remove the CAP Member from office.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.4

Responsible Officer: Deryn Atkinson
Manager Development Services
Development and Regulatory Services

Subject: Revocation of the Building and Swimming Pool Inspection Policy

For: Decision

SUMMARY

The introduction of the *Planning, Development and Infrastructure Act 2016* (the Act) has resulted in a number of changes and altered the requirements and the way Council building inspections are managed. As a consequence, this report is seeking a resolution of Council to revoke the Council's now obsolete *Building and Swimming Pool Inspection Policy* (**Appendix 1**).

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That Council revokes the Building and Swimming Pool Inspection Policy (**Appendix 1**) with an effective date of 25 January 2022.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

Goal Built Environment

Objective B2 Preserve and enhance the unique character of the Hills for current and future generations

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 144 of the Act requires the Commission to issue a practice direction that requires councils to carry out inspections of development in their respective areas.

Section 156 of the Act provides that the Commission may also issue a practice direction that requires councils to carry out inspections of swimming pools and buildings to ascertain compliance with that section relating to designated safety features. A separate practice direction has been issued in respect of swimming pool safety features.

In issuing these directions, the Commission has taken into account the matters set out in section 144(3) of the Act. These are:

- a) the financial and other resources of councils;
- b) the impact that a failure to inspect a certain number of developments over a period of time may have on local communities;
- c) the various sizes of the areas of councils and differences in population;
- d) the amount of development undertaken in the various areas of the State;
- e) the type of development that predominates in the various areas of the State;
- f) in relation to building work, building conditions in the various areas of the State; and
- g) the public interest in ensuring that development is undertaken in accordance with the requirements of this Act.

➤ **Risk Management Implications**

The revocation of Council's *Building and Swimming Pool Inspection Policy* will assist in mitigating the risk of:

Outdated policy leading to community confusion and misunderstanding and a loss of stakeholder (i.e. customer and regulator) confidence.

Inherent Risk	Residual Risk	Target Risk
Medium (2C)	Low (1E)	Low (1E)

Note that there are a number of other controls that assist with managing these risks.

➤ **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 not required:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

On 11 July 2017 the former Strategic Planning and Development Policy Committee endorsed the current *Building and Swimming Pool Inspection Policy*.

**Moved Cr Linda Green
S/- Cr Ron Nelson**

SP30/17

The Strategic Planning and Development Policy Committee resolves:

- 1. That the report be received and noted**
- 2. With an effective date of 25 July 2017, to revoke the 14 July 2015 Building and Swimming Pool Inspection Policy and adopt the revised Building and Swimming Pool Inspection Policy in Appendix 1.**

Carried Unanimously

The introduction of the *Planning, Development and Infrastructure Act 2016* (the Act) has resulted in a number of changes and altered the way Council building inspections are managed. As a result of these changes, Council's current *Building and Swimming Pool Inspection Policy* (**Appendix 1**) is no longer relevant.

3. ANALYSIS

Section 43(1) of the new Act allows the State Planning Commission, with the approval of the Minister, to make practice guidelines with respect to the interpretation, use or application of the Planning Rules or Building Rules. Consequently, the Commission has issued *Practice Direction 8 – Swimming Pool Inspection Policy* (**Appendix 2**) and *Practice Direction 9 - Council Inspections 2020* (**Appendix 3**).

The *Practice Direction 8 – Swimming Pool Inspection Policy* requires:

The objective of this Practice Direction is to ensure that swimming pool safety features are compliant with prescribed requirements, to ensure the safe operation and use of swimming pools, particularly for young children by:

- ensuring swimming pool safety features are installed, replaced or upgraded according to the requirements for safe operation and use of swimming pools within the state.
- all councils in South Australia carrying out inspections of swimming pools for compliance with the requirements.

The Practice Direction also specifies that Councils must comply with the following minimum requirements relating to the inspection of swimming pools (including all swimming pool safety features), within the council area:

- councils must inspect 100% of swimming pools and swimming pool safety features constructed over the course of the relevant reporting year within 2 weeks of the council being notified of the completion of:
 - in the case of a swimming pool, the construction of which required the construction of swimming pool safety features—the construction of those safety features
 - in any other case—the construction of the swimming pool and swimming pool safety features.

The *Practice Direction 9 - Council Inspections 2020* requires councils to carry out inspections so as to:

- provide for occupant and public safety
- maintain confidence and integrity in the development control system

In observing the Practice Direction, Council must have regard to the timing of inspections, the elements and buildings to be inspected and whether to carry out additional inspections.

4. OPTIONS

Council has the following options:

- I. Resolve to approve revoking of the Building and Swimming Pool Inspection Policy (Recommended).
- II. To determine an alternative course of action (Not Recommended).

5. APPENDICES

- (1) *Building and Swimming Pool Inspection Policy*
- (2) *Practice Directions 8 – Swimming Pool Inspection Policy 2019*
- (3) *Practice Directions 9 – Council Inspections 2020*

Appendix 1


Building and Swimming Pool Inspection Policy

Council Policy

Building & Swimming Pool Inspection



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	BUILDING AND SWIMMING POOL INSPECTION
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Policy Number:	DEV-01
Responsible Department(s):	Development & Compliance
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Development Act 1993</i> <i>Development Regulations 2008</i> National Construction Code (NCC)
Policies and Procedures Superseded by this policy on its Adoption:	Building Inspection, Item 10.3, 94, 24 April 2012 25 June 2014, Item 14.1, 115 14 July 2015, Item 12.3, 29
Adoption Authority:	Strategic Planning & Development Policy Committee
Date of Adoption:	11 July 2017
Effective From:	25 July 2017
Minute Reference for Adoption:	Item 12.1, SP30/17
Next Review:	No later than July 2020 or as required by legislation or changed circumstances

BUILDING AND SWIMMING POOL INSPECTION POLICY

1. POLICY OBJECTIVE

- 1.1 This policy seeks to monitor the standard of construction work within the Adelaide Hills Council area and sets out Council's policy on the inspection of buildings and structures associated with development assessment activities in accordance with the *Development Act 1993* and the National Construction Code (formerly the Building Code of Australia).
- 1.2 Under Section 71A of the *Development Act 1993* Council is required to prepare and adopt a Building Inspection Policy which specifies:
 - 1.2.1 the level of audit inspections to be carried out within the Council area including buildings that have been privately certified for building rules consent; and
 - 1.2.2 The criteria that are to apply with respect to selecting the buildings that will be inspected under the policy.
- 1.3 Development Regulation (80A) requires that this policy is applied in respect of Class 1 and 2 Buildings. However, Council's policy also encompasses Classes 3-10.
- 1.4 Council is empowered by the Development Act to inspect building work within its area. Such inspections aim to:
 - 1.4.1 detect building work which does not accord with a development approval (or exemption)
 - 1.4.2 detect building work or practices which do not accord with the requirements of the Development Act
 - 1.4.3 detect buildings and building work which are unsafe, and
 - 1.4.4 gather the evidence necessary (a) to correct situations 1.4.1, 1.4.2 and 1.4.3 above and (b) to take enforcement action against those responsible.
- 1.5 By undertaking such inspections and taking action to correct problems, Council aims to deter persons from undertaking building work except in accordance with a development approval (or exemption) and the requirements of the Development Act.
- 1.6 In preparing its Building and Swimming Pool Inspection Policy, Council has used a risk assessment approach taking account of the following:
 - 1.6.1 the financial and human resources of the Council; and
 - 1.6.2 the impact that failure to inspect a certain number of buildings of the relevant classes over a period of time may have on its local community; and
 - 1.6.3 The public interest in monitoring the standard of building work within the community and in taking steps to provide for the safety and health of people who use the buildings.

2. CRITERIA FOR SELECTION OF BUILDINGS TO BE INSPECTED

- 2.1 This policy will apply to all Development Approvals issued for the Council area. Council does not have the resources to inspect all buildings.

Buildings will be selected for inspection in accordance with the following criteria:

- 2.1.1 buildings which ordinarily present a high risk to life safety, and in particular swimming pools
- 2.1.2 buildings which are used by many people, particularly where many people do so simultaneously
- 2.1.3 buildings which involve roof framing
- 2.1.4 buildings in respect of which a complaint has been made and
- 2.1.5 in the event that inspection of the foregoing buildings does not result in the prescribed minimum inspection levels being met, any other buildings.

Other criteria which may be taken into account by the relevant officer include:

- 2.1.6 distribution between owner builders and registered builders.
- 2.1.7 local environmental factors in the area in which the building work is being undertaken (e.g. wind speeds, flooding, poor soil conditions, bushfire risk zones).
- 2.1.8 whether the building work was approved subject to conditions.
- 2.1.9 any other reason determined by the relevant professional officer.

Where a building is selected for inspection it may be inspected at any stage of construction, and may be inspected more than once.

Where a complaint is made about the condition or use of a new or existing building, an excavation or construction work in progress, an inspection will be undertaken within timeframes that take account of the urgency of the situation and the availability of resources.

3 LEVELS OF INSPECTION

Council will undertake inspections, as a minimum, of building work as follows:

- 3.1 Dwellings – new and additions
 - 3.1.1 20% of all approvals for Class 1 and 2 buildings for which the Council receives notification including buildings where the Building Rules Consent has been issued by a Private Certifier.
 - 3.1.2 Dwellings in high bushfire attack level locations will be selected as a priority.
- 3.2 Commercial Development
 - 3.3.1 20% of all approvals for Class 3 to 9 buildings for which the Council receives notification including buildings where the Building Rules Consent has been issued by a Private Certifier.

3.3 Verandahs/Carports/Sheds/Other Structures – Not attached to roof frame

- 3.3.1 100% of all approvals for Class 10c buildings (private bushfire shelters)
- 3.3.2 10% of all approvals for Class 10b approvals for retaining walls, fences, towers etc.

3.4 Swimming pools

Where the building work involves the construction of a swimming pool (including safety fences and barriers associated with such swimming pools) within the area of the Council:

- 3.4.1 100% of the building rules consents issued over the course of the year for building work involving the construction of swimming pools.

Of these:

- 3.4.2 At least 80% of swimming pools will be inspected within 2 weeks of Council being notified of completion of the permanent swimming pool child-safety barriers;
- 3.4.3 The remaining 20% of swimming pools will be inspected within 2 months of Council being notified of the completion of the permanent swimming pool child safety barriers.

3.5 Roof Trusses for most classes of buildings.

- 3.5.1 For all Building Rules Consents falling into the above category the required inspection rates will be 66% where the work is carried out by a licensed builder and 90% where the work is carried out by an owner builder.
- 3.5.2 Buildings excepted from this requirement include Class 10 buildings, portal frame buildings (e.g. industrial sheds) and transportable buildings.

3.6 Building Rules Compliance

- 3.6.1 All Essential Safety Provision inspections prior to occupancy.
- 3.6.2 All dangerous structures as soon as they are identified.
- 3.6.3 All sites for which there is a report of non-compliance.

4. COUNTING INSPECTIONS

The first inspection of any portion the building work forming part of any particular building is counted as one inspection.

Where building work forming part of a building is inspected at a particular stage, and problems are found, any re-inspection undertaken to determine whether the problems have been corrected does not count as a new inspection.

However, inspection of building work forming part of a building at a later stage is counted as a separate inspection, even if the building was inspected at an earlier stage.

5. LIABILITY

Council inspects building work in accordance with the objectives of this Policy and for the public good. Inspections are undertaken by the Council solely as a result of its duties under the Policy. Inspections are not carried out for the benefit of any past, current or future owner, occupier or neighbour of any building work and no legal relationship is created between the Council and any other such person as a result of the conduct of the inspections.

Section 99 provides that no act or omission in good faith in relation to a particular development by a council or an authorised officer after the development has been approved subjects that person or body to any liability.

Council does not accept any liability in relation to any inspection. In the event of any dispute with the Council as a result of an inspection, any conduct engaged in or statements or comments made by an officer of the Council with the intent of resolving or otherwise managing the dispute are not intended as, and are not to be taken as, any admission of responsibility or liability on the part of the Council.

6. MANDATORY NOTIFICATIONS

6.1 Pursuant to section 59 of the *Development Act 1993* and regulation 74(1) a person undertaking building work must give Council notification during the following stages of work:

- 6.1.1 One business day of notice of the intended commencement of building work on the site;
- 6.1.2 One business day of notice of the intended commencement of pouring of footings and other reinforcing steel works¹.
- 6.1.3 One business day of notice of the completion of wall and all roof framing forming part of the building work (including top and bottom chord restraints, bracing and tie-downs);
- 6.1.4 One business day of notice of wet areas prior to tiling;
- 6.1.5 One business day of notice of the completion of building work;
- 6.1.6 One business day of notice of the intended commencement of pouring of a suspended floor slab; and

6.2 For sites where the building work involves the construction of a swimming pool (including safety fences and barriers associated with such swimming pools):

- 6.2.1 One business day of notice of intended commencement of building work on the site;
- 6.2.2 One business day of notice of the completion of the construction of the swimming pool (before the pool is filled with water);
- 6.2.3 One business day of notice of the completion of construction of a safety fence or barrier for a swimming pool.

¹ Council may accept a certificate from an Engineer confirming compliance of the footing design.

6.3 In relation to some other form of building work where swimming pool safety features are relevant:

6.3.1 One business day of notice of the completion of that aspect or those aspects of the building work relating to the swimming pool safety features.

6.4 All applicants will be advised of the relevant inspection notifications in writing at the time of issuing the Development Approval.

7. MONITORING AND REPORTING

Records will be kept of inspections and collated on a quarterly basis to account for the performance of Council in meeting the requirements of this Policy.

8. DELEGATION

The CEO has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy.
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

9. AVAILABILITY OF THE POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

Appendix 2

*Practice Directions 8 – Swimming Pool Inspection Policy
2019*



This practice direction is issued by the State Planning Commission (the Commission) under section 42 of the *Planning, Development and Infrastructure Act 2016* (Act) for the purposes of section 156(5) of the Act to ensure that swimming pools and designated safety features for swimming pools (swimming pool safety features) are inspected.

Introduction

Section 156(5) of the Act allows the Commission to issue a practice direction that requires councils to carry out inspections of swimming pools to ascertain compliance with that section of the Act.

This policy applies to all areas of the State within a council area and the requirements set out within this practice direction apply uniformly across all such areas.

A council must comply with the requirements of this practice direction as it relates to the council.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the State Planning Commission Practice Direction (Council Swimming Pool Inspections) 2019.

2 – Commencement of operation

This practice direction will come into operation on the day on which it is published on the SA planning portal.

3 – Object of practice direction

The object of this practice direction is to ensure that swimming pool safety features are installed, replaced or upgraded in accordance with prescribed requirements, to ensure the safe operation and use of swimming pools, particularly for young children.

4 – Interpretation

In this practice direction, unless the contrary intention appears –

Act means the *Planning, Development and Infrastructure Act 2016*.

authorised officer has the same meaning as within section 3(1) of the Act;

council has the same meaning as within section 3(1) of the Act;

Commission means the State Planning Commission established under Part 3 Division 1 of the Act;

Regulations means the Planning, Development and Infrastructure (General) Regulations 2017.

swimming pool has the same meaning as under section 3(1) of the Act.

swimming pool safety features has the same meaning as under section 3(1) of the Act.

Note: The terms above have been included merely for ease of reference. Section 14 of the Acts Interpretation Act 1915 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

Part 2 – Inspections

1 – Application

- (1) Upon commencement this practice direction applies to all councils.

2 – Mandatory inspections

- (1) Councils must comply with the following minimum requirements relating to the inspection of swimming pools (including all swimming pool safety features), within the area of the council:
 - a. councils must inspect 100% of swimming pools and swimming pool safety features constructed over the course of the relevant reporting year within 10 business days of the council being notified of the completion of—
 - (i) in the case of a swimming pool, the construction of which required the construction of swimming pool safety features—the construction of those safety features; or
 - (ii) in any other case—the construction of the swimming pool and swimming pool safety features.

Part 3 – Authorised officers

1 – General requirements

- (1) Only authorised officers appointed by a council may carry out inspections for the purpose of this practice direction.
- (2) A council must ensure that an inspection under Part 2(2) of this practice direction is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under this practice direction.

Part 4 – Other matters

1 – Record keeping

- (1) In relation to developments that received final development approval under the Act, councils must keep records of inspections carried out in accordance with this practice direction, and keep those records in a register that is available for inspection by the Commission upon 5 business days' notice.
- (2) In relation to developments that received final development approval under the *Development Act 1993*, councils must ensure that records of these inspections are available for inspection within a timeframe determined by the Commission.

- (3) Records of inspections should include, without limitation, the following details: date and time of an inspection, type of inspection, who undertook the inspection, elements inspected, breaches, issues, or faults found, rectification required, requirements for re-inspections (including timing) and enforcement action, as is appropriate in the circumstances.
- (4) The relevant reporting year for purposes of record keeping is the year commencing 1 July and ending 30 June of the following year (**relevant reporting year**).
- (5) This clause does not derogate from any authorisation to dispose of records under the *State Records Act 1997*.

2 – Counting inspections

- (1) The first inspection of swimming pool safety features under the mandatory inspection requirements is to be counted as one inspection.
- (2) Where an issue is detected requiring further inspection, any further inspection related to the particular issue is to be counted as part of the prior inspection related to that issue.

3 – Review

- (1) This policy will be reviewed after two years of operation or at an earlier time if appropriate.

Versions

Version 4	25 March 2021
Version 3	24 December 2020
Version 2	12 March 2020
Version 1	5 September 2019

Appendix 3

Practice Directions 9 - Council Inspections 2020

This practice direction is issued by the State Planning Commission (the Commission) under section 42 of the *Planning, Development and Infrastructure Act 2016* for the purposes of section 144 of the Act to require certain councils to carry out inspections of certain developments in their respective areas.

Introduction

Section 144 of the Act requires the Commission to issue a practice direction that requires councils to carry out inspections of development in their respective areas.

Section 156 of the Act provides that the Commission may also issue a practice direction that requires councils to carry out inspections of swimming pools and buildings to ascertain compliance with that section relating to designated safety features. A separate practice direction has been issued in respect of swimming pool safety features.

In issuing this direction, the Commission has taken into account the matters set out in section 144(3) of the Act. These are:

- (a) the financial and other resources of councils;
- (b) the impact that a failure to inspect a certain number of developments over a period of time may have on local communities;
- (c) the various sizes of the areas of councils and differences in population;
- (d) the amount of development undertaken in the various areas of the State;
- (e) the type of development that predominates in the various areas of the State;
- (f) in relation to building work, building conditions in the various areas of the State; and
- (g) the public interest in ensuring that development is undertaken in accordance with the requirements of this Act.

While the Act envisages that the Commission may require councils to carry out inspections relating to 'development', as that term is defined in the Act, more broadly, this practice direction is limited to mandating inspections directed towards securing the objects stated in clause 3 of Part 1 of this practice direction.

The public interest in protecting public safety and in maintaining confidence and integrity in the development control system within the State has been balanced against other matters outlined in s 144(3).

The Commission has sought to identify the risks posed by certain building types. This practice direction reflects the Commission's view that the risks associated with certain buildings, particularly in relation to safety, including, for example fire protection and other safety features, should be treated equally irrespective of where they are constructed in the State and that this approach reflects community expectations.

Associated with the above, while this practice direction mandates certain inspections, councils should continue to appropriately address broader compliance issues, whether these are detected during an inspection that is required under this practice direction or otherwise.

This may include inspections related to planning or building rules consent matters, which councils may choose to carry out through a separate council policy or on an as-needs basis.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the *State Planning Commission Practice Direction (Council Inspections) 2020*.

2 – Commencement of operation

This practice direction will commence operation in each council area on the day on which, pursuant to Schedule 8, clause 9(7) of the Act, the Minister for Planning, by notice in the Gazette, revokes the Development Plan created under the *Development Act 1993* as it is relevant to the particular council area.

3 – Objects of practice direction

- (1) The objects of this practice direction are to, in relation to areas within a council, require councils to carry out inspections so as to:
 - (a) provide for occupant and public safety; and
 - (b) maintain confidence and integrity in the development control system.
- (2) Councils must have regard to the objects in sub-clause 3(1) of Part 1 in making determinations under this practice direction.
- (3) Without limiting sub-clause 3(2) of Part 1, councils must have regard to the objects when determining:
 - (a) the timing of inspections;
 - (b) the elements and buildings to be inspected; and
 - (c) whether to carry out additional inspections.

4 – Interpretation

- (1) In this practice direction, unless the contrary intention appears –

Act means the *Planning, Development and Infrastructure Act 2016*;

Accredited Professionals Regulations means the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019;

authorised officer has the same meaning as within section 3(1) of the Act;

Building Code has the same meaning as within section 3(1) of the Act;

Building Rules has the same meaning as within section 3(1) of the Act;

building work has the same meaning as within section 3(1) of the Act;

Note: 'building work' includes any work or activity that results in a change to the classification of a building under regulation 3E of the Regulations.

business day has the same meaning as within section 3(1) of the Act;

Chief Executive has the same meaning as within section 3(1) of the Act;

Commission means the State Planning Commission established under Part 3 Division 1 of the Act;

construct has the same meaning as within section 3(1) of the Act, and **construction** has a corresponding meaning;

council has the same meaning as within section 3(1) of the Act;

designated building product has the same meaning as within regulation 3(1) of the Regulations;

farm buildings and farm sheds have the same meaning as within the Building Rules;

fire authority has the same meaning as within section 3(1) of the Act;

floor area has the same meaning as within the Building Rules;

Metropolitan Adelaide means Metropolitan Adelaide as defined by a plan deposited in the General Registry Office by the Minister for the purposes of this definition and identified by the Minister by notice in the Gazette;

performance solution means a performance solution under the Building Code;

private bushfire shelter has the same meaning as within regulation 3(1) of the Regulations; and

Regulations means the Planning, Development and Infrastructure (General) Regulations 2017.

Note: The terms above have been included merely for ease of reference. Section 14 of the Acts Interpretation Act 1915 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

Part 2 – Inspections

1 – Application

- (1) Upon commencement this practice direction applies to the councils.
- (2) This practice direction does not apply to development not within a council area.

Note: Practice Direction 8 - Councils Swimming Pool Inspections has been issued detailing inspection requirements for swimming pools and designated features for swimming pools.

2 – Mandatory inspections

- (1) A council must comply with the requirements set out at **Appendix 1** relating to:
 - (a) the kinds of development which require inspection;
 - (b) the proportion of developments which require inspection in each council area;
 - (c) the timing of any inspection required in relation to each building; and
 - (d) the number of inspections required in relation to each building,
(mandatory inspection requirements).
- (2) A council must take all reasonable steps to ensure that each inspection carried out under this practice direction includes an inspection and assessment of the following elements (**elements**), as may be present at the time of inspection:
 - (a) primary structural elements;
 - (b) structural framing and roof trusses;
 - (c) wet areas and waterproofing;
 - (d) barriers to prevent falls;
 - (e) cladding;
 - (f) egress provisions;
 - (g) bushfire protection systems;
 - (h) passive and active fire safety elements;
 - (i) private bushfire shelters; and
 - (j) performance solutions.
- (3) In this clause, 'passive and active fire safety elements' includes, but is not limited to, the following elements, as may be applicable in the circumstances:
 - (a) fire rated construction;
 - (b) fire safety elements, including, but not limited to, smoke alarms; and
 - (c) fire protection systems, including, but not limited to, bushfire protection systems.

3 – Additional inspections

- (1) Clause 2 of Part 2 is not an exhaustive statement as to when a council should carry out an inspection.

- (2) A council should consider carrying out an inspection in addition to any specified in clause 2 of Part 2 (**additional inspection**) if it has information to indicate that the circumstances warrant it, having regard to the objects of this practice direction.
- (3) Circumstances that may warrant an additional inspection, having regard to the objects of this practice direction, include building work in relation to, but not limited to:
 - (a) a building intended for use or occupation by large numbers of people, particularly simultaneously;
 - (b) a building intended for use or occupation by vulnerable persons or persons with a disability;
 - (c) a building in respect of which the council has been made aware of a complaint or regulatory issue, whether directly or indirectly, relating to the building or any person involved in the building work;
 - (d) a building with energy efficiency requirements;
 - (e) a building constructed by a person who is not a licensed building work contractor under the *Building Work Contractors Act 1995*;
 - (f) a building subject to local environmental conditions in respect of which additional measures are required to protect the environment, the building and its occupants or users; or
 - (g) a building incorporating construction properties or products, including but not limited to fire-rated construction, fire safety elements or designated building products.

4 – Inspections generally

- (1) The proportion of developments in each council area to be inspected in accordance with the mandatory inspection requirements above and the tables at **Appendix 1** are to be calculated each year commencing 1 July and ending 30 June of the following year (**relevant reporting year**).
- (2) Where a council elects to carry out an inspection in accordance with the mandatory inspection requirements on completion of construction the inspection must be carried out:
 - (a) within 2 business days of receipt of the completed Statement of Compliance in respect of development within Metropolitan Adelaide; and
 - (b) within 3 business days of receipt of the completed Statement of Compliance for development outside Metropolitan Adelaide.
- (3) Building work listed in Schedule 7 of the Regulations is not subject to the mandatory inspection requirements, however, councils should consider if an additional inspection may be appropriate.

Part 3 – Authorised officers

1 – General requirements

- (1) Only authorised officers appointed by a council may carry out inspections for the purpose of this practice direction.

- (2) A council must ensure that an inspection under this practice direction and subsequent assessment of each of the applicable elements in sub-clause 2(2) of Part 2 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under this practice direction.
- (3) A person with the qualifications prescribed by r 112(1) of the Regulations may carry out an inspection under this practice direction. However, an assessment of the adequacy of applicable elements may require a person to hold particular knowledge, skills and qualifications and should be taken into account when applying this practice direction.

Part 4 – Other matters

1 – Record keeping

- (1) In relation to developments that received final development approval under the Act, councils must keep records of inspections carried out in accordance with this practice direction, and keep those records in a register that is available for inspection by the Commission upon 5 business days' notice.
- (2) In relation to developments that received final development approval under the *Development Act 1993*, councils must ensure that records of these inspections are available for inspection within a timeframe determined by the Commission.
- (3) Records of inspections should include, without limitation, the following details: date and time of an inspection, type of inspection, who undertook the inspection, elements inspected, breaches, issues, or faults found, rectification required, requirements for re-inspections (including timing) and enforcement action, as is appropriate in the circumstances.
- (4) This clause does not derogate from any authorisation to dispose of records under the *State Records Act 1997*.

2 – Counting inspections

- (1) The first inspection of a building under the mandatory inspection requirements is to be counted as one inspection.
- (2) Where a building is inspected at a particular stage, and any issue is detected requiring further inspection, any further inspection related to the particular issue is to be counted as part of the prior inspection related to that issue.
- (3) Except as provided by sub-clause 2(2) of Part 4, an inspection of a building at a later stage is to be counted as a separate inspection, even if the building was inspected at an earlier stage.

3 –Review

- (1) This policy will be reviewed after two years of operation or at an earlier time if appropriate.

Versions

Version 2 25 March 2021

Version 1 12 March 2020

Appendix 1 – Mandatory Inspection Requirements

Table 1. Class 1 buildings

The inspection requirements in Table 1 apply to building work in relation to a class 1 building under the Building Rules.

Timing of inspection	Minimum number of inspections for each development	Proportion of developments in council area to be inspected
During construction or on completion An inspection may be carried out at any time during construction or on completion.	At least one inspection of each development.	Minimum 66% of building work commenced in the relevant reporting year.

Table 2. Farm buildings and farm sheds

The inspection requirements in Table 2 apply to building work in relation to a farm building or a farm shed with a floor area of 500m² or greater, under the Building Rules.

Timing of inspection	Minimum number of inspections for each development	Proportion of developments in council area to be inspected
During construction or on completion An inspection may be carried out at any time during construction or on completion.	At least one inspection of each development.	Minimum 50% of building work commenced in the relevant reporting year.

Table 3. Class 2-9 buildings

The inspection requirements in Table 3 apply to building work in relation to a class 2 to 9 buildings inclusive (other than a farm building or a farm shed) under the Building Rules.

Timing of inspections	Minimum number of inspections for each development	Proportion of developments in council area to be inspected
During construction or on completion An inspection may be carried out at any time during construction or on completion.	At least one inspection of development.	Minimum 90% of building work commenced in the relevant reporting year.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.5

Responsible Officer: Deryn Atkinson
Manager Development Services
Development and Regulatory Services

Subject: Revocation of the Liquor Licensing Policy

For: Decision

SUMMARY

There have been a number of reforms to the *Liquor Licensing Act 1997* that have altered the ability of Council to include conditions in the approved liquor licence. As a consequence, this report is seeking a resolution of Council to revoke the Council's now obsolete *Liquor Licensing Policy (Appendix 1)*.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That Council revokes the Liquor Licensing Policy (*Appendix 1*) with an effective date of 25 January 2022.
-

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**

Consumer and Business Services is the relevant authority for administering and approving liquor licence applications pursuant to the *Liquor Licensing Act 1997*.

➤ **Risk Management Implications**

The revocation of Council's *Liquor Licensing Policy* will assist in mitigating the risk of:

Outdated policy leading to community confusion and misunderstanding and a loss of stakeholder (i.e. customer and regulator) confidence.

Inherent Risk	Residual Risk	Target Risk
Medium (2C)	Low (1E)	Low (1E)

Note that there are a number of other controls that assist with managing these risks.

➤ **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 not required:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

On 13 June 2017 the former Strategic Planning and Development Policy Committee endorsed the current *Liquor Licensing Policy*:

12.5. Liquor Licencing Policy Review

7.55pm Cr Val Hall left the meeting room.

7.58pm Cr Val Hall returned to the meeting room.

Moved Cr Linda Green
S/- Cr Val Hall

SP24/17

The Strategic Planning and Development Policy Committee resolves:

- 1. That the report be received and noted.**
- 2. With an effective date of 27 June 2017, to revoke the 13 May 2014 Liquor Licensing Policy and to adopt the revised draft Liquor Licensing Policy contained in Appendix 1.**
- 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the policies during the period of their currency.**

Carried

The final stage of the liquor licensing reforms in South Australia came into operation on 18 November 2019. This new legislation provided the Liquor and Gambling Commissioner with the power to substitute, vary or revoke conditions that have been imposed on liquor licenses where those conditions are not relevant to liquor licensing regulations.

As a result of these changes Council's current *Liquor Licensing Policy (Appendix 1)* is no longer relevant as local government is no longer afforded an opportunity for intervention in the liquor licence application process.

3. ANALYSIS

A 2016 review of liquor licences, undertaken by retired Supreme Court Judge Tim Anderson QC, found that a number of existing liquor licences included conditions that were irrelevant or obsolete, or of a planning or environmental nature rather than specifically related to liquor regulation. For example, restricting management of waste or requiring that doors be closed at specific times.

As a result conditions previously imposed on a liquor licence, including those that may have been requested by a council through response to or intervention of a liquor licencing application, and conditions that do not specifically relate to liquor regulation, are no longer imposed on new liquor licences. As such, conditions regarding the operation and function of premises are more appropriately regulated by conditions issued in respect of a development approval for the land use.

The Amended Act does provide Council with a right to make written submissions on a licence application but direct notification of liquor licence applications is no longer provided to councils but rather published on the website of Consumer and Business Services. Council will monitor the website to review what applications are relevant to the area. Council may choose to send a submission to the Office of the Liquor and Gambling Commissioner in circumstances where a licence application is inconsistent with a Planning approval, or where not all the relevant consents have been obtained under the *Planning, Development and Infrastructure Act 2016*, such as full Development Approval or a Certificate of Occupancy. In circumstances where this is considered necessary, a copy of the advice is provided to the Licence Applicant also. The submission is of an advisory nature and it is up to the Council to pursue enforcement of development approval requirements separately where discrepancies are noted.

As such, Council will continue to monitor Liquor Licensing applications to ensure consistency with development consents.

4. OPTIONS

Council has the following options:

- I. Resolve to approve revoking of the *Liquor Licensing Policy* (Recommended)
- II. To determine an alternative course of action (Not Recommended)


5. APPENDIX

- (1) *Liquor Licensing Policy*

Appendix 1

Liquor Licensing Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	LIQUOR LICENSING
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Policy Number:	COM-18
Responsible Department(s):	Strategy and Development
Other Relevant Policies:	Outdoor Dining Policy Event Policy Recreational Use of Council Reserves and Public Space Policy
Relevant Procedure(s):	None
Relevant Legislation:	Liquor Licensing Act 1997 Development Act 1993 Local Government Act 1999
Policies and Procedures Superseded by this policy on its Adoption:	26 October 1999, Item 19.6.2 B 498 13 May 2014, Item 10.6, 31
Adoption Authority:	Strategic Planning and Development Policy Committee
Date of Adoption:	13 June 2017
Effective From	27 June 2017
Minute Reference for Adoption:	Item 12.5, SP24/17
Next Review:	No later than June 2020, or as required as a result of Legislative changes

LIQUOR LICENSING POLICY

1. INTRODUCTION

This Liquor Licensing Policy provides guidance for managing the requirements of the Liquor Licensing Act 1997, and establishes a framework to guide Council in managing liquor licence applications (including limited licence applications).

This policy's intent is to ensure that liquor licensing approvals are consistent with related Development Approvals, and that Council responses to applicants are managed in an effective, timely and consistent manner.

The Liquor and Gambling Commissioner (LGC) is the relevant authority for determining liquor licence applications and issuing relevant licences. The allocated Commissioner will base a decision on the case presented by the applicant and that of any objectors. Council only provides comments to the LGC with regard to Liquor Licence applications and licence applications are managed by Consumer and Business Services.

This Liquor Licensing Policy acknowledges the desired character of townships and urban areas within the Adelaide Hills Council District, as set out in the Adelaide Hills Council (AHC) Development Plan. The Development Plan provides the basis for assessing Development Applications under the Development Act, 1993.

This policy also acknowledges that Council may request the LGC to include conditions on liquor licences where development approvals have conditions imposed in relation to such matters as (but not limited to):

- noise, and other potential disturbances;
- types and impacts of entertainment provided;
- outdoor activities;
- hours of operation;
- the location of areas where alcohol may be served;

Such development approval conditions are intended to protect and enhance the amenity and character of the locality and minimise nuisance, while considering the interests of the different stakeholder groups involved, including the applicant, residents and neighbouring businesses. In making its decisions, Council is aware that:

1. there are significant differences in the operational and functional needs of cellar doors, wineries, hotels, restaurants, and other types of licensed premises or event(s); and,
2. tourist areas and residential areas have notable differences in expectations relating to noise, traffic and operating hours as compared with Centre Zones and major arterial roads (including scenic drives) which cater for a level of economic activity that would be inappropriate in a residential area.

2. OBJECTIVES

Council's overall objective is to have all licensed premises operating in alignment with the requirements of this Liquor Licensing Policy, and applicable Liquor Licences and Development Approvals.

Council will fulfil its statutory obligations in relation to liquor licence applications by advising the licensing authority whether all necessary Council permits and approvals have been issued. Council will also advise the licensing authority of any impacts an application may have on Council's corporate responsibilities.

Council will advise objectors to liquor licence applications of the right and necessity to lodge the objection with the LGC at Consumer and Business Services, and explain the respective roles of Council and the licensing authority.

Council's role is to, wherever possible, promote and support the responsible service of alcohol, promote safe venues for patrons including the requirement to obtain a certificate of occupancy prior to the opening of the licensed premises, and minimise adverse impacts on local amenity arising from the operation of licenced venues, functions and special events. To ensure this, Council may:

- ensure that all forms of liquor licence applications are assessed against the framework established by this Policy;
- ensure that, where a limited licence is sought, an '*Application for a limited licence*' or an '*Event Application for Council approval*' containing all relevant details of the proposed function is lodged with Council for assessment;
- exercise its rights of objection, intervention and complaint under the Liquor Licensing Act 1997, when warranted;
- provide information to the public when required to do so in relation to licence conditions
- provide advice to members of the public seeking clarification on licensing and related planning issues, as they relate to Adelaide Hills Council;
- investigate the creation of Liquor Accords¹ as warranted; and,
- identify issues and problems relating to the operation or scope of this Policy and revise this Policy as appropriate.

In addition to development approval conditions Council may, at its discretion, take into account the history of the site which is the subject of an application, and the history of the operation at the existing premises when recommending conditions to the licensing authority (i.e. the LGC) for inclusion in the licensing decision.

¹ **Liquor accords** promote a co-operative approach to developing safe and well managed environments in and around licensed premises. They support harm minimisation and responsible serving principles and operate as a component of an overall strategy to ensure safety in the local community and promote effective communication and problem solving between licensees and key stakeholders. Each liquor accord is formulated by its members to resolve local issues within a local area. Although individual accords may have similar elements, there are no two the same. Strategies are shared and adapted to address similar issues within different communities. Liquor accords include representatives from licensed premises, businesses, councils, police, government departments and other community organisations. The geographical area covered by an accord is usually determined by its members, taking into consideration police divisional and district boundaries, local government areas and any unique environmental factors, such as stadiums and entertainment precincts. – Queensland Office of Liquor and Gambling Regulation 2011

3. POLICY STATEMENT

3.1 General Matters

- 3.1.1 Existing licence conditions will apply to all existing licensed premises in the Council District.
- 3.1.2 Licence conditions may be determined under delegated powers from Council to assess development applications, and to intervene in proceedings before the Liquor and Gambling Commissioner under s76(2) of the Liquor Licensing Act 1997 for the purpose of introducing evidence, or making representations on matters before the LGC.
- 3.1.3 Any proposed liquor licence conditions considered by Council as necessary to be imposed on a specific application will be forwarded to the applicant, and to the LGC along with Council's comments and relevant Development Approvals. The LGC is then responsible for making a decision on each application.
- 3.1.4 Adelaide Hills Council will fulfil its statutory duties under the Liquor Licensing Act without bias or favour to either the applicants or objectors.
- 3.1.5 Council officers will have regard to their corporate responsibilities under the Council's Strategic Management Plan and other relevant documents when exercising discretionary functions in relation to Liquor Licences. 4.1.6 Council will neither encourage nor discourage the lodgement of objections to the licensing authority by members of the public, and will provide impartial (non-legal) advice about the licensing system within its level of jurisdiction, to all parties if requested.
- 3.1.6 Prior to making a submission to the licensing authority on an application for a licence, the officer responsible for preparing the submission shall:
- a) check that the notice of the liquor licensing application is complete and includes all the relevant details;
 - b) check that any required Council approvals have been issued, and that the proposal is compatible with any relevant conditions of such approvals/consent;
 - c) assess the effects, if any, of the proposal on any Council operations or areas of corporate responsibility; and
 - d) make an objective assessment of the liquor licence application.
- 3.1.7 Ensure that a submission to the licensing authority includes the following information:
- a) advice on the level of compatibility between the proposal and existing approvals and conditions of approval, and whether any additional approvals or consents are required from Council;
 - b) copies of objections received by Council, for regard by the licensing authority; and
- Where necessary, Council may request to intervene in the process and seek a deferral of the hearing by the licensing authority to allow Council more time to consider and fully investigate a particular application or to allow time for the applicant to seek Development Approval from Council.
- 3.1.8 Council will forward a submission relating to a licensing application to the licensing authority at least 7 days prior to the hearing date, with a copy provided to the applicant.
- 3.1.9 Council will generally not support applications that seek to carry on liquor licensing activities on Council land beyond 12 am, unless the applicant demonstrates that the proposal will not have an adverse impact on adjoining residents or there are existing conditions of Development Approval which permit this.
- 3.1.10 Where more than one limited licence application is sought for events that are not approved as ancillary activities (e.g. corporate functions, birthday functions, weddings) at the same venue in a calendar year, then Council may require a development application for a *change of use* to be lodged. Where assessing staff have determined that a change of use application is required, then both the Liquor and Gambling Commissioner and the applicant shall be advised that Council will not support any

further applications until a Development Approval for the change of use is granted, and the conditions of that approval have been met or implemented.

3.2 Noise attenuation

3.2.1 Where noise is an issue, or is likely to become an issue, Council may require one or more of the following noise attenuation techniques to be applied as a condition of a liquor licence where it is a condition of an existing Development Approval:

- a) limiting entertainment to be within buildings only;
- b) not placing loud speakers on the fascia of the premises, on balconies or on any adjacent outdoor area or footpath;
- c) limiting use of outdoor areas;
- d) limiting live entertainment in outdoor areas;
- e) installation of controls on the volume of in-house music systems (which limit and monitor the volume of the system to ensure that a maximum noise level certified by the acoustic engineer or the EPA Noise Policy is not exceeded);
- f) treatment of openings (such as doors and windows) by using:
 - i. airlocks;
 - ii. seals and door closers for doors;
 - iii. sealing of wall and roof vents;
 - iv. treatment of ventilation and air-conditioning paths;
 - v. sealing or double glazing of windows;
- g) upgrading roof construction to insulate sound emissions;

3.3 Car parking

Note: The use of on-street car parking by patrons of licenced premises can cause disturbances to nearby residential properties due to loud voices, car doors slamming, use of car horns, reckless driving and drunken and disorderly behaviour. Council may request conditions to be included in approvals to minimise such impacts on the locality of the licensed premises. Such conditions may include the following:

- 3.3.1 The behaviour of patrons of a licenced premises entering from, or leaving towards, on-street parking areas close to residential uses should be managed by the licensee to ensure minimal disturbance for residential uses nearby.
- 3.3.2 Development applications for licenced premises should provide adequate off-street car parking in accordance with the car parking and related provisions of the Adelaide Hills Council's Development Plan.

3.4 Availability of food

Note: The Adelaide Hills Council encourages licensees to make food available to patrons wherever alcohol is served and consumed.

3.5 Other relevant policies

Note: This Policy should be read in conjunction with the Adelaide Hills Council's Development Plan, and Outdoor Dining, Event and Recreational Use of Council Reserves and Public Space Policies.

4. PROCEDURAL MATTERS

4.1 Notes:

The following types of Liquor Licences can be applied for under the Liquor Licensing Act 1997:

- 1) Hotel licence;
- 2) Residential licence
- 3) Wholesale Liquor Merchant's licence
- 4) Retail Liquor Merchant's licence
- 5) Entertainment Venue licence
- 6) Restaurant licence
- 7) Producer's licence
- 8) Club licence
- 9) Special Circumstances licence
- 10) Limited licence
- 11) Direct Sales licence.

To assess or monitor applications for the above licence types, Council has rights of intervention, objection and complaints under the Liquor Licensing Act 1997.

New or existing licences may constitute a '*change of use*' in which case a development application under the Development Act 1993 may need to be lodged with Council. Such an application will require details such as proposed hours of operation, noise levels and controls, on site storage of refuse, etc. Please contact the Development Services Assistant on 8408 0558 if you have any queries regarding a Development Application or existing use rights.

If liquor licence conditions are to be altered, changes may also be required to existing development approval conditions and a development application must be submitted to, and approved by Council in this regard prior to the liquor licence conditions being altered.

4.2 Transfer of Licence:

- 4.2.1 Where a Liquor Licence is to be transferred and no changes to existing Licence conditions are proposed, and no physical changes are required to be made to the premises, including renovations or extensions, then Council will generally not seek to intervene in application proceedings before the Licensing Authority unless the appropriate development approvals are not in place.
- 4.2.2 Where a Liquor Licence is to be transferred and physical changes are required, a Development Application must be lodged with and approved by Council. Any proposed changes to existing conditions of an existing Development Approval will also require a development application to be lodged with Council in order to amend these.

4.3 Change of Licence Type

- 4.3.1 Where a change in the type of a premise's Liquor Licence is proposed, a Development Approval from Council may be required before the licence is changed.

4.4 Application for an 'Entertainment on Licensed Premises' Consent (s105)

- 4.4.1 An application for an '*Entertainment on Licensed Premises*' Consent may also require a Development Plan Consent and/or Building Rules Consent where a change of land use, variation of a condition of approval or building classification is involved.

4.5 Limited Licences:

4.5.1 An application for a Limited Licence to the LGC must be accompanied by a Council approval. Approval will consider such issues as:

- the date, time, and duration of the event;
- the type of event;
- likely noise levels;
- likely patron behavior;
- disposal of refuse;
- security arrangements; and,
- general impact on the amenity of the locality.

Note: It is always wise to check with Council or Consumer Business Services on how long your application will take to process, to ensure that it is issued prior to the event being held. Applicants are advised to submit their applications at to the LGC and Council at least 60 days before the proposed event.

4.6 Outdoor Cafes:

Note: Under the Local Government Act, 1999 Council may grant a permit to operate an outdoor café on a portion of a public street, road verge or place for the supply of food and drink. Such a permit does **not** constitute Council approval for a Liquor Licensee to serve liquor in an outdoor café area. A separate approval for a liquor licence **must** be obtained from the LGC for such sales.

5. COMPLAINTS

Council may make a complaint to the Licensing Authority where a liquor licensing related activity causes undue noise, or the behaviour of persons making their way to or from licenced premises, is unduly offensive, annoying, disturbing or inconvenient to nearby residents, workers or worshippers. The Licensing Authority's Commissioner will then attempt to conciliate between the parties in order to reach a settlement. If a settlement is not possible, the application will then proceed to a contested hearing, either before the Commissioner or the Court.

If a complaint is received by Council on behalf of a member of the public, then the complaint will be investigated to determine if there has been a breach of Development Approval conditions or if noise issues may need to be addressed. Where a further compliance investigation is required (e.g. to address noise issues), consultation with the LGC will occur. Where no Development Approval breach has occurred, Council will notify the complainant that their complaint should be directed to the LGC as the relevant authority, and not Council.

6. DELEGATIONS

The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

7. AVAILABILITY OF THE POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item:	12.6
Responsible Officer:	Deryn Atkinson Manager Development Services Development & Regulatory Services
Subject:	Updating Arrangements for the Building Fire Safety Committee
For:	Decision

SUMMARY

The Building Fire Safety Committee undertakes inspections of buildings to check that the buildings have an adequate level of fire safety for the occupiers.

The existing Adelaide Hills Building Fire Safety Committee (the Committee) was reappointed as the appropriate Authority for the purposes of Section 157 (17) of the *Planning, Development and Infrastructure Act 2016* (the Act) on the 27 January 2021, in advance of the repeal of the Development Act and implementation of the new Act.

The term of appointment of the existing members expires on 31 May 2022. However, due to a change in staff and a realignment of responsibilities in the Development Services team it is necessary to review the staff membership of the Committee.

It is necessary to also update the existing Terms of Reference (**Appendix 2**) to reflect the new format and new legislative requirements. The new *Terms of Reference* (**Appendix 1**) include clauses for the appointment of a Presiding Member for the Committee, deputies, vacancy of office, documentation and correspondence, meetings, the ability to attend meetings electronically and the need for an annual report to Council on the activities of the Committee.

The purpose of this report is to appoint new staff members and deputy members to the Committee and to approve the new *Terms of Reference*.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To appoint the following members to the Adelaide Hills Building Fire Safety Committee as the appropriate Authority for the purposes of Section 157 (17) of the *Planning, Development and Infrastructure Act 2016* commencing on 27 January 2022 and expiring on 31 May 2022:**

- a) **Louis Palumbo, Team Leader Building Services as an authorised Council Officer with expertise and qualifications in building surveying and fire safety; and**
 - b) **Tom Warneke, Building Officer as the Council representative with Catherine Clare, Building Officer appointed as deputy member.**
3. **To appoint Louis Palumbo as the Presiding Member of the Building Fire Safety Committee.**
 4. **With an effective date of 27 January 2022, to revoke the 26 September 2017 *Building Fire Safety Committee Terms of Reference* and to adopt the draft *Building Fire Safety Committee Terms of Reference* as contained in *Appendix 1*.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Built Environment

Objective B2 Preserve and enhance the unique character of the Hills for current and future generations

As a specialised Committee it is necessary to have appropriate governance and suitably qualified and experienced members to ensure there is rigour in the review of adequate building safety in the Council area.

➤ Legal Implications

For the purposes of Section 157 (17) of the *Planning, Development and Infrastructure Act 2016* (the Act) the Council is required to appoint a Building Fire Safety Committee.

Clause 17 requires that

- (a) The Building Fire Safety Committee will be established as an appropriate authority and constituted of —
 - (i) a person who holds prescribed qualifications in building surveying appointed by the Council; and
 - (ii) an authorised officer under the *Fire and Emergency Services Act 2005* who has been approved by the Chief Officer of the SA Country Fire Service to participate as a member of the appropriate authority; and
 - (iii) a person with expertise in the area of fire safety appointed by the Council; and
 - (iv) if so, determined by the Council – a person selected by the Council.
- (b) The Council may specify a term of office of a member (other than a member under paragraph 9a) (ii); and

- (c) Deputy members may be appointed; and
- (d) The appropriate authority may determine its own procedures (including a quorum).

The powers of the Building Fire Safety Committee are separate to the development assessment responsibilities of the Council and are only able to be exercised by an “appropriate authority” established by the Council.

➤ **Risk Management Implications**

The appointment of a Building Fire Safety Committee with appropriately qualified and experienced members and the adoption of a new *Terms of Reference* will allow Council to mitigate the risks of:

Buildings not have an adequate level of fire safety for the occupiers leading to increased life safety risk.

Non-compliance with the statutory requirements in the appointment of an authority leading to possible legal challenges to fire safety upgrade requests/enforcement activities.

Inherent Risk	Residual Risk	Target Risk
High 3B	Low 2B	Low 2B

The Committee exists as an existing control for building fire safety.

➤ **Financial and Resource Implications**

Not applicable

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

The process and operation of the Committee is to identify, inspect and require fire safety upgrade work where necessary to existing buildings in the Council area in order to achieve a satisfactory level of life safety in such buildings. Any action taken by the Committee seeks to achieve, in order of priority, the following fire safety objectives and performance criteria of the Building Code of Australia:

- (1) A reasonable standard of fire safety for the occupiers of the relevant building
- (2) The minimal spread of fire and smoke
- (3) An acceptable fire-fighting environment.

All officers being recommended come with the expertise and qualifications in building surveying and building fire safety to continue the operations and services currently provided by the Committee.

➤ **Sustainability Implications**

Not applicable

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

Consultation on the development of this report was not required:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

The current Building Fire Safety Committee was appointed on 27 January 2021 until 31 May 2022, as per the minute extract:

12.3 Appointment of Building Fire Safety Committee

Moved Cr Mark Osterstock
S/- Cr Pauline Gill

6/21

Council resolves:

1. That the report be received and noted
2. That Council appoints the following members to the Adelaide Hills Building Fire Safety Committee as the appropriate Authority for the purposes of Section 157 (17) of the *Planning, Development and Infrastructure Act 2016* commencing on the designated date of implementation of the Section 157(17) of the *Planning, Development and Infrastructure Act 2016* for Phase 3 Councils and expiring on 31 May 2022:
 - a) Peter Harmer (Contract Building Surveyor Engineer) as a person with expertise and qualifications in building surveying, engineering and building fire safety
 - b) Persons nominated by the Country Fire Service to act as the CFS representative member and deputy members
 - c) Jeff Grinnell as Team Leader Building Services as an authorised Council Officer with expertise and qualifications in building surveying and building fire safety with Tom Warneke as deputy member, and
 - d) Deryn Atkinson as Manager Development Services as an authorised Council Officer with Marc Salver appointed as deputy member.

Carried Unanimously

It is necessary to review the staff membership of the Committee due to a change in staffing within the building team, and a reassessment of the responsibilities and resource allocation within the department.

Since the appointment of the Committee under the new Act, the LGA has engaged Norman Waterhouse to prepare a model Terms of Reference (TOR) for Building Fire Safety Committees. It is appropriate and necessary to update the existing TOR to reflect the new format and new legislative requirements.

3. ANALYSIS

Committee Membership

On 27 January 2021, the same members of the Committee were appointed by Council under the new Act for the remaining term of their appointment (31 May 2022) to avoid practical operational difficulties. The current Committee members are Peter Harmer (Contract Building Surveyor Engineer), Colin Paton (CFS), Jeff Grinnell (Team Leader Building Services) and Deryn Atkinson (Manager Development Services).

There has been a change of staff in the Building Services team in recent months, with the recent appointment of Louis Palumbo as the Team Leader Building Services. Louis is an Accredited Professional Building Level 1 and has 10 years' experience in building fire safety. Louis' extensive experience includes chairing the City of Adelaide Building Fire Safety Committee and being involved in numerous negotiations that has resulted in a number of complex fire safety upgrades, resulting in improved life safety for the occupants.

To fill the building surveying vacancy on the Committee, it is recommended that Louis Palumbo be appointed as an authorised Council Officer. With his expertise and qualifications in building surveying and building fire safety it is also recommended that Louis be appointed as the Presiding Member.

It is further recommended that Tom Warneke be appointed as the fourth Committee member (Council representative). His deputy is proposed to be Catherine Clare. Both Tom and Catherine are authorised Council officers with expertise and qualifications in building surveying. The recommendation satisfies the requirements of Section 157 of the Act and provides increased development opportunities for members of the building team to expand their knowledge and practical experience of fire safety.

It is recommended that the appointments be until 31 May 2022 to align with the term of the remaining members.

Terms of Reference

The updated *Terms of Reference* are included in **Appendix 1** and the existing Terms of Reference are provided in **Appendix 2**. The updated TOR do not result in a material difference in the way the Committee operates but rather improvements in the administrative arrangements and updates to reference the new legislation. Key changes include clauses for the appointment of a Presiding Member for the Committee, deputies, vacancy of office, documentation and correspondence, meetings, the ability to attend meetings electronically and the need for an annual report to Council on the activities of the Committee.

It is recommended that the draft *Terms of Reference* be adopted by Council.

4. OPTIONS

Council has the following options:

- I. Resolve to appoint the staff as Committee members (Recommended).
- II. Resolve to endorse the new *Terms of Reference* (Recommended).
- III. To determine an alternative course of action (Not Recommended).

5. APPENDICES

- (1) *Draft Building Fire Safety Committee Terms of Reference*
- (2) *Existing Building Fire Safety Committee Terms of Reference*

Appendix 1

*Draft Building Fire Safety Committee Terms of
Reference*

ADELAIDE HILLS COUNCIL
Building Fire Safety Committee

TERMS OF REFERENCE
January 2022

Building Fire Safety Committee

Terms of Reference

Adopted by Council on [date]

1. Name

The name of the committee is the Adelaide Hills Council Building Fire Safety Committee.

2. Establishment

- 2.1 Section 157(17) of the *Planning, Development and Infrastructure Act 2016* enables the Council to establish an Appropriate Authority which is responsible for matters pertinent to section 157 of that Act.
- 2.2 The Council has designated the Building Fire Safety Committee as an Appropriate Authority pursuant to section 157(16) of the *Planning, Development and Infrastructure Act 2016*.

3. Interpretation

3.1 In these Terms of Reference:

- 3.1.1 "Act" means the *Planning, Development and Infrastructure Act 2016*;
- 3.1.2 "Appropriate Authority" refers to the BFSC which is a body established by the Council under s157(17) of the Act;
- 3.1.3 "BFSC" means the Adelaide Hills Council Building Fire Safety Committee;
- 3.1.4 "BFSC Member" or "BFSC Members" means a member or members of the BFSC (and includes a deputy member if the context so provides);
- 3.1.5 "Building Surveyor" means the BFSC Member under paragraph 4.1.1;
- 3.1.6 "Council" means the [the Adelaide Hills Council and includes a delegate of the Adelaide Hills Council
- 3.1.7 "Council Representative" means the BFSC Member under paragraph 4.1.4;
- 3.1.8 "Electronic Meeting" means a meeting under paragraph 8.4;
- 3.1.9 "Operating Procedures" means the operating procedures determined by the BFSC;

- 3.1.10 “Reasonable Cause” includes the matters specified in paragraphs 6.1 and 6.2;
 - 3.1.11 “SAMFS Representative and/or SA CFS Representative” means the BFSC Member(s) under paragraph 4.1.2;
 - 3.1.12 “Technical Expert” means the BFSC Member under paragraph 4.1.3
 - 3.1.13 “TOR” means these Terms of Reference.
- 3.2 The TOR will be interpreted subject to the provisions of the Act and its regulations.

4. Membership

- 4.1 The BFSC will comprise the following BFSC Members to be appointed by the Council:
- 4.1.1 a person who holds prescribed qualifications in building surveying appointed by the Council (**Building Surveyor**); and
 - 4.1.2 an authorised officer under Part 3 Division 5 or section 86 of the *Fire and Emergency Services Act 2005* who, depending on the location of the Council area, has been approved by the Chief Officer of the relevant fire authority to participate as a BFSC Member of the Appropriate Authority (**SAMFS Representative and/or SA CFS Representative**); and
 - 4.1.3 a person with expertise in the area of fire safety appointed by the Council (**Technical Expert**); and
 - 4.1.4 if so determined by the Council – a person selected by the Council and whom the Council considers to be an appropriate person to be a member of the BFSC (**Council Representative**).
- 4.2 The Council may appoint at least one deputy BFSC Member for each ordinary BFSC Member to undertake the business of the BFSC in the absence of an ordinary BFSC Member. A person may only be appointed as a deputy BFSC Member if that person meets the same applicable requirements under paragraphs 4.1.1 to 4.1.4 that would apply were that person to seek appointment as the ordinary BFSC Member to which that deputy relates. A deputy BFSC Member may only act as a deputy for one BFSC Member. Unless the context provides otherwise a reference to a BFSC Member in this document includes a deputy BFSC Member.
- 4.3 The appointment of a BFSC Member may be subject to such conditions and limitations as the Council deems fit.
- 4.4 The Council must select one of the BFSC Members to be the Presiding Member of the BFSC. The Presiding Member should be either the Building Surveyor or Technical Expert (and if practicable also an employee of the Council).
- 4.5 The Chief Executive Officer of the Council will allocate to the BFSC administrative support in the form of human resources to ensure that reports, agendas, notice of meetings and minutes of the BFSC are recorded and managed in accordance with legislative requirements and the Operating Procedures. Other resources will be allocated as required at the discretion of the Chief Executive Officer of the Council.

- 4.6 The term of office for a Member of the BFSC will be a period not exceeding three (3) years (other than a SAMFS Representative and/or SA CFS Representative).
- 4.7 A BFSC Member is eligible for reappointment for a further term, upon the expiry of his or her current term.
- 4.8 The Council may remunerate BFSC Members for the reasonable time and costs incurred by BFSC Members in attending BFSC meetings. Different levels of remuneration may be fixed by the Council for the Presiding Member as distinct from other BFSC Members.
- 4.9 All BFSC Members shall conduct themselves in a professional manner in accordance with Council requirements. By virtue of the Terms of Reference, section 62 of the *Local Government Act 1999* is taken to apply to BFSC Members as if they were Council members and confidential information or documents of the BFSC as if they were documents of the Council.

5. Vacancy of office

- 5.1 The office of a BFSC Member (other than a SAMFS Representative and/or SA CFS Representative) will become vacant if the BFSC Member:
- 5.1.1 dies; or
 - 5.1.2 completes a term of office and is not reappointed; or
 - 5.1.3 resigns by written notice addressed to the Council; or
 - 5.1.4 is removed from office by the Council for any Reasonable Cause.
- 5.2 A BFSC Member whose term of office has expired may nevertheless continue to act as a BFSC Member until the vacancy is filled or for a period of six (6) months from the expiry of the BFSC Member's term of office, whichever occurs first.

6. Removal from office

- 6.1 Except for the SAMFS Representative and/or SA CFS Representative, the Council may remove a BFSC Member from office where:
- 6.1.1 the BFSC Member has become bankrupt or has applied to take the benefit of a law for the relief of insolvent debtors;
 - 6.1.2 the BFSC Member has been convicted of an indictable offence punishable by imprisonment; or
 - 6.1.3 in the case of an employee of the Council, the BFSC Member ceases to be in the employ of the Council.
- 6.2 Except for the SAMFS Representative and/or SA CFS Representative, the Council may remove a BFSC Member from office where, in the opinion of the Council, the behaviour of the BFSC Member amounts to:
- 6.2.1 a breach of a condition of his or her appointment as a BFSC Member;

- 6.2.2 misconduct;
 - 6.2.3 a breach of any legislative obligation or duty of a BFSC Member;
 - 6.2.4 neglect of duty in attending to the role and responsibilities as a BFSC Member;
 - 6.2.5 a failure to carry out satisfactorily the duties of his or her office;
 - 6.2.6 a breach of fiduciary duty that arises by virtue of his or her office;
 - 6.2.7 inability to carry out satisfactorily the duties of his or her office;
 - 6.2.8 a failure without reasonable excuse to attend three consecutive BFSC meetings without the BFSC previously having resolved to grant a leave of absence to the BFSC Member; or
 - 6.2.9 for any other reasonable cause determined by the Council.
- 6.3 The removal of the BFSC Member pursuant to paragraph 6.2 will take effect upon the Council resolution or delegates determination to remove the BFSC Member from office (unless the Council or delegate determines otherwise), and such decision will be confirmed in writing by the Chief Executive Officer of the Council to the BFSC Member within seven (7) days.
- 6.4 Prior to determining to remove a BFSC Member from office pursuant to paragraph 6.1 or 6.2, the Council or delegate must:
- 6.4.1 not less than seven (7) days before the Council or delegate considers the matter of the possible removal of the BFSC Member from office, give written notice to the BFSC Member of its intention to remove the BFSC Member from office pursuant to paragraph 6.1 or 6.2 and such notice must detail the alleged matter or behaviour of the BFSC Member falling within paragraph 6.1 or 6.2 or other reason the Council considers it appropriate to remove the BFSC Member;
 - 6.4.2 give the BFSC Member an opportunity to make a written or verbal submission to the Council or delegate on the intention to remove the BFSC Member from office by such date as the Council or delegate reasonably determines but in all circumstance prior to the Council or delegate determining to remove the BFSC Member from office pursuant to paragraph 6.1 or 6.2; and
 - 6.4.3 have due regard to the BFSC Member's submission in paragraph 6.4.2 in determining whether to remove the BFSC Member from office.
- 6.5 If it appears reasonably likely that the SAMFS Representative and/or SA CFS Representative:
- 6.5.1 suffers any of the events under paragraphs 6.1.1 to 6.1.3; or
 - 6.5.2 undertakes behaviours that amount to any of the matters in paragraphs 6.2.1 to 6.2.8

(as if paragraphs 6.1 and 6.2 applied to the SAMFS Representative and/or SA CFS Representative) then, upon a decision of the BFSC to provide such notification, the Presiding Member will write to the Chief Officer of the relevant fire authority to:

- 6.5.3 notify the Chief Officer that the BFSC is concerned that the SAMFS Representative and/or SA CFS Representative may have suffered and event under paragraphs 6.1.1 to 6.1.2 and/or may have undertaken behaviour that amounts to a matter under paragraphs 6.2.1 to 6.2.8; and
- 6.5.4 request that the Chief Officer consider whether in those circumstances it is appropriate for the SAMFS Representative and/or SA CFS Representative to continue their appointment to the BFSC.

7. Roles and functions

- 7.1 The BFSC is charged with the responsibility for all matters arising under Section 157 of the Act and any associated regulations which are of a building fire safety nature.
- 7.2 The BFSC should consider the following priorities when conducting its business:
 - 7.2.1 the South Australian Metropolitan Fire Service or South Australian Country Fire Service requests an inspection to be carried out on a building;
 - 7.2.2 any complaint received in relation to a building;
 - 7.2.3 advice received from an authorised officer of the Council that the fire safety of a building is deficient; or
 - 7.2.4 if a building is a type of building designated as a building inspection priority or building investigation priority as determined in a guideline of the BFSC from time to time.
- 7.3 The BFSC will generally notify the manager or owner in writing of the building that it wishes to inspect. Where time does not permit written notification and other than in a situation of emergency or other urgent circumstances, verbal notice on the day of inspection or prior to the inspection will be undertaken.
- 7.4 Letters and documentation will be written and presented in accordance with any guidelines adopted by the BFSC. All correspondence will be presented on Council letterhead and signed by the Presiding Member on behalf of the BFSC or a BFSC Member who is an employee of the Council.
- 7.5 Notices and methods implemented when dealing with issues arising for the BFSC will be conducted in accordance with any guidelines adopted by the BFSC and pursuant to the Act.
- 7.6 Subject to paragraph 7.7, issues will generally be addressed initially with the building owner or delegate via a letter that will clearly state a response date. If no adequate action has been undertaken after the initial response date the BFSC will consider the matter and may decide to issue a notice requiring a report detailing the adequacy of the fire safety of the building.

7.7 In emergency circumstances or other matters of urgency, the BFSC may elect to issue a notice as an initial course of action prior to taking any informal steps.

8. Meetings

8.1 A quorum for a meeting of the BFSC shall be:

8.1.1 a minimum of two BFSC Members; and

8.1.2 those BFSC Members in attendance must be the:

8.1.2.1 Building Surveyor or Technical Expert; and

8.1.2.2 SAMFS Representative and/or SA CFS Representative.

8.2 In the event that the Presiding Member is not present at a meeting (or part thereof) or has declared a personal interest or a direct or indirect pecuniary interest in any matter before the BFSC, or is for any other reason is unable to take part in any deliberations or decision of the BFSC then an Acting Presiding Member will be appointed by those BFSC Members who are present at the meeting for the purpose of presiding at that BFSC meeting.

8.3 All decisions made by the BFSC shall be made on the basis of a majority decision of the BFSC Members present. In an event of a tied vote the Presiding Member shall not have a casting vote in addition to their deliberative vote.

8.4 The BFSC shall meet at the Council's offices at either Stirling or Woodside or at such other places as determined by the BFSC from time to time. Provided that the BFSC may also conduct its meetings in whole or in part by electronic means by way of telephone, computer or other electronic device used for communication.

8.5 The BFSC shall meet on a day and at a time nominated by the Presiding Member. The BFSC must hold a minimum of three (3) ordinary meetings in each calendar year and may hold a special meeting at any other time at the determination of the Presiding Member or at the written request of at least two other BFSC Members.

8.6 A BFSC Member who has a personal interest or a direct or indirect pecuniary interest in any matter before the BFSC (other than an indirect interest that exists in common with a substantial class of persons) must disclose that interest to the BFSC, must not take part in any deliberations of the BFSC in relation to that matter and must comply with paragraph 8.7.

8.7 A BFSC Member who has an interest specified in paragraph 8.6 must remove themselves from the room or electronic forum where the BFSC is considering the matter and cannot return until consideration of that item has concluded. It is inappropriate for a BFSC Member to represent any third parties before the BFSC in relation to a matter in which they have interest.

8.8 It is expected that a BFSC Member who has a personal interest or a direct or indirect pecuniary interest of a kind specified in paragraph 8.6 and Section 157(18) of the Act will not exercise any power or function under the Act or participate in any decisions, inspection or other work under the Act in relation to the matter.

- 8.9 The following provisions apply to the calling of meetings:
- 8.9.1 In the case of an ordinary meeting of the BFSC, the Presiding Member must give each BFSC Member notice of a meeting at least five (5) clear days before the date of the meeting.
 - 8.9.2 In the case of an Electronic Meeting to be held by way of electronic means (in whole or in part), the notice must include details of how to connect to the meeting.
 - 8.9.3 In the case of a special meeting of the BFSC, the Presiding Member must give each Member of the BFSC a notice of meeting at least twenty-four (24) hours before the commencement of the meeting.
 - 8.9.4 Notice must be given to a BFSC Member:
 - 8.9.4.1 personally; or
 - 8.9.4.2 by posting or otherwise delivering it to any place authorised in writing by the member; or
 - 8.9.4.3 by any other means authorised in writing by the member as being a preferable means of giving notice (e.g. email); and
 - 8.9.4.4 in writing; and
 - 8.9.4.5 setting out the date, time and place of the meeting; and
 - 8.9.4.6 containing or accompanied by the agenda and any documents and/or reports that are to be considered at the meeting (insofar as is practicable).
 - 8.9.5 Notice that is not given in accordance with paragraph 8.9.4 is taken to have been validly given if the Presiding Member considers it impracticable to give the notice in accordance with that paragraph and takes action the Presiding Member considers reasonably practicable in the circumstances to bring the notice to the attention of the BFSC Member.
 - 8.9.6 The Presiding Member may delegate the notification and agenda responsibilities under paragraphs 8.9.1 to 8.9.5 to another BFSC Member (which if practicable should be the Council Representative).

- 8.9.7 A BFSC Member attending an Electronic Meeting by electronic means is taken to be present at the meeting provided that the BFSC Member:
- 8.9.7.1 can hear and, where possible, see all other BFSC Members who are present at the meeting;
 - 8.9.7.2 can be heard and, where possible, be seen by all other BFSC Members present at the meeting; and
 - 8.9.7.3 can be heard and, where possible, be seen by the person recording the minutes of the meeting.
- 8.9.8 Each Member present at a meeting (either in person or by electronic means) must, subject to that person having an interest in the matter under paragraph 8.6, vote on a question arising for decision at that meeting.
- 8.9.9 The Presiding Member must keep, or arrange to be kept, minutes of every meeting of the BFSC. The minutes of the meetings must include:
- 8.9.9.1 the names of the BFSC Members present;
 - 8.9.9.2 in relation to each BFSC Member present, if the BFSC Member was not present for the entire meeting, the time at which the person entered or left the meeting;
 - 8.9.9.3 all motions or amendment, and the names of the mover and seconder;
 - 8.9.9.4 whether a motion or amendment is carried or lost;
 - 8.9.9.5 any disclosure of interest made by a BFSC Member under paragraph 8.6; and
 - 8.9.9.6 any other matter required to be included in the minutes by a decision of the Council or the BFSC.
- 8.9.10 The role of the Presiding Member of the BFSC includes (but is not limited to):
- 8.9.10.1 the conduct of the business of the BFSC at meetings and during site inspections;
 - 8.9.10.2 ensuring appropriate meeting procedures are followed; and
 - 8.9.10.3 ensuring the BFSC complies with the TOR and Act.
- 8.9.11 All matters considered by the BFSC, including agendas and minutes will be recorded and stored electronically in the Council's Records Management System by the Council Representative in accordance with Council policy.

- 8.9.12 The Council will be responsible for the management of all records of the BFSC as required under the State Records Act 1997.
- 8.9.13 Subject to compliance with any relevant law, all BFSC proceedings shall generally be treated as confidential and shall not be made available to the public. In particular,
- 8.9.13.1 all meetings of the BFSC are to be held in confidence unless otherwise determined by the BFSC;
 - 8.9.13.2 all documentation provided to the BFSC by external parties engaged by, directed or confided in by the BFSC, shall be treated as confidential;
 - 8.9.13.3 no BFSC related document, advice or proceeding shall be distributed outside of the Council (unless required by *any* relevant law), without the consent of the Council or its delegate; and
 - 8.9.13.4 if a document, advice or proceeding is distributed with the consent of the Council, that distribution is to be limited to the party/s authorised to receive it.
- 8.9.14 The BFSC shall provide a report to the Council on an annual basis outlining the BFSC's activities, including the number of notices issued, types of notices issued, the outcomes of the respective notices, the number of inspections which have been undertaken, and any outstanding matters that the BFSC is currently pursuing.
- 8.9.15 The procedure to be observed at a meeting of the BFSC, insofar as the procedure is not prescribed by these TOR, may be determined by the BFSC.

Appendix 2

Existing Building Fire Safety Committee Terms of Reference

ADELAIDE HILLS COUNCIL
Building Fire Safety Committee

TERMS OF REFERENCE
June 2019

BACKGROUND

Local government plays an important role in protecting the ongoing safety of building occupiers and users through the provisions of the *Development Act 1993*.

Section 71 of the Development Act establishes the power for councils to investigate whether building owners are maintaining proper levels of fire safety in their buildings for the protection of all occupiers, whether they are residents and workers who use them regularly, or clients and visitors who only use them occasionally.

A Building Fire Safety Committee, as an 'appropriate authority' under the Act, can take action to require the owner to upgrade the fire safety of existing buildings to an appropriate level.

The Building Fire Safety Committee is established under clause 19 of Section 71 of the Development Act rather than Section 41 of the Local Government Act.

The Building Fire Safety Committee was last appointed by Council resolution on 26 April 2016.

ROLE

The role of a Building Fire Safety Committee includes-

- developing appropriate building fire safety inspection policies for Council endorsement
- scrutinising the fire safety of buildings that have been identified as having inadequate fire safety provisions;
- issuing Notices of Fire Safety Defect to building owners, which identify fire safety provisions that need to be upgraded to an extent that provides a reasonable level of safety for occupants;
- forwarding information on section 71 fire safety notices to council administration for Section 7 enquiries (made by a vendor when a building is available for sale or lease);
- where appropriate, negotiating a cost effective performance solution with a building owner to reduce fire safety risks to an acceptable level;
- issuing Notices of Building Work Required, which schedule prescribed building work that must be carried out in order to raise the building fire safety and associated bushfire safety requirements for the buildings noted in the Notices to a reasonable level of safety;
- initiating enforcement or other action to ensure a building owner complies with a Notice of Building Work Required; and

- revoking or varying fire safety notices when appropriate.

Notices of Fire Safety Defect are issued under delegation by Council staff in accordance with minutes of the Building Fire Safety Committee meetings.

WORKING RELATIONSHIPS

The Building Fire Safety Committee has an Executive Officer (Team Leader Building Services) who is responsible for:

- coordinating agenda information, site inspections and distributing the minutes of meetings
- responding to correspondence at the direction of the Committee
- preparing correspondence and Notices of Fire Safety Defect at the direction of the Committee
- preparing correspondence and Notices of Building Work Required at the direction of the Committee
- preparing reports to Council (at least annually) on the general activities of the Building Fire Safety Committee.

FUNCTIONS

The Building Fire Safety Committee is responsible for the inspection of buildings for fire safety in the Adelaide Hills Council area. The Committee will inspect buildings based on the following priority:

1. Written complaint
2. Request from the Country Fire Service
3. Request from Council's planning or building staff
4. Register of buildings developed by the Building Fire Safety Committee, with buildings selected in order of the life safety risk associated with the building.

If the Building Fire Safety Committee is satisfied that the fire safety of a building is inadequate after inspection, the Committee may cause a notice to be served on the owner of the building identifying the inadequacies. The Committee will receive reports from owners responding to fire safety notices and may require the owner to seek an appropriate development authorisation for a fire safety upgrade. If granted the Committee can require the work to be carried out.

In the case of an emergency, clause 3 of Section 71 of the Development Act permits the Committee to require the owner to carry out a programme of work or to take any other measure deemed reasonable to overcome a fire hazard, require the evacuation of, or prohibit the use of the building or part of a building, until the Committee is satisfied that the fire hazard no longer exists.

Any action taken seeks to achieve firstly a reasonable standard of fire safety for the occupiers of the relevant building, secondly minimize the spread of fire and smoke and thirdly an acceptable fire fighting environment.

MEMBERSHIP

1. Section 71 (19) prescribes how the Building Fire Safety Committee membership will be constituted and requires Council to appoint the Committee.

Clause 19 requires the Committee to consist of:

- i. A person who holds prescribed qualifications in building surveying
 - ii. A person nominated by the Chief Executive Officer of the South Australian Country Fire Service
 - iii. A person with expertise in the area of fire safety and
 - iv. If so determined by the Council, a person selected by Council
2. Members must commit to attend all meetings. If unable to attend, they must provide a proxy, where one is appointed, to attend on their behalf. In this instance the member is responsible for briefing their proxy and providing the proxy with the documentation for the meeting. Members will inform the Presiding Member as soon as possible if they intend to send a proxy to a meeting and no less than one business day before a scheduled meeting. It is up to the Presiding Member to ensure proxies pass on any correspondence to the member.
 3. Proxies are required to have the same delegated authority as the incumbent.
 4. Proxies entitled to participate in discussion and in decision-making.

SELECTION CRITERIA

Each of the members of the Committee shall be selected on the basis of skills, knowledge and experience as required by Section 71 (19) of the Development Act 1993.

TERM OF OFFICE

The term of office for a member of the Building Fire Safety Committee will be a period not exceeding three years or such other time as resolved by Council at the time of appointment.

STATUS OF OFFICE OF MEMBERS

The Executive Officer will be a member of Council staff.

MEETING PROCEDURE

1. The Building Fire Safety Committee shall meet at least four times a year.
2. The Building Fire Safety Committee shall generally meet at the Adelaide Hills Council office in Stirling or Woodside or as otherwise determined by the Presiding Member.
3. A quorum of three members must be present, one of whom must be the Country Fire Service Representative.
4. The Building Fire Safety Committee shall appoint a Presiding Member. If the Presiding Member is unable to attend the meeting, a deputy Presiding Member should be appointed by the Committee at the meeting.
5. Notice of an ordinary meeting shall be given at least three business days prior to the scheduled meeting; however notice and an agenda of a special meeting shall be given at least four hours prior to the commencement of the special meeting.
6. Notice may be given to a member of the Building Fire Safety Committee:
 - i. personally;
 - ii. by delivering it to any place authorised in writing by the member; or
 - iii. by a means authorised by the member e.g. email or download
7. Topics for the agenda should be forwarded to the Executive Officer seven (7) days prior to the scheduled meeting date. The Agenda and Minutes of the previous meeting will be distributed to members no later than three days prior to the next meeting date.
8. The Presiding Member shall ensure that accurate minutes are kept of the proceedings of each meeting of the Building Fire Safety Committee
9. A member of the Building Fire Safety Committee who has a personal interest or a direct or indirect interest in any matter being considered by the Building Fire Safety Committee (other than an indirect interest which exists in common with a substantial class of persons), must declare that interest as soon as possible and must not take part in any deliberation or decision in relation to that matter.
10. Without limiting the effect of paragraph 9, a member of the Building Fire Safety Committee will have an interest in a matter if an associate of the member has an interest in that matter.

11. A disclosure of a direct or indirect interest in any matter of the Building Fire Safety Committee must be recorded in the Minutes of the Meeting.
12. All meetings of the Building Fire Safety Committee will be conducted in accordance with these meeting procedures. Insofar as the procedures are not prescribed by these Terms of Reference, the procedures may be determined by the Building Fire Safety Committee.
13. Decisions of the Building Fire Safety Committee shall be made by consensus, or if required because there is not a consensus, shall be made on the basis of a simple majority decision of the members present.
14. If a vote is required, each member present at a meeting must vote on the question/matter to be decided. There is no requirement to record how members vote unless requested by a Committee member.
15. If a vote is required, all members of the Building Fire Safety Committee including the Presiding Member shall have a deliberative vote. In a situation where there is an equality of votes among Committee members, then the Presiding Member shall have a casting vote.
16. Other procedures may be determined by the Building Fire Safety Committee as when required.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.7

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Service Review Brief – Civil Services

For: Decision

SUMMARY

Council has resolved to implement a *Service Review Framework* (the Framework) as part of the *Annual Business Plan 2021-22*. The Framework was adopted by Council at the 26 October 2021 meeting and provides Council with principles and guidelines for conducting an external Service Review to evaluate the adequacy, effectiveness and efficiency of the reviewed services. The current budget allocation is for one external Service Review to be conducted per annum.

The purpose of this report is to provide the draft *Service Review Brief – Civil Services* (the Brief) for Council's consideration and adoption. The Brief can then be used to go the market and procure a consultant to undertake the service review.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To adopt the draft *Service Review Brief – Civil Services* as contained in *Appendix 1*
 3. That the Chief Executive Officer be authorised to make minor changes to the draft *Service Review Brief – Civil Services* arising from the Council's consideration of the matter.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective O2 Our customers find it easier to interact and do business with Council and have an improved customer experience.

- Priority O2.2 Modernise our services and enhance the customer experience by making service delivery faster, more convenient and more proactive.
- Priority 2.4 Continuously strive to measure and improve performance and service delivery across all functions.
- Objective O3 Our organisation is financially sustainable for both current and future generations
- Priority O3.4 Assess the range and level of services undertaken to ensure they fulfil Council’s legislative and strategic intent

Council also operates an Internal Audit Program which, while undertaking somewhat similar review activities, has as its main focus to evaluate the adequacy and effectiveness of the systems of internal control within the Council to manage risk.

The Internal Audit Program and this Framework are complementary but separate governance activities.

➤ **Legal Implications**

Section 8 of the *Local Government Act 1999* (the Act) sets out the principles that a council must act to uphold and promote observance in the performance of its roles and functions. The following principles are particularly relevant in the context of the Framework:

- (g) manage its operations and affairs in a manner that emphasises the importance of service to the community;
- (h) seek to ensure that council resources are used fairly, effectively and efficiently and council services, facilities and programs are provided effectively and efficiently;
- (i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;
- (ia) seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers;
- (j) achieve and maintain standards of good public administration;
- (k) ensure the sustainability of the council's long-term financial performance and position.

➤ **Risk Management Implications**

Lack of effective strategic planning and resource allocation processes

Inherent Risk	Residual Risk	Target Risk
Extreme (4A)	Low (3E)	Low

The Framework is a mitigation action in addition to the many controls that are already in place for this risk.

➤ **Financial and Resource Implications**

Service Reviews are a funded initiative in the *Annual Business Plan 2021-22*. The funding relates directly to the annual cost of appointing an external consultant to conduct one review.

The Corporate Planning & Performance Coordinator will coordinate the procurement, conduct and reporting of the Service Review.

Future resource implications related to conducting Service Reviews will be for the staff time required to participate in the reviews and any implementation of the Review Report recommendations.

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

The purpose of service reviews is to assist in clarifying the community's service aspirations and assess how efficiently and effectively those aspirations are being met through the current service ranges and levels.

➤ **Sustainability Implications**

The analysis of Council's service ranges and levels will assist in identifying process efficiency and savings opportunities as well as confirming Council's compliance with statutory obligations.

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

Consultation on the development of this report was as follows:

Council Committees: The Service Review Framework was considered at the Audit Committee meeting on 18 October 2021 where it was resolved to recommend adoption of the Framework to Council.

Council Workshops: The Service Review Framework was discussed in the 26 March 2021 Annual Business Plan and Budget workshop. Following the adoption of the Framework, a further workshop was held on 16 November 2021 to discuss the criteria for determining the function schedule for Service Reviews over the next 3 years.

Advisory Groups: Not applicable

External Agencies: The Service Review processes of other councils have been considered in the development of the Framework.

Community: Not applicable

2. **BACKGROUND**

Council resolved to implement the *Service Review Framework* (the Framework) as part of the *Annual Business Plan 2021-22*. The Framework provides Council with principles and guidelines for conducting an external Service Review to evaluate the adequacy, effectiveness and efficiency of the reviewed services.

The high level overview and proposed scope of the Framework was discussed with Council at the 2021-22 Annual Business Plan and Budget workshop on 26 March 2021.

The Framework was considered at the Audit Committee meeting on 18 October 2021 where it was resolved to recommend adoption of the Framework to Council.

7.4. Service Review Framework (draft for review)

**Moved Cr Leith Mudge
S/- Natalie Johnston**

AC 50/21

The Audit Committee resolves:

- 1. That the report be received and noted**
- 2. To recommend to Council to adopt the *Service Review Framework* contained in *Appendix 1*.**

Carried Unanimously

The Framework was adopted at the 26 October 2021 Ordinary Council Meeting.

12.8 Service Review Framework

**Moved Cr John Kemp
S/- Cr Leith Mudge**

225/21

Council resolves:

- 1. That the report be received and noted.**
- 2. To adopt the draft *Service Review Framework - draft October 2021* as contained in *Appendix 1*.**

Carried Unanimously

Following the adoption of the Framework, a workshop was held on 16 November 2021 to discuss the criteria for determining the function schedule for Service Reviews over the next 3 years.

3. ANALYSIS

The Framework has been staged in four (4) phases:

- Phase 1 – Adoption of the Framework. Completed as of 26 October 2021
- Phase 2 – Selection of the Functions to be reviewed
- Phase 3 – Develop a service review brief
- Phase 4 – Conduct the service review

Phase 1 was completed with the adoption of the Framework at the 26 October 2021 Ordinary Council meeting.

For Phase 2, a Council workshop was held on 16 November 2021 to discuss the criteria for determining the function schedule for Service Reviews over the next 3 years.

Based on the criteria, all functions were scored to provide the following 3 year schedule:

- Year 1 – Civil Services (maintenance)
- Year 2 - Open Space Operations
- Year 3 – Planning and Development

The scoring of the functions will be undertaken annually to ensure that the schedule is regularly reassessed to align with Council priorities.

Phase 3 of the Framework was to develop a Service Review Brief (**Appendix 1**) for the Civil Services function which outlines the objectives, scope of services to be reviewed, resourcing, timing and deliverables.

Following adoption, the Brief can then be used to approach the market, obtain quotes and engage a consultant to commence the service review.

4. **OPTIONS**

Council has the following options:

- I. To adopt the *Service Review Brief – Civil Services* contained in **Appendix 1** (Recommended)
- II. To adopt the *Service Review Brief – Civil Services* with changes as specified by Council
- III. To not adopt the *Service Review Brief – Civil Services* (Not Recommended)

Should the Council identify the need for substantial amendments to the draft *Service Review Brief – Civil Services*, it is recommended that they be referred to staff 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. **APPENDIX**

- (1) *Service Review Brief – Civil Services*

Appendix 1

Service Review Brief – Civil Services

SERVICE REVIEW PROJECT BRIEF – Adelaide Hills Council

Function	Civil Services	Directorate	Infrastructure & Operations
Services	Maintenance		
Key Stakeholders	Manager Civil Services Director Infrastructure & Operations Corporate Planning & Performance Coordinator Customer Experience Project Officer		
Approval			

Objectives	The objective of this Service Review Framework is to facilitate efficiency, effectiveness, and appropriateness in service provision through the analysis of factors such as: <ul style="list-style-type: none"> • Service clarity, replicability and quality • Customer (internal or external) priorities, aspirations and experience • Alignment to the Council’s strategic intent • Statutory obligations • Process efficiency and saving opportunities • Service delivery effectiveness and performance assessment
Scope	The scope of the review will be on the processes and systems used to conduct the services under the Civil Services Maintenance Function. The services include: <ul style="list-style-type: none"> • Customer requests and reactive maintenance • Zone maintenance program • Street sweeping program • Line marking program • Storm water program The scope does not include the capital works civil services projects.
Timing	To commence in Quarter 3 of 2021-22 financial year.
Resourcing & Budget	Council has allocated a budget of \$26,000 to conduct the Service Review. The service review will be coordinated by Governance and Performance and include various members of staff and management across the Civil Services and the Customer Experience Functions. Additional resourcing implications will be raised in separate Council reports as required.
Approach	Utilising the methodology from the LGA Service Review Manual – by the Australian Centre of Excellence for Local Government or other similar methodology as agreed.
Deliverables	At the conclusion of a Review, the consultant will be required to prepare a report setting out, but not limited to, the following: <ul style="list-style-type: none"> • Description of Service(s) (range, level, volumes, inputs, outputs, etc.) • Analysis of existing customer/stakeholder feedback and data • Assessment of Service(s) appropriateness, effectiveness and efficiency (including where available, benchmarking data from other comparable organisations) • Process maps of Service(s) • Recommendations: <ul style="list-style-type: none"> ○ Refinements to current Service provision quality, effectiveness and efficiency ○ Proposals (as applicable) to change service range, level, delivery modes, etc. ○ Implementation plan including actions, responsible officers and due dates

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.8

Responsible Officer: Steven Watson
Governance & Risk Coordinator
Office of the Chief Executive

Subject: Delegations Review January 2022

For: Decision

SUMMARY

Section 44 of the *Local Government Act 1999* provides that the Council may delegate a power or function vested or conferred under this or another Act. Some other Acts also contain a specific power of delegation. 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 its powers and functions of *Planning, Development and Infrastructure Act 2016*.

Furthermore the Minister for Transport and Infrastructure granted delegations to the Council under the Instrument of General Approval and Delegation (dated 22 August 2013) (**General Approval**). The General Approval permits the Council to:

- (a) sub-delegate the powers under section 33(1) of the *Road Traffic Act 1961*; and
- (b) authorise employees of the Council to exercise the powers under sections 17 and 20 of the *Road Traffic Act 1961*.

This report addresses Instruments of Delegations under the following Acts with the delegation updates including Instruments with changes highlighted at **Appendix 2**:

Instrument of Delegation
<i>Electricity (Principles of Vegetation Clearance) Regulations 2021</i>
<i>Environment Protection Regulations 2009</i>
<i>Fire and Emergency Services Act 2005</i>
<i>Independent Commission Against Corruption Act 2012</i>
<i>Instrument A–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>

<i>Instrument B–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>
<i>Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961</i>
<i>Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961</i>
<i>Local Government (General) Regulations 2013</i>
<i>Local Government Act 1999</i>
<i>Ombudsman Act 1972</i>
<i>South Australia Public Health (Legionella) Regulations 2013</i>

Other than the above legislative instruments, there have been no changes to the other delegations in this review.

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 hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

Instrument of Delegation
<i>Electricity (Principles of Vegetation Clearance) Regulations 2021</i>
<i>Environment Protection Regulations 2009</i>
<i>Fire and Emergency Services Act 2005</i>
<i>Independent Commission Against Corruption Act 2012</i>
<i>Instrument A–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>
<i>Instrument B–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>
<i>Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961</i>
<i>Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961</i>
<i>Local Government (General) Regulations 2013</i>
<i>Local Government Act 1999</i>
<i>Ombudsman Act 1972</i>

South Australia Public Health (Legionella) Regulations 2013

3. That, having considered a review of Council’s Delegations as presented, in exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and statutory instruments made thereunder contained in the proposed Instrument of Delegation attached to the Report dated 25th day of January 2022 and entitled as detailed in the table below are hereby delegated this 25th day of January 2022 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.

Instrument of Delegation	Appendix Number
<i>Electricity (Principles of Vegetation Clearance) Regulations 2021</i>	Appendix 3
<i>Environment Protection Regulations 2009</i>	
<i>Fire and Emergency Services Act 2005</i>	
<i>Independent Commission Against Corruption Act 2012</i>	
<i>Local Government (General) Regulations 2013</i>	
<i>Local Government Act 1999</i>	
<i>Ombudsman Act 1972</i>	
<i>South Australia Public Health (Legionella) Regulations 2013</i>	

- a. 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.
- b. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.
4. That, having considered a review of Council’s Delegations as presented, in exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation attached to the Report dated 25th January 2022 and entitled as detailed in the table below are hereby delegated this 25th day of January 2022 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.

Instrument of Delegation	Appendix Number
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<i>Instrument A–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>	Appendix 3
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- a. 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.
 - b. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.
5. That, having considered a review of Council’s Delegations as presented, in exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation attached to the Report dated 25th January 2022 and entitled as detailed in the table below are hereby delegated this 25th day of January 2022 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.

Instrument of Delegation	Appendix Number
<i>Instrument B–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>	Appendix 3

- a. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
 - b. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.
6. That, having considered a review of Council’s Delegations as presented, the Council hereby resolves to grant the delegation of powers and functions of the Council as provided for in the attached instrument of delegation under the *Road Traffic Act 1961* this 25th day of January 2022 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.

Instrument of Delegation	Appendix Number
<i>Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation to Council (22 August 2013)</i>	Appendix 3
<i>Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation to Council (22 August 2013)</i>	

- a. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with sub-delegation and authorisation of powers under the *Road Traffic Act 1961* as the Chief Executive Officer sees fit, unless otherwise indicated

herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

- b. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective 05 We are accountable, informed, and make decisions in the best interests of the whole community

Priority 05.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

Priority 05.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.

➤ Legal Implications

Local Government Act 1999

Section 44 of the *Local Government Act 1999* provides that the Council may delegate a power or function vested or conferred under this or another Act. Some other Acts also contain a specific power of delegation.

Delegations made by the Council under Section 44 of the *Local Government Act 1999* can be made to a Council committee, a subsidiary of the Council, an employee of the Council, the employee of the Council for the time being occupying a particular office or position or, an authorised person. Other Acts may specify different delegates than the *Local Government Act 1999*.

A delegation made pursuant to Section 44 of the *Local Government Act 1999* is revocable at will and does not prevent the Council from acting in a matter.

There are a number of powers and functions of the *Local Government Act 1999* which the Council cannot delegate. These are set out in Section 44(3) of the *Local Government Act 1999*. If the Council purports to delegate any of these powers or functions, that delegation would be ineffective with any action undertaken in reliance on that delegation being unauthorised. This may cause legal and administrative problems for the Council.

Pursuant to Section 44(3) of the *Local Government Act 1999* there are a number of matters which councils cannot delegate. They include the following:

- (a) power to make a by-law;
- (b) power to declare rates or a charge with the character of a rate;
- (c) power to borrow money or to obtain other forms of financial accommodation;
- (d) power to adopt or revise a strategic management plan or budget of the council;

- (e) power to approve expenditure of money on works, services or operations of the council not contained in a budget approved by the council;
- (f) power to determine annual allowances under Chapter 5;
- (g) power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provision;
- (h) power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;
- (i) power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;
- (j) power to fix, vary or revoke a fee under section 188(1)(d) to (h);
- (k) a power or function excluded from delegation by the regulations.

Section 44 of the *Local Government Act 1999* sets out various other matters in relation to delegations. For example:

Section 44(6) of the *Local Government Act 1999* provides that the Council must cause a separate record to be kept of all delegations made under Section 44, and the Council may at any time, and must within 12 months after the conclusion of each periodic election, review the delegations.

Section 44(7) of the *Local Government Act 1999* provides that a person is entitled to inspect (without charge) the record of delegations under Section 44(6) at the principal office of the Council during ordinary office hours.

Section 101 of the *Local Government Act 1999* provides that the Chief Executive Officer may delegate (or sub-delegate) a power or function vested or conferred in or on the Chief Executive Officer under the *Local Government Act 1999*. Section 101 sets out various other matters in relation to delegations (or sub-delegations) by the Chief Executive Officer.

A delegation by the Chief Executive Officer made under Section 101 of the *Local Government Act 1999* may be made to an employee of the Council, or to the employee for the time being occupying a particular office or position, a committee comprising employees of the Council, or an authorised person.

Delegations under the Development Act 1993 and Planning, Development and Infrastructure Act 2016

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 as relevant for this Act.

➤ **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**

One of the primary duties of the Governance & Risk Coordinator's (GRC) role is to review and update the council delegations. The GRC utilises a proprietary software package which imports updated Instruments from the Local Government Association. The GRC then liaises with the Chief Executive Officer and People Leaders to review the Instruments before making recommendations back to the Chief Executive Officer for ultimately Council's consideration. The costs for the GRC, the software and the Local Government Association (LGA) Membership are considered and allowed for in the Annual Business Plan process.

➤ **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 to provide more timely service.

➤ **Sustainability Implications**

There are no direct sustainability implications from this report.

➤ **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

External Agencies: Local Government Association

Community: Not Applicable

2. **BACKGROUND**

Legislation is constantly changing and a review is required to ensure Council and staff are working with the updated legislation and have the appropriate delegations to carry out the various legislative functions. Model Delegations are prepared by Norman Waterhouse Lawyers on behalf of the Local Government Association 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 over the course of the Council Term.

As a result of Council Members requesting a summarised understanding on updates, these are provided for in **Appendix 2**. However for completeness full Instruments are provided in **Attachment 3**, aligning to the required resolutions.

3. ANALYSIS

The following Acts and Regulations are being reviewed at this time:

- *Electricity (Principles of Vegetation Clearance) Regulations 2021*
- *Environment Protection Regulations 2009*
- *Fire and Emergency Services Act 2005*
- *Independent Commission Against Corruption Act 2012*
- *Instrument A–Instrument of Delegation under the Planning Development and Infrastructure Act 2016*
- *Instrument B–Instrument of Delegation under the Planning Development and Infrastructure Act 2016*
- *Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961*
- *Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961*
- *Local Government (General) Regulations 2013*
- *Local Government Act 1999*
- *Ombudsman Act 1972*
- *South Australia Public Health (Legionella) Regulations 2013*

There have been no changes to the other delegations in this review.

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.

Delegations under the *Local Government Act 1999*

The Council may delegate its statutory powers and functions pursuant to section 44 of the *Local Government Act 1999* and powers of delegation under other legislation.

An instrument of delegation providing for the delegation of powers and functions by the Council is attached to this report in **Appendix 3**.

If the Council resolves to grant the delegations provided for in the instrument of delegation, then delegations will come into operation on the day following the date of the Council resolution. If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then previous delegations of the powers and functions subject to the instrument of delegation will be revoked from the date on which the delegations in the attached instrument of delegation come into operation

Delegations under the *Development Act and Planning, Development and Infrastructure Act 2016*

The Council may delegate its statutory powers and functions pursuant to Section 100 of the *Planning, Development and Infrastructure Act 2016*.

An instrument of delegation providing for the delegation of powers and functions under the Development Act and Planning, Development and Infrastructure Act by the Council is attached to this report in **Appendix 3**.

If the Council resolves to grant the delegations provided for in the instrument of delegation, then delegations will come into operation on the day following the date of the Council resolution. If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then previous delegations of the powers and functions subject to the instrument of delegation will be revoked from the date on which the delegations in the attached instrument of delegation come into operation

Authorisations and sub-delegation under the Road Traffic Act 1961

The Minister for Transport and Infrastructure granted delegations to the Council under the Instrument of General Approval and Delegation (dated 22 August 2013) (General Approval).

The General Approval permits the Council to:

- (a) sub-delegate the powers under section 33(1) of the Road Traffic Act; and
- (b) authorise employees of the Council to exercise the powers under sections 17 and 20 of the Road Traffic Act.

An instrument of sub-delegation is attached to this report in **Appendix 3**.

The General Approval provides that any authorisations to employees of the Council must be made in writing and approved by the Chief Executive Officer on behalf of the Council. For this reason, the Chief Executive Officer will on behalf of the Council make these authorisations.

The General Approval includes various conditions which apply to the exercise of the Council's power to install, maintain, alter, operate or remove any traffic control device as follows:

- (a) a Traffic Impact Statement must be prepared by a person who the Council considers is an experienced traffic engineering practitioner;
- (b) the Traffic Impact Statement must be endorsed by a person authorised by the Council.

In addition, the General Approval requires all traffic control devices for the purpose of an event other than those specified in Clause A.8 to be installed in accordance with a Traffic Management Plan prepared by a person who in the opinion of the Council has an appropriate level of knowledge and expertise in the preparation of traffic management plans.

If the Council resolves to grant the delegations provided for in the instrument of delegation, then delegations will come into operation on the day following the date of the Council resolution. If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then previous delegations of the powers and functions subject to the instrument of delegation will be revoked from the date on which the delegations in the attached instrument of delegation come into operation.

4. OPTIONS

Council has the following options:

- I. To determine to 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 (Recommended).
- II. To determine not to delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices. (Not Recommended).

Should the Council wish to make substantial changes or not delegate the suggested powers and functions contained in the appendices, it is recommended the matter referred to staff 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) Delegations Review Schedule - **Appendix 1**
- (2) Delegation updates with changes highlighted - **Appendix 2**
- (3) Instruments of Delegation – **Appendix 3** (detailed in the table below)

Instrument of Delegation	Appendix Number
<i>Electricity (Principles of Vegetation Clearance) Regulations 2021</i>	Appendix 3
<i>Environment Protection Regulations 2009</i>	
<i>Fire and Emergency Services Act 2005</i>	
<i>Independent Commission Against Corruption Act 2012</i>	
<i>Instrument A–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>	
<i>Instrument B–Instrument of Delegation under the Planning Development and Infrastructure Act 2016</i>	
<i>Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961</i>	
<i>Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961</i>	
<i>Local Government (General) Regulations 2013</i>	
<i>Local Government Act 1999</i>	
<i>Ombudsman Act 1972</i>	
<i>South Australia Public Health (Legionella) Regulations 2013</i>	

Appendix 1

Delegations Review Schedule

Delegations Review Schedule

Legislation	Last Reviewed	Included in this Review 25 January 2022
Burial and Cremation Act 2013	27-Jan-21	NIL
Burial and Cremation Regulations 2014	25-May-21	NIL
Community Titles Act 1996	27-Jan-21	NIL
Cost of Living Concessions Act 1986	27-Jan-21	NIL
Crown Land Management Act 2009	27-Jan-21	NIL
Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019	27-Jan-21	NIL
Disability Inclusion Act 2018	23-Feb-21	NIL
Disability Inclusion Regulations 2019	23-Feb-21	NIL
Dog and Cat Management Act 1995	24-Aug-21	NIL
Dog and Cat Management Regulations 2017	24-Aug-21	NIL
Electricity (Principles of Vegetation Clearance) Regulations 2021	27-Jan-21	YES
Electricity Act 1996	27-Jan-21	NIL
Environment Protection (Air Quality) Policy 2016	24-Aug-21	NIL
Environment Protection (Noise) Policy 2007	24-Aug-21	NIL
Environment Protection (Used Packaging Materials) Policy 2012	24-Aug-21	NIL
Environment Protection (Waste to Resources) Policy 2010	24-Aug-21	NIL
Environment Protection Act 1993	24-Aug-21	NIL
Environment Protection Regulations 2009	24-Aug-21	YES
Expiation of Offences Act 1996	25-May-21	NIL
Fences Act 1974	24-Aug-21	NIL
Fines Enforcement and Debt Recovery Act 2017	23-Feb-21	NIL
Fire and Emergency Services Act 2005	24-Sep-19	YES
Fire and Emergency Services Regulations 2021	24-Sep-19	NIL
Food Act 2001	25-May-21	NIL
Food Regulations 2017	23-Mar-21	NIL
Freedom of Information (Fees and Charges) Regulations 2018	25-May-21	NIL
Freedom of Information Act 1991	25-May-21	NIL
Gas Act 1997	27-Jan-21	NIL
Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	27-Jan-21	NIL
Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	27-Jan-21	NIL
Independent Commissioner Against Corruption Act 2012	27-Jan-21	YES
Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961	24-Aug-21	NIL
Instrument of Delegation under the Electronic Conveyancing National Law (SA) Act 2013	24-Aug-21	NIL
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)	24-Aug-21	NIL
Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Power of a Council as a Relevant Authority	24-Aug-21	NIL
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	24-Aug-21	YES
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)	24-Aug-21	YES
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)	10/06/2020 CAP Meeting	Instrument by CAP
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)	7-Jul-21	Instrument by Assessment Manager following appointment by CEO
Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961	24-Aug-21	YES
Labour Hire Licensing Act 2017	27-Jan-21	NIL
Land and Business (Sale and Conveyancing) Act 1994	27-Jan-21	NIL
Landscape South Australia (General) Regulations 2020	27-Jan-21	NIL

Delegations Review Schedule

Legislation	Last Reviewed	Included in this Review 25 January 2022
Landscape South Australia (Water Management) Regulations 2020	27-Jan-21	NIL
Landscape South Australia Act 2019	27-Jan-21	NIL
Liquor Licensing Act 1997	24-Aug-21	NIL
Local Government (Building Upgrade Agreements) Regulations 2017	23-Mar-21	NIL
Local Government (Elections) Act 1999	27-Jan-21	NIL
Local Government (Financial Management) Regulations 2011	27-Jan-21	NIL
Local Government (Forestry Reserves) Act 1944	23-Mar-21	NIL
Local Government (General) Regulations 2013	27-Jan-21	YES
Local Government (Members Allowances and Benefits) Regulations 2010	27-Jan-21	NIL
Local Government (Procedures at Meetings) Regulations 2013	27-Jan-21	NIL
Local Government Act 1999	24-Aug-21	YES
Local Nuisance and Litter Control Act 2016	24-Aug-21	NIL
Local Nuisance and Litter Control Regulations 2017	24-Aug-21	NIL
Magistrates Court Rules 1992	23-Feb-21	NIL
Mining Act 1971	23-Mar-21	NIL
Mining Regulations 2020	23-Mar-21	NIL
Natural Resources Management Act 2004	24-Aug-21	NIL
Ombudsman Act 1972	23-Feb-21	YES
Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	24-Aug-21	NIL
Private Parking Areas Act 1986	27-Jan-21	NIL
Real Property Act 1886	24-Aug-21	NIL
Road Traffic (Miscellaneous) Regulations 2014	27-Jan-21	NIL
Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014	27-Jan-21	NIL
Road Traffic Act 1961	24-Aug-21	NIL
Roads (Opening and Closing) Act 1991	27-Jan-21	NIL
SA South Australian Public Health Act 2011 (Covid-19)	24-Aug-21	NIL
Safe Drinking Water Act 2011	24-Aug-21	NIL
Safe Drinking Water Regulations 2012	24-Aug-21	NIL
South Australian Public Health (General) Regulations 2013	24-Aug-21	NIL
South Australian Public Health (Legionella) Regulations 2013	24-Aug-21	YES
South Australian Public Health (Wastewater) Regulations 2013	24-Aug-21	NIL
South Australian Public Health Act 2011	24-Aug-21	NIL
State Records Act 1997	27-Jan-21	NIL
Strata Titles Act 1988	27-Jan-21	NIL
Supported Residential Facilities Act 1992	23-Apr-19	NIL
Supported Residential Facilities Regulations 2009	23-Mar-21	NIL
Unclaimed Goods Act 1987	24-Aug-21	NIL
Water Industry Act 2012	23-Feb-21	NIL
Water Industry Regulations 2012	24-Aug-21	NIL

Appendix 2

Delegation Updates with changes highlighted

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

ELECTRICITY (PRINCIPLES OF VEGETATION CLEARANCE) REGULATIONS 2021

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
396496	Electricity (Principles of Vegetation Clearance) Regulations 2010 2021	regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	_____	council
396497	Electricity (Principles of Vegetation Clearance) Regulations 2010 2021	regulation 4(2)	Inspect overhead powerlines and clear vegetation	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	_____	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Open Space (409), Arboriculture and Horticulture Officer (120)		
396498	Electricity (Principles of Vegetation Clearance) Regulations 2010 2021	regulation 4(4)	Seek approval of the technical <u>Technical</u> Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	_____	council
396499	Electricity (Principles of Vegetation Clearance)	regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	Chief Executive Officer (95), Director Infrastructure	_____	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	Regulations 20102021			and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)		
396500	Electricity (Principles of Vegetation Clearance) Regulations 20102021	regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)		council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
396501	Electricity (Principles of Vegetation Clearance) Regulations 2010 2021	regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	_____	council
396502	Electricity (Principles of Vegetation Clearance) Regulations 2010 2021	regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and	_____	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Horticulture Officer (120)		
396503	Electricity (Principles of Vegetation Clearance) Regulations 20102021	regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	_____	council
396504	Electricity (Principles of Vegetation Clearance) Regulations 20102021	regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	_____	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Open Space (409), Arboriculture and Horticulture Officer (120)		

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

ENVIRONMENT PROTECTION REGULATIONS 2009

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

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CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
396605	Environment Protection Regulations 2009	regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulation <u>regulations 71 and 71(2)</u> in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulations 75(2)(b)	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93)		council

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

FIRE AND EMERGENCY SERVICES ACT 2005

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

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CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
396649	Fire and Emergency Services 2005	section 105B(1)	Appoint a fire prevention officer by a rural council <u>or a council</u> with a designated urban bushfire risk area	Chief Executive Officer (95), Director Development and Regulatory Services (70)		council

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 2012

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
573877	Independent Commission Against Corruption Act 2012	section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration			public authority
573879	Independent Commission Against Corruption Act 2012	section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption			public authority
573880	Independent Commission Against Corruption Act 2012	section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter			public authority
573881	Independent Commission Against Corruption	Clause 9(6), Schedule 4	Act on a referral of the inspector			public authority

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	Act 2012					

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
396818	Independent Commissioner Commission Against Corruption Act 2012	section 20(3)18B(4) (a)	Report to the Office for Public Integrity in accordance with the directions issued under section 20(4)18B of the Independent Commissioner Against Corruption Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Organisational Development (310)		
396819	Independent Commissioner Commission Against Corruption Act 2012	section 20(3) 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption misconduct or maladministration in public administration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Manager Organisational Development (310)		
396820	Independent Commissioner Commission Against Corruption Act 2012	section 2318E(3)(a)	Produce a written statement of information about a specified matter document or answer document relating to specified questions matter within a specified period and in a specified form and, if the Office for Public Integrity requires, verify the statement by statutory declaration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114),		public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Executive Manager Organisational Development (310)		
396821	Independent Commissioner Commission Against Corruption Act 2012	section 24(218F(1)(b))	Act on a referral from the Independent Office Commissioner for Against Public Corruption Integrity	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations		public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				(114), Executive Manager Organisational Development (310)		
396823	Independent Commissioner Commission Against Corruption Act 2012	section 34(1)	Undertake a joint investigation with the Independent Commissioner Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Operations (114), Executive Manager Organisational Development (310)		
396824	Independent CommissionerCommission Against Corruption Act 2012	section 34(3)	Provide comments to the Independent Commissioner Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commissioner Commission Against Corruption Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				and Operations (114), Executive Manager Organisational Development (310)		
396825	Independent CommissionerCommission Against Corruption Act 2012	section 36(1)(b)	Act on a referral from the Independent Commissioner Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396826	Independent Commissioner Commission Against Corruption Act 2012	section 36(4)	Comply with direction or guidance given by the Independent Commissioner Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70),	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396827	Independent CommissionerCommission Against Corruption Act 2012	section 36(8)	Provide comments to the Independent Commissioner Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory		public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396831	Independent CommissionerCommission Against Corruption Act 2012	section 40(2)	Assist the Independent Commissioner Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396833	Independent Commissioner Commission Against Corruption Act 2012	section 40 41 (4)	Provide comments to the Independent Commissioner Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development	_____	public authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396834	Independent Commissioner Commission Against Corruption Act 2012	section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commissioner Commission Against Corruption Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director	_____	public authority

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
573878	Independent Commission Against Corruption Act 2012	section 18E(3)(b)	<p>Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration</p> <p>*** This has been deleted because it is a duplicated provision.</p>			public authority
396828	Independent Commission Against Corruption Act 2012	section 38(1)	Provide views to the Independent Commissioner Against Corruption or Office for Public Integrity on proposed referral of a matter raising a potential issue of misconduct or maladministration in public administration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director	NIL	public authority

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396829	Independent Commission Against Corruption Act 2012	section 38(2)	Comply with direction or guidance given by the Independent Commissioner Against Corruption of office for Public Integrity	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity	NIL	public authority

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				(350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
396830	Independent Commission Against Corruption Act 2012	section 38(7a)	Provide comments to the Independent Commissioner Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	public authority
396835	Independent Commission	clause 3(3), Schedule 4	Act on a referral of a reviewer	Chief Executive		public authority

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	Against Corruption Act 2012			Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

INSTRUMENT A – INSTRUMENT OF DELEGATION UNDER THE PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT 2016_UPDATES

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
573558	Planning, Development and Infrastructure (General) Regulations 2017	r89(8)	60.General Provisions 60.4The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7).		

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
385206	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1)	<p>8772. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act</p> <p>8772.1 The power pursuant to clauseclauses 7(1) and (2) of PD-2PD2 to provide lodge a proposal to the Commission Proposal to initiate awith the codethe amendment Department via the SA Planning Portal that sets out:</p> <p>8772.1.1 Scope – an explanation of the reasons for the preparation of the amendment and a description of the changes in circumstance leading the need for the amendment and the range of issues to be addressed in the amendment;</p> <p>8772.1.2 Code Modules Policy – an outline of:</p> <p>72.1.1.1 any overlay, general policy, zone or subzones in the Code being consideredproposed for amendment; and/or</p> <p>72.1.1.2 the intended spatial application of an overlay, general policy, zone or subzone in the Code over an identified area, or draft instructions for the proposed amendments;</p> <p>87</p> <p>72.1.3 Area 2 Affected -Area</p> <p>72.1.2.1 A map or description of the areaAffected affected by the proposed amendmentArea;</p> <p>87</p> <p>72.1.4 State Planning Policies – an</p> <p>72.1.3.1 identification of the relevant key principles state or planning objectives policies of the State Planning Policies and a statement of an assessment of the amendmentproposed Code Amendment's consistency alignment with those policiesState Planning Policies;</p> <p>87</p> <p>72.1.5 Regional Plans Plan</p> <p>72.1.4.1 Identification An indication relevant regional plans and assessment of how the matters or issues proposed to be addressed by the amendmentproposed Code Amendment will relate to the relevant regional plan;</p> <p>72.1.5 Consultation -</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>72.1.5.1 matters raised by the relevant Council and/or a relevant Joint Planning Board on the Proposal to Initiate; 72.1.5.2 information regarding any relevant consultation infrastructure that planning has already occurred with respect to the proposed Code Amendment; 87 72.1.5.3.2 details of further consultation proposed to be undertaken with respect to the proposed code Amendment; 72.1.6 Infrastructure Provision Investigations - 87 72.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment 72.1.6.2 an explanation outline of the further investigations that will be undertaken to support the proposed Code Amendment; 72.1.6.3 details of any infrastructure provision required that to support required development arising through proposed Code Amendment and how the infrastructure provision will be provided; and 87 72.1.6.2.4 and details indication of whether it is likely that any infrastructure agreement (or agreements) or agreements infrastructure scheme which will need to be established or entered into in connection with the code proposed amendment Code process, identifying the tools that will be used for this process; 87 Amendment 72.1.7 Joint Timetable 72.1.7.1 Planning and Board outline Comments of the proposed timetable for each step of the Code Amendment process (ensuring that the Council process has been completed discussed within reasonable time limits), and a commitment from the proposal Proponent with (where it is also the relevant Designated Regional Planning Board; 87 72.1.8 Consultation – information regarding any other consultation Entity that has occurred; 87 72.1.9 will in take relation steps to designating a place as a place of local heritage value or a heritage area – a heritage review prepared by a heritage architect or historian or similar occupation in accordance with update the</p>		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>Commission's timetable guidelines and prepared seek under approval Section 67(2)(c) of from the PDI Department Act;</p> <p>8772.1.10 if in relation appear to that designating time frames a will tree a significant tree – an assessment of the tree against the criteria under Section 68(1)(a) of the PDI Act;</p> <p>8772.1.11 in relation to designating a stand of trees to not be significant trees – an assessment of the trees against the criteria under Section 68(1)(b) of the PDI Act met.</p>		

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

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

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
309317	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	<p>19.Verification of Application</p> <p>19.1The 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>19.1.4if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>19.1.4.1check that the appropriate documents and information have been lodged with the application; and</p> <p>19.1.4.2confirm the <u>prescribed</u> fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and</p> <p>19.1.4.3provide an appropriate notice via the SA planning portal; and</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building</p>	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Officer (73), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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),	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Building Officer (463)	
309338	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	<p>3432. Calculation or Assessment of Fees</p> <p>3432.1 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>3432.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate <u>anya prescribed</u> fee payable under the Fees Regulations or a related set of regulations; and</p> <p>3432.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations <u>or a fee notice</u> (even if the Council is not a relevant authority).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
309339	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	<p>3432. Calculation or Assessment of Fees</p> <p>3432.2 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 <u>any prescribed</u> fee on the basis of estimates made by the delegate.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Duty Planner (265a), Duty Planner (265b), Manager	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				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), Building Officer (463)	

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

INSTRUMENT OF SUB-DELEGATION FOR THE PURPOSES OF THE INSTRUMENT OF GENERAL APPROVAL AND DELEGATION (DATED 22 AUGUST 2013) UNDER THE ROAD TRAFFIC ACT 1961

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
514100	Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure	s33(1)	<p>2.Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:</p> <p>(a)that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and</p> <p>(b)that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules:</p> <p>(i)rule 221: using hazard warning lights;</p> <p>(ii)rule 230: crossing a road – general;</p> <p>(iii)rule 231 crossing a road at pedestrian lights;</p> <p>(iv)rule 232: crossing a road at traffic lights;</p> <p>(v)rule 234: crossing a road on or near a crossing for pedestrians;</p> <p>(vi)rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);</p> <p>(vii)rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);</p> <p>(viii)rule 250: riding on a footpath or shared path;</p> <p>(ix)rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(x)rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xi)rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xii)rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)</p>	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409);	3.The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions: (a)the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			(xiii)rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and (xiv)rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).		

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
396941	Local Government (General) Regulations 2013	regulation 25C(3)	Publish a copy of the council's location rules on the council's website	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310)	NIL	council

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

LOCAL GOVERNMENT ACT 1999

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
574099	Local Government Act 1999	section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council			council
574100	Local Government Act 1999	section 90A(1)	Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be involved in for the purposes of providing information or a briefing			council
574101	Local Government Act 1999	section 90A(4)	Order that an information or briefing session be closed to the public			council
574102	Local Government Act 1999	section 90A(5)	If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5)			council
574103	Local Government Act 1999	section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information			council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
574104	Local Government Act 1999	section 131A(1)	Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister			council
574105	Local Government Act 1999	section 224(2)	Comply with any requirements prescribed by the regulations in relation to attaching conditions under section 224(1) of the Local Government Act			council

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
397023	Local Government Act 1999	section 50(1)	Prepare and adopt a public consultation policy	Chief Executive Officer (95)	_____	council
397107	Local Government Act 1999	section 131(5)	Submit a copy of the annual report to each the Presiding persons member of a House of Parliament and any person <u>bodies</u> prescribed by regulation	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Corporate Planning & Performance Coordinator (413)	_____	council
397118	Local Government Act 1999	section 137	Expend funds in the performance or discharge of the council's powers, functions or duties in accordance with the Local Government Act or <u>other Acts</u>	Chief Executive Officer (95), Director Corporate	_____	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Services (41), Management Accountant (48), Manager Financial Services (214), Team Leader Financial Accounting (482)		
397203	Local Government Act 1999	section 184(3)	Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee, <u>the holder of any caveat over the land</u> and, if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team	<hr/>	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Leader Financial Accounting (482)		
397317	Local Government Act 1999	section 225(1)(b)	Cancel an authorisation or permit	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager		council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Property Services (394), Property Officer (113), Roads Officer (416)		
397337	Local Government Act 1999	section 234A(6)	<u>Publish Give a public copy notice</u> of a resolution under section 234A(1) or 234A(2) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger	_____	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				(333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
397412	Local Government Act 1999	section 276(5)(f)	Product Produce or delver deliver books, voting-paper or documents in accordance with an order of the District Court	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	_____	council

DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
397312	Local Government Act 1999	section 222(1a)	Grant a permit authorising the use of a public road by a mobile food vending business	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services	NIL	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				(394), Property Officer (113), Roads Officer (416)		
397316	Local Government Act 1999	section 225(1)(a)	Cancel a permit for the purpose of a mobile food vending business	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104),	NIL	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Manager Property Services (394), Property Officer (113), Roads Officer (416)		
397321	Local Government Act 1999	section 225A(1)	Prepare and adopt location rules in respect of mobile food vending businesses	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical	_____ NIL	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
397322	Local Government Act 1999	section 225A(4)	Amend location rules in respect of mobile food vending businesses	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks	NIL	council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
397323	Local Government Act 1999	section 225A(5)(a)	Consider amending location rules in respect of mobile food vending businesses in accordance with a recommendation of the Small Business Commissioner	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager	NIL	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
397324	Local Government Act 1999	section 225A(5)(b)	Provide written reasons to the Small Business Commissioner for resolving not to amend the location rules in accordance with the Commissioner's recommendation	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114),	NIL	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
397325	Local Government Act 1999	section 225A(8)	Comply with a direction of the Small Business Commissioner to amend the location rules for mobile food vending businesses	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure	NIL	council

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

OMBUDSMAN ACT 1972

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
574412	Ombudsman Act 1972	section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration			public authority
574413	Ombudsman Act 1972	section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration			public authority
574414	Ombudsman Act 1972	section 12H(1)(b)	Act on a referral from the Ombudsman			public authority
574415	Ombudsman Act 1972	section 12H(2)(a)	Produce a specified document or a document relating to a specified matter			public authority
574416	Ombudsman Act 1972	section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration			public authority

Adelaide Hills Council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
574417	Ombudsman Act 1972	section 18(4)	To comment on the subject matter of a report			public authority
574418	Ombudsman Act 1972	section 25(2)	Act in accordance with a recommendation of the Ombudsman			public authority
574419	Ombudsman Act 1972	section 28AA(1)	Comply with directions of the Ombudsman			public authority
574420	Ombudsman Act 1972	section 28AA(2)	Comply with varied or further directions of the Ombudsman			public authority
574421	Ombudsman Act 1972	section 28AA(3)	Provide comments to the Ombudsman			public authority
574422	Ombudsman Act 1972	section 29(8)	Act on a referral of the inspector			public authority
574423	Ombudsman Act 1972	section 31(1)(b)	Receive and use evidence or information for the purposes of any disciplinary investigation or action			public authority

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

SOUTH AUSTRALIA PUBLIC HEALTH (LEGIONELLA) REGULATIONS 2013

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

12 JANUARY 2022

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
397766	South Australia Public Health (Legionella) Regulations 2013	regulation 15(1)(b)	Arrange for a NATA accredited laboratory to carry out conduct microbiological testing from of water taken from each cooling water and each warm water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)		relevant authority

Appendix 3

Instruments of Delegation



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE
ELECTRICITY (PRINCIPLES OF VEGETATION
CLEARANCE) REGULATIONS 2021

25 JANUARY 2022

Delegation Sources

- Electricity (Principles of Vegetation Clearance) Regulations 2021

Positions

Abbreviation	Position
Arboriculture and Horticulture Officer (120)	Arboriculture and Horticulture Officer (120)
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Manager Open Space (409)	Manager Open Space (409)

Instrument of Delegation under the Electricity (Principles of Vegetation Clearance) Regulations 2021

Electricity (Principles of Vegetation Clearance) Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council
regulation 4(2)	Inspect overhead powerlines and clear vegetation	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council
regulation 4(4)	Seek approval of the Technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council

Electricity (Principles of Vegetation Clearance) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council
regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council
regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council
regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	Nil	council

Electricity (Principles of Vegetation Clearance) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Open Space (409), Arboriculture and Horticulture Officer (120)		
regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council
regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Arboriculture and Horticulture Officer (120)	Nil	council



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE
ENVIRONMENT PROTECTION REGULATIONS 2009

25 JANUARY 2022

Delegation Sources

- Environment Protection Regulations 2009

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Manager Sustainability Waste & Emergency Management (93)	Manager Sustainability Waste & Emergency Management (93)

Instrument of Delegation under the Environment Protection Regulations 2009

Environment Protection Regulations 2009				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulations 71 and 71(2) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulations 75(2)(b)	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93)	NIL	council



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE FIRE AND
EMERGENCY SERVICES ACT 2005

25 JANUARY 2022

Delegation Sources

- Fire and Emergency Services Act 2005
- Fire and Emergency Services 2005

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Manager Sustainability Waste & Emergency Management (93)	Manager Sustainability Waste & Emergency Management (93)
Ranger (333)	Ranger (333)
Ranger (357)	Ranger (357)
Ranger (358)	Ranger (358)
Ranger (99)	Ranger (99)
Team Leader Regulatory Services (196)	Team Leader Regulatory Services (196)

Instrument of Delegation under the Fire and Emergency Services Act 2005

Fire and Emergency Services Act 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Chief Executive Officer (95)	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93)	NIL	
section 71C	Enter an arrangement with the State Bushfire Coordination	Chief Executive Officer (95),		

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Committee for the use of council staff, equipment or facilities	Manager Sustainability Waste & Emergency Management (93)	NIL	
section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities	Chief Executive Officer (95), Manager Sustainability Waste & Emergency Management (93)	NIL	
section 73A(7)(b)(iv)	Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area plan which includes the council area	Chief Executive Officer (95), Manager Sustainability Waste & Emergency Management (93)	NIL	
section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (SACFS Chief Officer) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Chief Executive Officer (95)	NIL	
section 87(1)	Require a person to remove flammable debris on or in the	Chief Executive Officer (95),		

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	vicinity of, a road as a result of work carried on by that person	Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 87(2)(a)	Burn or remove flammable debris left on road in contravention of a requirement under section 87(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 87(2)(b)	Recover costs of burning or removing flammable debris left on road in contravention of a requirement under section 87(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 94(3)	Participate in consultation with the (SACFS Chief Officer) SACFS Chief Officer with respect to a proposed withdrawal of council functions and powers	Chief Executive Officer (95)	NIL	
section 94(4)(a)	Make a written submission to the Minister in relation to a recommendation of the SASES Chief Officer to withdraw council function and powers	Chief Executive Officer (95)	NIL	
section 94(4)(b)	Request and undertake a delegation to the Minister to discuss a recommendation of the SASES Chief Officer to withdraw council function and powers	Chief Executive Officer (95)	NIL	
section 94(6)	Receive written reasons for a decision of the Minister to withdraw the powers and functions of the council	Chief Executive Officer (95)	NIL	
section 103(1)	Request the SASES Chief Officer to appoint a person as a fire control officer	Chief Executive Officer (95)	NIL	
section	Participate in consultation with the SASES Chief Officer	Chief Executive Officer (95)		

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
103(2)	regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area		NIL	
section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council	Chief Executive Officer (95)	NIL	
section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	
section 105B(1)	Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	council
section 105B(4)	Apply to SASES Chief Officer for an exemption from requirement to appoint a fire prevention officer	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105D(1)(c)	Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	
section 105D(4)	Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	
section 105E	Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for the council area to the SAFES Commission, the State Bushfire Coordination Committee or a bushfire management committee for the council area	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Team Leader Regulatory Services (196)	NIL	
section 105F(5)	Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357),	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	default or protect the land or property	Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
section 105F(9)(c)	Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105F(10)	Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section	Take reasonable steps in regard to land under the care, control or management of the council which is situated in the	Chief Executive Officer (95), Director Development and		

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
105G(1)	country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land	Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105G(5)	Participate in consultation with the Minister regarding a referral from the SASES Chief Officer alleging a failure of the council to comply with section 105G(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	
section 105G(6)	Receive notice of requirements from the Minister	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	
section 105G(7)	Comply with requirements of a notice issued to the council by the Minister under section 105G(6)	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL	
section 105J(1)(a)	Give notice of intended entry of land to the owner of land	Chief Executive Officer (95), Director Development and Regulatory Services (70),	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
section 105J(1)(b)	Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105J(3)	Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105J(4)(a)	Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105J(4)(b)	Take photographs, films, audio, video or other recordings	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105J(4)(a)	Give directions reasonably required in connection with the exercise of a power under Part 4A	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (196)		
section 105J(5)	Select assistants to accompany authorised person in exercise of power under Part 4A	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105J(6)	Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 105J(7)	Carry out requirements of a notice under section 105F(5) on behalf of an authorised person if the owner of land fails to comply	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357),	NIL	

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	
section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93)	NIL	



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE
INDEPENDENT COMMISSION AGAINST CORRUPTION
ACT 2012

25 JANUARY 2022

Delegation Sources

- Independent Commission Against Corruption Act 2012

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Community Capacity (350)	Director Community Capacity (350)
Director Corporate Services (41)	Director Corporate Services (41)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Executive Manager Governance and Performance (349)	Executive Manager Governance and Performance (349)
Executive Manager Organisational Development (310)	Executive Manager Organisational Development (310)

Instrument of Delegation under the Independent Commission Against Corruption Act 2012

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 18E(3)(a)	Produce a specified document or document relating to specified matter	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 18F(1)(b)	Act on a referral from the Office for Public Integrity	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 36(8)	Provide comments to the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 41(4)	Provide comments to the Independent Commission Against Corruption	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		
section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
Clause 9(6), Schedule 4	Act on a referral of the inspector	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	public authority

Independent Commission Against Corruption Act 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310)		



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

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

25 JANUARY 2022

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended

Delegation Sources

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

Positions

Abbreviation	Position
Administration Building Support Officer (418)	Administration Building Support Officer (418)
Administration Support Officer (369)	Administration Support Officer (369)
Administration Support Officer (76)	Administration Support Officer (76)
Assessment Manager (72)	Assessment Manager (72)
Building Fire Safety Committee	Building Fire Safety Committee
Building Officer (380)	Building Officer (380)
Building Officer (453)	Building Officer (453)
Building Officer (463)	Building Officer (463)
Building Officer (73)	Building Officer (73)
CAP (Council's Assessment Panel)	CAP (Council's Assessment Panel)
Chief Executive Officer (95)	Chief Executive Officer (95)

Abbreviation	Position
Coordinator Civil Projects (109)	Coordinator Civil Projects (109)
Development Compliance Officer (211)	Development Compliance Officer (211)
Director Corporate Services (41)	Director Corporate Services (41)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Duty Planner (265a)	Duty Planner (265a)
Duty Planner (265b)	Duty Planner (265b)
Elected Body	Elected Body
Manager Civil Services (402)	Manager Civil Services (402)
Manager Development Services (72)	Manager Development Services (72)
Manager Financial Services (214)	Manager Financial Services (214)
Manager Property Services (394)	Manager Property Services (394)
Senior Civil Engineer (184)	Senior Civil Engineer (184)
Senior Statutory Planner (80)	Senior Statutory Planner (80)
Senior Strategic and Policy Planner (200)	Senior Strategic and Policy Planner (200)
Statutory Planner (195)	Statutory Planner (195)

Abbreviation	Position
Statutory Planner (215)	Statutory Planner (215)
Statutory Planner (230)	Statutory Planner (230)
Statutory Planner (462)	Statutory Planner (462)
Statutory Planner (82)	Statutory Planner (82)
Statutory Planning Cadet (355)	Statutory Planning Cadet (355)
Team Leader Administration (77)	Team Leader Administration (77)
Team Leader Building Services (286)	Team Leader Building Services (286)
Team Leader Financial Accounting (482)	Team Leader Financial Accounting (482)
Team Leader Statutory Planning (326)	Team Leader Statutory Planning (326)
Technical Officer (104)	Technical Officer (104)

Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(b)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)</p>	<p>NIL</p>
s22(4)(a)(i)	<p>2. Functions</p> <p>2.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Section 22(1)(e) of the PDI Act make submissions or representations.		
s35(1)(a)	<p>3. Planning Agreements</p> <p>3.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.</p>	Chief Executive Officer (95)	In consultation with the Council & Assessment Manager
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</p>	Chief Executive Officer (95)	In consultation with the Council & Assessment Manager
s35(3)	3. Planning Agreements	Chief Executive Officer (95)	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>3.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>3.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>3.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>3.2.2.4 the terms of office of members; and</p> <p>3.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 3.2.2.6 the appointment of deputy members; and</p> <p>3.2.2.7 the procedures of the board; and</p>		<p>In consultation with the Council & Assessment Manager</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and</p>	Chief Executive Officer (95)	In consultation with the Council & Assessment Manager
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.4 the staffing and other support issues associated with the operations of the joint planning board; and</p>	Chief Executive Officer (95)	In consultation with the Council & Assessment Manager
s35(3)	3. Planning Agreements	Chief Executive Officer (95)	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.5 financial and resource issues associated with the operations of the joint planning board, including:</p> <p>3.2.5.1 the formulation and implementation of budgets; and</p> <p>3.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and</p>		<p>In consultation with the Council & Assessment Manager</p>
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.6 such other matters as the delegate thinks fit.</p>	Chief Executive Officer (95)	<p>In consultation with the Council & Assessment Manager</p>
s35(5)(a)	3. Planning Agreements	Chief Executive Officer (95)	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).		In consultation with the Council & Assessment Manager
s35(5)(b)	3. Planning Agreements 3.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	Chief Executive Officer (95)	In consultation with the Council & Assessment Manager
s44(6)(a)	4. Community Engagement Charter 4.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)	In consultation with Council & Assessment Manager.
s44(9)(b)	4. Community Engagement Charter 4.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not	Chief Executive Officer (95), Director Development and Regulatory Services	In consultation with Council & Assessment Manager.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.	(70), Senior Strategic and Policy Planner (200)	
s44(10)	<p>4. Community Engagement Charter</p> <p>4.3 The power pursuant to Section 44(10) of the PDI Act to:</p> <p>4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and</p> <p>4.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)	In consultation with Council & Assessment Manager.
s45(2)(c)	<p>5. Preparation and Amendment of Charter</p> <p>5.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	In consultation with Council & Assessment Manager.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s73(6)	<p>6. Preparation and Amendment</p> <p>6.1 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:</p> <p>6.1.1 to prepare a draft of the relevant proposal; and</p> <p>6.1.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>6.1.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and</p> <p>6.1.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>9.2.1 - In consultation with Council & Assessment Manager & Team Leader Statutory Planning</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:</p> <p>6.1.4.1 an owner or occupier of the land; and</p> <p>6.1.4.2 an owner or occupier of each piece of adjacent land,</p> <p>a notice in accordance with the regulations; and</p> <p>6.1.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and</p> <p>6.1.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>6.1.7 to comply with any requirement prescribed by the regulations.</p>		
s73(8)	<p>6. Preparation and Amendment</p> <p>6.2 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72),</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.	Senior Strategic and Policy Planner (200)	
s73(9)	<p>6. Preparation and Amendment</p> <p>6.3 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	In consultation with Council.
s74(8)(c)	<p>7. Parliamentary Scrutiny</p> <p>7.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	In consultation with the Assessment Manager.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s75(3)	<p>8. Complying Changes – Planning and Design Code</p> <p>8.1 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Senior Strategic and Policy Planner (200)	In consultation with Council, Assessment Manager and Team Leader Statutory Planning.
s82(d)	<p>9. Entities Constituting Relevant Authorities</p> <p>9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.</p>	Elected Body	NIL
s83(1)	<p>10. Panels Established by Joint Planning Boards or Councils</p> <p>10.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:</p> <p>10.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;</p>	Elected Body	In consultation with the CEO, Director Development & Regulatory Services & Assessment Manager

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>10.1.2 determine:</p> <p>10.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and</p> <p>10.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>10.1.2.3 the terms of office of members; and</p> <p>10.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and</p> <p>10.1.2.5 the appointment of deputy members; and</p>		

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	10.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.		
s83(1)(h)	<p>10. Panels Established by Joint Planning Boards or Councils</p> <p>10.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	In consultation with Director Development & Regulatory Services.
s83(1)(i)	<p>10. Panels Established by Joint Planning Boards or Councils</p> <p>10.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	In Consultation with Director Development & Regulatory Services & Assessment Manager

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s83(2)	<p>10. Panels Established by Joint Planning Boards or Councils</p> <p>10.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70)	In Consultation with the Assessment Manager
s86(2)(a)	<p>11. Substitution of Local Panels</p> <p>11.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	In consultation with Council & with Director Development & Regulatory Services.
s89(b)	<p>12. Notification of Acting</p> <p>12.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)(c)(iv)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.</p>	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL
s102(1)(d)(iv)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.</p>	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL
s102(11)(b)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and</p>	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72),	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	management of the Council when the relevant development is undertaken.	Manager Property Services (394), Manager Development Services (72)	
s110(2)(b)	<p>14. Restricted Development</p> <p>14.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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)	NIL
s110(c)(ii)	<p>14. Restricted Development</p> <p>14.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	
s110(7)	14. Restricted Development 14.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
s112(b)	15. Level of Detail 15.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
s130(6)	16. Essential Infrastructure – Alternative Assessment Process	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72),	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	Manager Development Services (72), Team Leader Statutory Planning (326)	
s130(14)	<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 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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
s131(7)	<p>17. Development Assessment – Crown Development</p> <p>17.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	
s131(15)	<p>17. Development Assessment – Crown Development</p> <p>17.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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)	NIL
s138(1)	<p>18. Land Division Certificate</p> <p>18.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s138(2)	<p>18. Land Division Certificate</p> <p>18.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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>	NIL
s141(1)	<p>19. Action if Development Not Completed</p> <p>19.1 The power pursuant to Section 141(1) of the PDI Act, if:</p> <p>19.1.1 an approval is granted under the PDI Act; but</p> <p>19.1.2 -</p> <p>19.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	19.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval, to apply to the Court for an order under Section 141 of the PDI Act.		
s141(5)	19. Action if Development Not Completed 19.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s141(6)	19. Action if Development Not Completed	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>19.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act:</p> <p>19.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>		
s142(1)	<p>20. Completion of Work</p> <p>20.1 The power pursuant to Section 142(1) of the PDI Act, if:</p> <p>20.1.1 an approval is granted under the PDI Act; but</p> <p>20.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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), Building Officer (463)</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s142(2)	<p>20. Completion of Work</p> <p>20.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s142(3)	<p>20. Completion of Work</p> <p>20.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.</p>	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Financial Services (214), Manager Development Services (72), Team Leader Financial Accounting (482)	NIL
s142(4)	<p>20. Completion of Work</p> <p>20.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act:</p>	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Financial Services (214),	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	20.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	Manager Development Services (72), Team Leader Financial Accounting (482)	
s146(3)	<p>21. Notification During Building</p> <p>21.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s151(2)	<p>22. Classification of Buildings</p> <p>22.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s151(3)	<p>22. Classification of Buildings</p> <p>22.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
s152(2)	<p>23. Certificates of Occupancy</p> <p>23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
s152(3)(a)	<p>23. Certificates of Occupancy</p> <p>23.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team</p>	<p>NIL</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Leader Building Services (286), Building Officer (463)	
s152(3)(c)	<p>23. Certificates of Occupancy</p> <p>23.3 The power pursuant to Section 152(3)(c) of the PDI Act to determine the appropriate fee.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	NIL
s152(5)	<p>23. Certificates of Occupancy</p> <p>23.4 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team</p>	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Leader Building Services (286), Building Officer (463)	
s152(6)	<p>23. Certificates of Occupancy</p> <p>23.5 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s152(10)	<p>23. Certificates of Occupancy</p> <p>23.6 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:</p> <p>23.6.1 the refusal; and</p> <p>23.6.2 the reasons for the refusal; and</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	Delegate report to be countersigned by either the Director Development & Regulatory Services or Assessment Manager prior to the decision being issued.

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	23.6.3 the applicant's right of appeal under the PDI Act.		
s152(12)	23. Certificates of Occupancy 23.7 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s152(13)	23. Certificates of Occupancy 23.8 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s153(1)	24. Temporary Occupation	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453),	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	24.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.	Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	
s153(2)	24. Temporary Occupation 24.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s153(3)	24. Temporary Occupation 24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 24.3.1 the refusal; and 24.3.2 the reasons for the refusal; and	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	24.3.3 the applicant's right of appeal under the PDI Act.		
s155(5)	<p>25. Emergency Orders</p> <p>25.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Building Services (286)	NIL
s155(6)	<p>25. Emergency Orders</p> <p>25.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Building Services (286)	NIL
s155(7)	<p>25. Emergency Orders</p> <p>25.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Building Services (286)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s157(16)	<p>26. Fire Safety</p> <p>26.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s157(17)	<p>26. Fire Safety</p> <p>26.2 The power pursuant to Section 157(17) of the PDI Act to:</p> <p>26.2.1 appoint to the appropriate authority:</p> <p>26.2.1.1 a person who holds prescribed qualifications in building surveying; and</p> <p>26.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	fire authority to participate as a member of the appropriate authority; and 26.2.1.3 a person with expertise in the area of fire safety; and 26.2.1.4 if so determined by the delegate, a person selected by the delegate;		
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	<hr/> NIL
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to:	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	<hr/> NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	26.2.3 remove a member of the appropriate authority from office for any reasonable cause;		
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.4 appoint deputy members;	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.5 determine the appropriate authority's procedures (including as to quorum).	Chief Executive Officer (95), Assessment Manager (72), Building Fire Safety Committee, Manager Development Services (72)	NIL
s166(1)(c)	27. Consideration of Proposed Scheme 27.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Assessment Manager	In consultation with Director Infrastructure & Operations

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	scheme in accordance with the Community Engagement Charter.	(72), Manager Development Services (72)	
s169(2)(b)	<p>28. Funding Arrangements</p> <p>28.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s169(9)	<p>28. Funding Arrangements</p> <p>28.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s180(7)	29. Imposition of Charge by Councils	Chief Executive Officer (95), Director Corporate Services (41), Assessment	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	29.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.	Manager (72), Manager Financial Services (214), Manager Development Services (72), Team Leader Financial Accounting (482)	NIL
s187(1)	30. Authorised Works 30.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.	Chief Executive Officer (95), Director Infrastructure and Operations (114), Assessment Manager (72), Manager Development Services (72)	NIL
s187(5)	30. Authorised Works 30.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Projects (109), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>30.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and</p> <p>30.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and</p> <p>30.2.3 ensure that proper consideration is given to the views of the road maintenance authority.</p>		
s187(5)(b)	<p>30. Authorised Works</p> <p>30.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.</p>	<p>Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Projects (109), Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104), Assessment Manager (72), Manager Development Services (72)</p>	NIL
s187(6)	<p>30. Authorised Works</p> <p>30.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5)</p>	<p>Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Projects (109),</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	of the PDI Act to such extent as is practicable in the circumstances.	Manager Civil Services (402), Senior Civil Engineer (184), Technical Officer (104), Assessment Manager (72), Manager Development Services (72)	
s188(1)	<p>31. Entry onto Land</p> <p>31.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:</p> <p>31.1.1 enter and pass over any land; and</p> <p>31.1.2 bring onto any land any vehicles, plant or equipment; and</p> <p>31.1.3 temporarily occupy land; and</p> <p>31.1.4 do anything else reasonably required in connection with the exercise of the power.</p>	Chief Executive Officer (95), Director Infrastructure and Operations (114), Assessment Manager (72), Manager Development Services (72)	NIL
s188(4)	31. Entry onto Land	Chief Executive Officer (95), Director Infrastructure and Operations (114),	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	31.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.	Assessment Manager (72), Manager Development Services (72)	NIL
s192(1)	32. Land Management Agreements 32.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.
s192(2)	32. Land Management Agreements 32.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.
s192(4)	32. Land Management Agreements	Chief Executive Officer (95), Director Development and Regulatory Services	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>32.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:</p> <p>32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and</p> <p>32.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.</p>	(70), Assessment Manager (72), Manager Development Services (72)	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.
s192(5)	<p>32. Land Management Agreements</p> <p>32.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s192(8)	<p>32. Land Management Agreements</p> <p>32.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s192(9)	<p>32. Land Management Agreements</p> <p>32.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s192(10)	<p>32. Land Management Agreements</p> <p>32.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s192(11)	<p>32. Land Management Agreements</p> <p>32.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s192(12)	<p>32. Land Management Agreements</p> <p>32.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
s192(15)	<p>32. Land Management Agreements</p> <p>32.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	enter a note of the rescission or amendment against the instrument of title, or against the land.		
s192(16)	32. Land Management Agreements 32.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s192(17)	32. Land Management Agreements 32.12 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s192(18)	32. Land Management Agreements 32.13 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	application for a development authorisation under the PDI Act.	(195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	
s193(1)	<p>33. Land Management Agreements – Development Applications</p> <p>33.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:</p> <p>33.1.1 the person; and</p> <p>33.1.2 any other person who has the benefit of the development authorisation; and</p> <p>33.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s193(2)	<p>33. Land Management Agreements – Development Applications</p> <p>33.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council.
s193(3)	<p>33. Land Management Agreements – Development Applications</p> <p>33.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:</p> <p>33.3.1 the provisions of the Planning and Design Code; and</p> <p>33.3.2 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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s193(5)	<p>33. Land Management Agreements – Development Applications</p> <p>33.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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)	NIL
s193(10)	<p>33. Land Management Agreements – Development Applications</p> <p>33.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s193(11)	<p>33. Land Management Agreements – Development Applications</p> <p>33.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.		
s193(13)	<p>33. Land Management Agreements – Development Applications</p> <p>33.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
s193(15)	<p>33. Land Management Agreements – Development Applications</p> <p>33.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s193(16)	<p>33. Land Management Agreements – Development Applications</p> <p>33.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
s197(2)	<p>34. Off-setting Contributions</p> <p>34.1 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:</p> <p>34.1.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or</p> <p>34.1.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>relate to the planning system established by the PDI Act; or</p> <p>34.1.3 any other initiative or policy:</p> <p>34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;</p> <p>34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.</p>		
s197(3)	<p>34. Off-setting Contributions</p> <p>34.2 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:</p> <p>34.2.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act):</p> <p>34.2.1.1 to make a contribution to a fund established as part of the scheme; or</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>34.2.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or</p> <p>34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,</p> <p>in order to provide for or address a particular matter identified by the scheme; and</p> <p>34.2.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and</p> <p>34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.</p>		
s197(4)	<p>34. Off-setting Contributions</p> <p>34.3 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s197(4)(c)	<p>34. Off-setting Contributions</p> <p>34.4 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.</p>	Chief Executive Officer (95), Director Corporate Services (41), Assessment Manager (72), Manager Development Services (72)	NIL
s198(1)	<p>35. Open Space Contribution Scheme</p> <p>35.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:</p> <p>35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>35.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or</p> <p>35.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	Where Vesting of land is proposed then this shall be Subject to Agreement by way of a Council resolution.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>contribution determined in accordance with Section 198(8) of the PDI Act,</p> <p>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.</p>		
s198(3)	<p>35. Open Space Contribution Scheme</p> <p>35.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)</p>	<p>NIL</p>
s198(4)(a)	<p>35. Open Space Contribution Scheme</p> <p>35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)</p>	<p>Where Vesting of land is proposed then this shall be Subject to Agreement by way of a Council resolution.</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s198(11)	<p>35. Open Space Contribution Scheme</p> <p>35.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.</p>	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Financial Services (214), Manager Development Services (72), Team Leader Financial Accounting (482)	NIL
s198(12)	<p>35. Open Space Contribution Scheme</p> <p>35.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	NIL
s200(2)	36. Urban Trees Fund	Chief Executive Officer (95), Assessment Manager (72), Manager	Subject to Council resolution.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	36.1 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.	Development Services (72), Senior Strategic and Policy Planner (200)	
s200(3)	36. Urban Trees Fund 36.2 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s200(5)	36. Urban Trees Fund 36.3 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Financial Services (214), Manager Development Services (72), Team Leader Financial Accounting (482)	NIL
s200(6)	36. Urban Trees Fund	Chief Executive Officer (95), Director Corporate Services (41), Assessment Manager (72), Manager Financial	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:</p> <p>36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or</p> <p>36.4.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.</p>	Services (214), Manager Development Services (72), Team Leader Financial Accounting (482)	
s200(7)	<p>36. Urban Trees Fund</p> <p>36.5 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).</p>	Chief Executive Officer (95), Director Corporate Services (41), Assessment Manager (72), Manager Financial Services (214), Manager Property Services (394), Manager Development Services (72), Team Leader Financial Accounting (482)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s210(1)	<p>37. Appointment of Authorised Officers</p> <p>37.1 The power pursuant to Section 210(1) of the PDI Act to:</p> <p>37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and</p> <p>37.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s210(2)	<p>37. Appointment of Authorised Officers</p> <p>37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s210(3)	<p>37. Appointment of Authorised Officers</p> <p>37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72),	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	37.3.1 containing a photograph of the authorised officer; and 37.3.2 stating any conditions of appointment limiting the authorised officer's appointment.	Team Leader Building Services (286), Team Leader Statutory Planning (326)	
s210(5)	37. Appointment of Authorised Officers 37.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s213(1)	38. Enforcement Notices 38.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>38.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;</p> <p>38.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>38.1.3 take such urgent action as is required because of any situation resulting from the breach.</p>	<p>Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)</p>	
s213(2)	<p>38. Enforcement Notices</p> <p>38.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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</p>	<p>NIL</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planning (326), Building Officer (463)	
s213(5)	<p>38. Enforcement Notices</p> <p>38.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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), Building Officer (463)	NIL
s213(6)	<p>38. Enforcement Notices</p> <p>38.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by</p>	Chief Executive Officer (95), Director Development and Regulatory Services	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	(70), Assessment Manager (72), Manager Development Services (72)	
s213(7)	38. Enforcement Notices 38.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s214(1)	39. Applications to Court 39.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s214(2)	39. Applications to Court	Chief Executive Officer (95), Director Development and Regulatory Services	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	39.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.	(70), Assessment Manager (72), Manager Development Services (72)	
s214(4)	39. Applications to Court 39.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s214(6)	39. Applications to Court 39.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), Manager Development Services (72), Senior Statutory Planner	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	
s214(9)	<p>39. Applications to Court</p> <p>39.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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), Building Officer (463)</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s214(10)	<p>39. Applications to Court</p> <p>39.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s214(11)	<p>39. Applications to Court</p> <p>39.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
s214(12)	<p>39. Applications to Court</p> <p>39.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s214(13)	<p>39. Applications to Court</p> <p>39.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	<p>Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)</p>	<p>NIL</p>
s214(17)	<p>39. Applications to Court</p> <p>39.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)</p>	<p>NIL</p>
s219(1)	<p>40. Proceedings for Offences</p> <p>40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Development Compliance Officer (211), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)</p>	<p>The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings.</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s223(2)	<p>41. Adverse Publicity Orders</p> <p>41.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings.
s223(4)	<p>41. Adverse Publicity Orders</p> <p>41.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:</p> <p>41.2.1 take the PDI Action or actions specified in the order; and</p> <p>41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s223(5)	<p>41. Adverse Publicity Orders</p> <p>41.3 The power pursuant to Section 223(5) of the PDI Act, if:</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and</p> <p>41.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,</p> <p>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.</p>		
s223(6)	<p>41. Adverse Publicity Orders</p> <p>41.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s225(1)	<p>42. Civil Penalties</p> <p>42.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s225(2)	<p>42. Civil Penalties</p> <p>42.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s225(3)	42. Civil Penalties 42.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s225(13)	42. Civil Penalties 42.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s225(17)	42. Civil Penalties 42.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s228(7)	43. Make Good Order	Chief Executive Officer (95), Assessment Manager (72), Statutory	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	43.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.	Planner (462), Manager Development Services (72), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82)	NIL
s229(5)	44. Recovery of Economic Benefit 44.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s230(1)	45. Enforceable Voluntary Undertakings 45.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), Manager Development Services (72), Senior Statutory Planner	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	
s230(4)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s230(7)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:</p> <p>45.3.1 vary the undertaking; or</p> <p>45.3.2 withdraw the undertaking.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), Manager Development Services (72), Senior Statutory Planner	Subject to concurrence by the Assessment Manager.

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	
s230(11)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL
s230(12)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s230(14)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)</p>	<p>NIL</p>
s231(1)	<p>46. Advertisements</p> <p>46.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:</p> <p>46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or</p> <p>46.1.2 is contrary to the character desired for a locality under the Planning and Design Code,</p> <p>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</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Development Compliance Officer (211), 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>	<p>Concurrence by Assessment Manager or Team Leader Statutory Planning required prior to notice being issued.</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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).		
s231(3)	<p>46. Advertisements</p> <p>46.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Development Compliance Officer (211), 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)	NIL
s235(1)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), Manager Development Services (72), Senior Statutory Planner (80),	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel), Building Officer (463)	
s235(2)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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), CAP (Council's	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Assessment Panel), Building Officer (463)	
s239(1)	<p>48. Charges on Land</p> <p>48.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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), Building Officer (463)	NIL
s239(6)	<p>48. Charges on Land</p> <p>48.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72),	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Development Compliance Officer (211), 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), Building Officer (463)	Subject to concurrence from the Assessment Manager.
s240(1)	<p>49. Registering Authorities to Note Transfer</p> <p>49.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.</p>	Chief Executive Officer (95), Director Corporate Services (41), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl13(3)(b) sch2	<p>50. Reporting</p> <p>50.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)</p>	<p>If a Joint Planning Board and subsidiary is established.</p>
cl3(16) sch4	<p>51. Review of Performance</p> <p>51.1 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)</p>	<p>Must be reported to Council.</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r11B(1)	<p>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:</p> <p>52.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and</p> <p>52.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r11B(5)	<p>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>52.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and</p> <p>52.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r47(4)(d)	<p>53. Performance Assessed Development and Restricted Development</p> <p>53.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	As set during the Annual Business Plan process in the Fees & Charges Register.
r78(1)	<p>54. Underground Main Areas</p> <p>54.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Duty Planner (265a), Duty Planner (265b), 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)	NIL
r78(2)	<p>54. Underground Main Areas</p> <p>54.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	from the electricity authority to declare the area to be an underground mains area.		
r81(4)	<p>55. Width of Roads and Thoroughfares</p> <p>55.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r81(5)	<p>55. Width of Roads and Thoroughfares</p> <p>55.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r81(6)	<p>55. Width of Roads and Thoroughfares</p> <p>55.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r82(1)	<p>56. Road Widening</p> <p>56.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r83(1)	<p>57. Requirement as to Forming of Roads</p> <p>57.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory	In Consultation with Council's Engineering and Assets Officers

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.	Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	
r83(2)	<p>57. Requirement as to Forming of Roads</p> <p>57.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r83(4)	<p>57. Requirement as to Forming of Roads</p> <p>57.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r83(5)	57. Requirement as to Forming of Roads	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	57.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.	Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	In Consultation with Council's Engineering and Assets Officers
r83(6)	57. Requirement as to Forming of Roads 57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r84(1)	58. Construction of Roads, Bridges, Drains and Services 58.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r85(1)	<p>59. Supplementary Provisions</p> <p>59.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r85(2)	<p>59. Supplementary Provisions</p> <p>59.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.</p>	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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)	In Consultation with Council's Engineering and Assets Officers
r85(4)	59. Supplementary Provisions	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462),	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	59.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.	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)	In Consultation with Council's Engineering and Assets Officers
r89(1)	60. General Provisions 60.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL
r89(3)	60. General Provisions 60.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 60.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 60.2.2 sets out:	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	60.2.2.1 the date on which any relevant building was erected (if known); and 60.2.2.2 the postal address of the site.		
r89(6)(b)	60. General Provisions 60.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
r89(8)	60. General Provisions 60.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7).	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r93(1)(b)	<p>61. Notifications During Building Work</p> <p>61.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
r93(1)(c)	<p>61. Notifications During Building Work</p> <p>61.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
r94(13)	62. Essential Safety Provisions	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>62.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:</p> <p>62.1.1 the essential safety provisions were installed</p> <p>62.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or</p> <p>62.1.1.2 as part of a performance solution under the Building Code; or</p> <p>62.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.</p>	<p>Leader Building Services (286), Building Officer (463)</p>	
r102(3)	<p>63. Classification of Buildings</p> <p>63.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:</p> <p>63.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r102(4)	<p>63. Classification of Buildings</p> <p>63.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
r102(5)	<p>63. Classification of Buildings</p> <p>63.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r102(6)	<p>63. Classification of Buildings</p> <p>63.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:</p> <p>63.4.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>63.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
r103(2)	<p>64. Certificates of Occupancy</p> <p>64.1 The power pursuant to Regulation 103(2) of the General Regulations to, require the following documentation:</p> <p>64.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;</p> <p>64.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>respect of the remainder of the building, such evidence as the delegate may reasonably require to show:</p> <p>64.1.2.1 in the case of a building more than 1 storey - that the requirements of any relevant Ministerial building standard have been complied with; or</p> <p>64.1.2.2 in any other case - that the building is suitable for occupation.</p>		
r103(3)	<p>64. Certificates of Occupancy</p> <p>64.2 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 provide a Statement of Compliance under Regulation 103(2)(a) of the General Regulations if:</p> <p>64.2.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<hr/> <p>Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>64.2.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>		
r103(4)	<p>64. Certificates of Occupancy</p> <p>64.3 The power pursuant to Regulation 103(4) of the General Regulations if:</p> <p>64.3.1 a building is:</p> <p>64.3.1.1 to be equipped with a booster assembly for use by a fire authority; or</p> <p>64.3.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and</p> <p>64.3.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the PDI Act,</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
r103(5)	<p>64. Certificates of Occupancy</p> <p>64.4 The power pursuant to Regulation 103(5) of the General Regulations if a report is not received from the fire authority within 15 business days, to presume that the fire authority does not desire to make a report.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
r103(6)	<p>64. Certificates of Occupancy</p> <p>64.5 The power pursuant to Regulation 103(6) of the General Regulations to have regard to any report received from a fire authority under Regulation 103(4) of the General Regulations before the delegate issues a certificate of occupancy.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
r103(6a)	64. Certificates of Occupancy	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73),	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	64.6 The power pursuant to Regulation 103(6a) of the General Regulations, on receipt of a notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, to determine that building work will be inspected by an authorised officer.	Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	
r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.1 if:</p> <p>64.7.1.1 there is a change in the use of the building; or</p> <p>64.7.1.2 the classification of the building changes; or</p> <p>64.7.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m² is about to commence, or is being or has been carried out; or</p> <p>64.7.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and the delegate considers that in the circumstances the certificate should be revoked and a new certificate sought; or		
r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor
r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.3 if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10) of the General Regulations; or</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.4 if the delegate considers:</p> <p>64.7.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</p> <p>64.7.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	Subject to concurrence by the Team Leader Building Services or the Level 1 Building Surveyor
r109(1)(b)	<p>65. Mining Production Tenements</p> <p>65.1 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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL
r111(2)	66. Register of Land Management Agreements (Section 193)	Chief Executive Officer (95), Director Development and Regulatory Services (70),	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	66.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.	Assessment Manager (72), Statutory Planner (462), 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)	NIL
r111(3)	66. Register of Land Management Agreements (Section 193) 66.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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)	NIL

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r112(1)	<p>67. Authorised Officers and Inspections</p> <p>67.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act:</p> <p>67.1.1 who is an accredited professional who is:</p> <p>67.1.1.1 an Accredited professional - building level 1; or</p> <p>67.1.1.2 an Accredited professional - building level 2; or</p> <p>67.1.1.3 an Accredited professional - building level 3; or</p> <p>67.1.1.4 an Accredited professional - building level 4; or</p> <p>67.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or</p> <p>67.1.3 who holds an approval from the Chief Executive.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	NIL

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>68. Calculation of Assessment of Fees</p> <p>68.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):</p> <p>68.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</p> <p>68.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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), Building Officer (463)</p>	NIL
r5(2)	<p>68. Calculation of Assessment of Fees</p> <p>68.2 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</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration</p>	NIL

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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), Building Officer (463)	
r5(3)	68. Calculation or Assessment of Fees 68.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.	Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support	NIL

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officer (76), Duty Planner (265a), Duty Planner (265b), 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), Building Officer (463)	
r7	<p>69. Waiver or Refund of Fee</p> <p>69.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>69.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>69.1.2 refund the whole or a part of the fee.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory	<hr/> <p>In accordance with Council Fee Waiver Policy. Refunds are limited to Manager Development Services, Assessment Manager, Team Leader Building, Team Leader Statutory Planning and Team Leader Administration in accordance with Council Development Application Fee Refund Policy.</p>

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planner (215), Statutory Planner (230), Statutory Planner (82), Statutory Planning Cadet (355), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>70. Requirements in Relation to Preparing an Engagement Plan</p> <p>70.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that:</p> <p>70.1.1 meets the principles and performance outcomes of the Charter;</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	NIL

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>70.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>70.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>70.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p> <p>70.1.2.3 who must be consulted with under the Charter;</p> <p>70.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>70.1.4 describes the evaluation framework for the engagement.</p>		
cl5(2)	<p>70. Requirements in Relation to Preparing an Engagement Plan</p> <p>70.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<hr/> <p>In consultation with Council.</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(2)	<p>71. Preparation of an Engagement Report (Following Consultation)</p> <p>71.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:</p> <p>71.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;</p> <p>71.1.2 the outcome of the engagement including a summary of the written submission or feedback made;</p> <p>71.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:</p> <p>71.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>71.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>In consultation with Council.</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(3)	<p>71. Requirements in Relation to Preparing an Engagement Report Following Consultation</p> <p>71.2 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether:</p> <p>71.2.1 the principles of the Charter have been achieved; and</p> <p>71.2.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	In consultation with Council.
cl7(1)	<p>72. Initiating a Code Amendment</p> <p>72.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets out:</p> <p>72.1.1 Code Policy – an outline of:</p> <p>72.1.1.1 any overlay, general policy, zone or subzones in the Code being proposed for amendment; and/or</p> <p>72.1.1.2 the intended spatial application of an overlay, general policy, zone or subzone in the Code over an identified area;</p> <p>72.1.2 Affected Area</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	In consultation with Council, Assessment Manager and Team Leader Statutory Planning.

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>72.1.2.1 a map or description of the Affected Area;</p> <p>72.1.3 State Planning Policies</p> <p>72.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;</p> <p>72.1.4 Regional Plan</p> <p>72.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;</p> <p>72.1.5 Consultation -</p> <p>72.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;</p> <p>72.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed code Amendment;</p> <p>72.1.6 Investigations -</p> <p>72.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment</p>		

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>72.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;</p> <p>72.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;</p> <p>72.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment</p> <p>72.1.7 Timetable</p> <p>72.1.7.1 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.</p>		
cl7(3)	72. Initiating a Code Amendment	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72),	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>The power pursuant to clause 7(3) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:</p> <p>72.2.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <p>72.2.1.1 all relevant property details and descriptions (including images);</p> <p>72.2.1.2 historical background and thematic analysis;</p> <p>72.2.1.3 a statement of heritage value;</p> <p>72.2.1.4 an assessment against the Local Heritage Criteria; and</p> <p>72.2.1.5 the extent of listing (including any exclusions);</p> <p>72.2.2 includes an analysis of historic themes of importance to the area;</p> <p>72.2.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>72.2.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.</p>	<p>Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>In consultation with Council, Assessment Manager and Team Leader Statutory Planning.</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 7(4)	<p>72. Initiating a Code Amendment</p> <p>72.3 The power pursuant to clause 7(4) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which:</p> <p>72.3.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)</p> <p>72.3.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;</p> <p>72.3.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200), Team Leader Statutory Planning (326)</p>	<p>In consultation with Council, Assessment Manager and Team Leader Statutory Planning.</p>
cl8(1)	<p>73. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>73.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:</p> <p>73.1.1 carry out investigations and obtain such information:</p> <p>73.1.1.1 as provided in the Proposal to Initiate approved by the Minister;</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>In consultation with Council, Assessment Manager and Team Leader Statutory Planning.</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>73.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and</p> <p>73.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;</p> <p>73.1.2 provide the Department with:</p> <p>73.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>73.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;</p> <p>73.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;</p>		

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>73.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and</p> <p>73.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.</p>		
cl8(2)	<p>73. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>73.2 The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>In consultation with Council, Assessment Manager and Team Leader Statutory Planning.</p>
cl9(1)	<p>74. Requirements For a Draft Code Amendment</p> <p>74.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72),</p>	<p>In consultation with Council, Assessment Manager, Team Leader</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>74.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)</p> <p>74.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>74.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;</p> <p>74.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>74.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.</p>	<p>Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>Statutory Planning and Director Infrastructure & Operations.</p>
cl11(1)	<p>75. Complying Changes to the Code</p> <p>75.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72),</p>	<p>In consultation with Council.</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>75 of the PDI Act, to provide the following information to the Department:</p> <p>75.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>75.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p> <p>75.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>75.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>	<p>Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl12(1)	<p>76. Early Commencement of a Code Amendment</p> <p>76.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:</p> <p>76.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:</p> <p>76.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and</p> <p>76.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;</p> <p>76.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>76.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)</p>	<p>In consultation with Council, Assessment Manager and Team Leader Statutory Planning.</p>

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment		

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(3)(b)	<p>77. Responsibility to Undertake Notification</p> <p>77.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority’s reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72)	As set during the Annual Business Plan process in the Fees & Charges Register.

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl2(2)	<p>78. Mandatory Inspections</p> <p>78.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:</p> <p>78.1.1 primary structural elements;</p> <p>78.1.2 structural framing and roof trusses;</p> <p>78.1.3 wet areas and waterproofing;</p> <p>78.1.4 barriers to prevent falls;</p> <p>78.1.5 cladding;</p> <p>78.1.6 egress provisions;</p> <p>78.1.7 bushfire protection systems;</p> <p>78.1.8 passive and active fire safety elements;</p> <p>78.1.9 private bushfire shelters; and</p> <p>78.1.10 performance solutions.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl3(2)	<p>79. Additional Inspections</p> <p>79.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
cl4(3)	<p>80. Inspections Generally</p> <p>80.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.</p>	Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
cl1(2)	<p>81. General Requirements</p> <p>81.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Building Services (286)	NIL

State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(2)	<p>82. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building</p> <p>82.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.</p>	Chief Executive Officer (95), Assessment Manager (72), Manager Development Services (72), Team Leader Building Services (286)	In consultation with an Accredited Professional Building Level 1.

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 9	<p>83. Use of Money from Fund</p> <p>83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose):</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Senior Strategic and Policy Planner (200)	In consultation with Council, Assessment Manager and Team Leader Statutory Planning.

Urban Tree Canopy Off-set Scheme			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>83.1.2 the purchase of land within a designated local government area to ensure:</p> <p>83.1.2.1 the preservation of trees; or</p> <p>83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>		



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

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

25 JANUARY 2022

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

Delegation Sources

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

Positions

Abbreviation	Position
Administration Building Support Officer (418)	Administration Building Support Officer (418)
Administration Support Officer (369)	Administration Support Officer (369)
Administration Support Officer (76)	Administration Support Officer (76)
Assessment Manager (72)	Assessment Manager (72)
Building Officer (380)	Building Officer (380)
Building Officer (453)	Building Officer (453)
Building Officer (463)	Building Officer (463)
Building Officer (73)	Building Officer (73)
CAP (Council's Assessment Panel)	CAP (Council's Assessment Panel)
Chief Executive Officer (95)	Chief Executive Officer (95)
Development Compliance Officer (211)	Development Compliance Officer (211)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Duty Planner (265a)	Duty Planner (265a)

Abbreviation	Position
Duty Planner (265b)	Duty Planner (265b)
Executive Assistant Development and Regulatory Services (69)	Executive Assistant Development and Regulatory Services (69)
Manager Development Services (72)	Manager Development Services (72)
Senior Statutory Planner (80)	Senior Statutory Planner (80)
Senior Strategic and Policy Planner (200)	Senior Strategic and Policy Planner (200)
Statutory Planner (195)	Statutory Planner (195)
Statutory Planner (215)	Statutory Planner (215)
Statutory Planner (230)	Statutory Planner (230)
Statutory Planner (462)	Statutory Planner (462)
Statutory Planner (82)	Statutory Planner (82)
Statutory Planning Cadet (355)	Statutory Planning Cadet (355)
Team Leader Administration (77)	Team Leader Administration (77)
Team Leader Building Services (286)	Team Leader Building Services (286)
Team Leader Statutory Planning (326)	Team Leader Statutory Planning (326)

Instrument B – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>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.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)</p>	<p>Staff to seek concurrence from Team Leader Statutory Planning or Assessment Manager with delegate report signed.</p>
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior</p>	<p>Staff to seek concurrence from Team Leader Statutory Planning or Assessment Manager with</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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.</p>	<p>Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel)</p>	<p>delegate report signed where the matter is not reported to CAP.</p>
<p>s99(2)(b)(ii)</p>	<p>2. Related Provisions</p> <p>2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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),</p>	<p>Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Team Leader Statutory Planning (326), Building Officer (463)	
s99(3)	<p>2. Related Provisions</p> <p>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.</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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), Building Officer (463)</p>	<p>Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>
s102(1)	<p>3. Matters Against Which Development Must be Assessed</p>	<p>Chief Executive Officer (95), Assessment Manager (72), Building Officer (380), Building Officer (453),</p>	<p>Assessment Report for Refusal must be countersigned by Assessment Manager,</p>

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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).	Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	Manager Development Services or Team Leader Building prior to decision being issued.
s102(8)	<p>3. Matters Against Which Development Must be Assessed</p> <p>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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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), Building Officer (463)	Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s118(1)	<p>4. Building Consent</p> <p>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).</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
s118(2)(a)	<p>4. Building Consent</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
s118(2)	<p>4. Building Consent</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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</p>	<p>(72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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>		
s118(4)	<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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	NIL
s118(6)	<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</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.	(72), Team Leader Building Services (286), Building Officer (463)	
s118(7)	4. Building Consent 4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s118(8)	4. Building Consent 4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Administration Building Support Officer (418), Building Officer (380),	Administration Building Support Officer is limited to issuing development approvals only relating to

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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>	<p>Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>
s118(10)	<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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>Delegate Report for Refusal must be countersigned by Assessment Manager or Team Leader Building Services prior to decision being issued.</p>
s118(11)	<p>4. Building Consent</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>	<p>(72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	
s119(1)(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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	
s119(3)	<p>5. Application and Provision of Information</p> <p>5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>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;</p> <p>5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>5.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>5.2.4 to comply with any other requirement prescribed by the regulations.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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), Building Officer (463)	Administration Building Support Officer is limited to 5.2.2.

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(6)(b)	<p>5. Application and Provision of Information</p> <p>5.3 The power pursuant to Section 119(6)(b) of the PDI Act if a request is made under Section 119(3) of the PDI Act and the request is not complied with within the time specified by the Regulations, subject to Section 119(6)(b)(ii), to refuse the application.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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 Statutory Planning (326), Building Officer (463)</p>	<p>Where not reported to CAP, Assessment Report for Refusal must be concurred by Assessment Manager, Manager Development Services or Team Leader Statutory Planning prior to decision being issued.</p>
s119(7)	<p>5. Application and Provision of Information</p> <p>5.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Duty</p>	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	regulated tree, consider that special circumstances apply.	Planner (265a), Duty Planner (265b), 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)	Refer to special circumstances section of Development Applications Involving Regulated Tree(s) Policy.
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.1 permit an applicant:</p> <p>5.5.1.1 to vary an application;</p> <p>5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215),	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Duty Planner (265a), Duty Planner (265b), 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	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planning (326), Building Officer (463)	
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), 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), Statutory Planning Cadet (355),</p>	<p>In accordance with Council Fee Waiver Policy. Refunds are limited to Manager Development Services, Assessment Manager, Team Leader Building, Team Leader Statutory Planning and Team Leader Administration in accordance with Council Development Application Fee Refund Policy.</p>

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)	
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), Building Officer (463)	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(10)	<p>5. Application and Provision of Information</p> <p>5.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), Building Officer (463)</p>	NIL
s119(12)	<p>5. Application and Provision of Information</p> <p>5.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73),</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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), Building Officer (463)	
s119(14)	<p>5. Application and Provision of Information</p> <p>5.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Team Leader Administration (77), Manager Development Services (72), Team Leader Building Services (286), Team Leader Statutory Planning (326)	In accordance with the Development Application Fee Refund Policy.
s120(1)	<p>6. Outline Consent</p> <p>6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	application, grant a consent in the nature of an outline consent.	(72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)	In accordance with Practice Direction released by the SPC.
s120(3)	<p>6. Outline Consent</p> <p>6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>6.2.1 grant any consent contemplated by the outline consent; and</p> <p>6.2.2 not impose a requirement that is inconsistent with the outline consent.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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)	In accordance with Practice Direction released by the SPC.

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s122(1)	<p>7. Referrals to Other Authorities or Agencies</p> <p>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:</p> <p>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</p> <p>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</p> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)</p>	<p>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 requires).</p>
s122(5)(b)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462),</p>	<p>1.Refusal: Delegate Report for Refusal must be countersigned by Assessment Manager or Team</p>

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>7.2.1 to refuse the application; or</p> <p>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)</p> <p>where the regulations so provide.</p>	<p>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), CAP (Council's Assessment Panel)</p>	<p>Leader Statutory Planning prior to decision being issued.</p> <p>2. New dwellings outside of townships: Delegate Report must be countersigned by another Statutory Planner prior to decision being issued.</p> <p>3. Licensed premises Delegate Report must be countersigned by another Statutory Planner prior to the decision being issued.</p>
s122(7)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel)</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s122(10)	<p>7. Referrals to Other Authorities or Agencies</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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>	<p>Relevant Authority must comply with the request unless it is inconsistent with the Regulations.</p>
s124(1)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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>	<p>NIL</p>

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s124(5)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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:</p> <p>8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)</p>	<p>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.</p>
s124(6)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	Leader Statutory Planning (326), CAP (Council's Assessment Panel)	
s124(7)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel)	NIL
s126(1)	<p>9. Determination of Application</p> <p>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).</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel), Building Officer (463)	
s126(3)	<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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s127(1)	<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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)</p>	NIL
s127(2)(c)	<p>10. Conditions</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building</p>	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)	
s128(2)(d)	<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>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(230), Statutory Planner (82), Team Leader Building Services (286), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel), Building Officer (463)	
s133(3)	<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>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)	Subject to concurrence by the Assessment Manager or Team Leader Statutory Planning.
s134(1)	13. Requirement to Up-grade	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	13.1 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.	(72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	
s134(1)	<p>13. Requirement to Up-grade</p> <p>13.2 The power pursuant to Section 134(1) of the PDI Act, if:</p> <p>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</p> <p>13.2.1.2 a change of classification of a building; and</p> <p>13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,</p> <p>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</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	is safe and conforms to proper structural and health standards.		
s134(2)	<p>13. Requirement to Up-grade</p> <p>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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
s134(3)	<p>13. Requirement to Up-grade</p> <p>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:</p> <p>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</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	13.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed		
s134(4)	<p>13. Requirement to Up-grade</p> <p>13.5 The power pursuant to Section 134(4) of the PDI Act if:</p> <p>13.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and</p> <p>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,</p> <p>to require that building work or other measures be carried out to the extent necessary to ensure that the</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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).		
s134(5)	<p>13. Requirement to Up-grade</p> <p>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:</p> <p>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</p> <p>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.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s135(2)(d)	<p>14. Urgent Building Work</p> <p>14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>Concurrence of Assessment Manager must be sought before the Direction 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.</p>
s143(1)	<p>15. Cancellation of Development Authorisation</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b),</p>	<p>NIL</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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), Building Officer (463)	
s143(2)	15. Cancellation of Development Authorisation 15.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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)	NIL

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s235(1)	<p>16. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)</p>	<p>Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>
s235(2)	<p>16. Professional Advice to be Obtained in Relation to Certain Matters</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager</p>	<p>NIL</p>

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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.</p>	<p>(72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)</p>	
<p>cl18(2) sch8</p>	<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</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380),</p>	<p>Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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>	<p>Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r25(7)(c)	<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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)</p>	NIL
r31(1)	<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</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72),</p>	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.1 determine the nature of the development; and</p>	<p>Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)</p>	
r31(1)	<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> <p>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</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Duty Planner (265a), Duty Planner (265b), 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>	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and		
r31(1)	<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>19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Duty Planner (265a), Duty Planner (265b), 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)	NIL
r31(1)	<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</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>19.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>19.1.4.2 confirm the prescribed fees required to be paid at that point ; and</p> <p>19.1.4.3 provide an appropriate notice via the SA planning portal; and</p>	<p>Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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), Building Officer (463)</p>	
r31(1)	<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</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader</p>	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <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>Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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), Building Officer (463)</p>	
r35(3)	<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>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner</p>	<p>NIL</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(230), Statutory Planner (82), Team Leader Statutory Planning (326), CAP (Council's Assessment Panel)	
r35(4)	<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>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), 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), CAP (Council's Assessment Panel)	NIL
r38(1)	<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>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>	<p>Officer (369), Team Leader Administration (77), Administration Support Officer (76), Duty Planner (265a), Duty Planner (265b), 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), CAP (Council's Assessment Panel)</p>	
r38(2)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support</p>	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officer (76), Duty Planner (265a), Duty Planner (265b), 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 Statutory Planning (326), Building Officer (463)	
r38(3)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to:</p> <p>21.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>21.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Senior Statutory Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	form determined by the delegate) about the proposed course of action.	(230), Statutory Planner (82), Team Leader Statutory Planning (326)	
r40	<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>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)	NIL
r42(1)	<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</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	(72), Statutory Planner (462), 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)	
r45(1)	<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; 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>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>24.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,</p> <p>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.</p>		
r45(2)	<p>24. Building Matters</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	NIL
r45(3)	<p>24. Building Matters</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72),</p>	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Team Leader Building Services (286), Building Officer (463)	
r45(4)	<p>24. Building Matters</p> <p>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:</p> <p>24.4.1 recommends against the granting of building consent; or</p> <p>24.4.2 concurs in the granting of consent on conditions specified in its report,</p> <p>but the delegate:</p> <p>24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>to:</p> <p>24.4.5 refer the application to the Commission; and</p> <p>24.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>		
r45(5)	<p>24. Building Matters</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
r57(4)(a)	<p>25. Notice of Decision (Section 126(1))</p> <p>25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer</p>	<p>Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		(73), 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), Building Officer (463)	
r60	<p>26. Consideration of Other Development Authorisations</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), 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),</p>	<p>Administration Building Support Officer is limited to issuing development approvals only relating to Class 1A, 1B, 7B (privately certified only), 10A, 10B (except swimming pools and spas).</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Team Leader Statutory Planning (326), Building Officer (463)	
r61(4)(c)	<p>27. Certificate of Independent Technical Expert in Certain Cases</p> <p>27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL
r63(1)	<p>28. Urgent Work</p> <p>28.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72),	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	<p>Team Leader Building Services (286), Building Officer (463)</p>	
r63(2)	<p>28. Urgent Work</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	<p>NIL</p>
r63(3)	<p>28. Urgent Work</p> <p>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.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Development Compliance Officer (211), Manager Development Services (72), Senior Statutory</p>	<p>NIL</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planner (80), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326)	
r65(1)(a)	<p>29. Variation of Authorisation (Section 128)</p> <p>29.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Building Officer (380), Building Officer (453), Building Officer (73), 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), CAP (Council's Assessment Panel), Building Officer (463)	<hr/> <p>Except variations to development decisions previously made by the CAP where a condition is requested to be completely revoked either by the lodgment of a separate application or simply by written request or where the variation is adding new elements or substantively amending the proposal.</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r99(4)	<p>30. Construction Industry Training Fund</p> <p>30.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), Executive Assistant Development and Regulatory Services (69), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)</p>	NIL
r99(5)	<p>30. Construction Industry Training Fund</p> <p>30.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72),</p>	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to, if the delegate thinks fit, determine that the application has lapsed.	Team Leader Building Services (286), Building Officer (463)	
cl4(3) sch8	<p>31. Plans for Building Work</p> <p>31.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if:</p> <p>31.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or</p> <p>31.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,</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</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Administration Building Support Officer (418), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.		

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>32. Calculation or Assessment of Fees</p> <p>32.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):</p> <p>32.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Building Officer (380), Building Officer (453), Building Officer (73), Manager Development Services (72), Team Leader Building Services (286), Building Officer (463)	NIL

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	32.1.2 to make any other determination for the purposes of the Fees Regulations a related set of regulations or a fee notice (even if the Council is not a relevant authority)		
r5(2)	<p>32. Calculation or Assessment of Fees</p> <p>32.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Duty Planner (265a), Duty Planner (265b), 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</p>	<p>NIL</p>

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planning (326), Building Officer (463)	
5(3)	<p>32. Calculation or Assessment of Fees</p> <p>32.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Duty Planner (265a), Duty Planner (265b), 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), Building Officer (463)</p>	NIL

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r7	<p>33. Waiver or Refund of Fee</p> <p>33.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>33.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>33.1.2 refund the whole or a part of the fee.</p>	<p>Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Administration Building Support Officer (418), Administration Support Officer (369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Administration Support Officer (76), 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), Statutory Planning Cadet (355), Team Leader Building Services (286), Team Leader Statutory Planning (326), Building Officer (463)</p>	<p>In accordance with Council Fee Waiver Policy. Refunds are limited to Manager Development Services, Assessment Manager, Team Leader Building, Team Leader Statutory Planning and Team Leader Administration in accordance with Council Development Application Fee Refund Policy.</p>



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF AUTHORISATION FOR THE
PURPOSES OF THE INSTRUMENT OF GENERAL
APPROVAL AND DELEGATION (DATED 22 AUGUST 2013)
UNDER THE ROAD TRAFFIC ACT 1961

25 JANUARY 2022

Instrument of authorisation

1. The Minister for Transport and Infrastructure granted:

(a) approvals to the Council for the purposes of specific powers under sections 17 and 20 of the Road Traffic Act 1961;
and

(b) appointed the Council as the Minister's delegate in respect of specific powers under sections 17 and 33(1) of the Road Traffic Act,

by the Instrument of General Approval and Delegation (dated 22 August 2013) (General Approval).

2. Pursuant to the General Approval, the Council authorises the employees of the Council named in the attached table to exercise the powers under sections 17 and 20 of the Road Traffic Act conferred on or delegated to the Council by the General Approval subject to the conditions set out in the General Approval and any additional conditions noted in the table with respect to the exercise of the power.

Delegation Sources

- Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Manager Civil Services (402)	Manager Civil Services (402)
Manager Open Space (409)	Manager Open Space (409)

Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sections 17(1) and 17(2)	<p>A. Traffic control devices</p> <p>Install, maintain, alter, operate or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)</p>	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	<p>As set out in clause A of the General Approval</p> <hr/> <p>NIL</p>
section 20(2)	<p>B. Speed limits at works on roads</p> <p>Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council</p>	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	<p>As set out in clause B of the General Approval</p> <hr/> <p>NIL</p>
section 17(3)	<p>C. Traffic control devices at works on roads</p>	Chief Executive Officer (95), Director Infrastructure and	As set out in clause C of the General Approval

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Road Traffic Act 1961 or any other Act	Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL
section 17(3)	<p>D. Temporary parking controls</p> <p>Install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council</p>	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	<p>As set out in clause D of the General Approval</p> <hr/> <p>NIL</p>
section 17	<p>F. Grant approval to another road authority</p> <p>Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority</p>	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	<p>As set out in clause F of the General Approval</p> <hr/> <p>NIL</p>



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF SUB-DELEGATION FOR THE
PURPOSES OF THE INSTRUMENT OF GENERAL
APPROVAL AND DELEGATION (DATED 22 AUGUST 2013)
UNDER THE ROAD TRAFFIC ACT 1961

25 JANUARY 2022

Instrument of sub-delegation

1. The Minister for Transport and Infrastructure granted:

(a) approvals to the Council for the purposes of specific powers under sections 17 and 20 of the Road Traffic Act 1961;
and

(b) appointed the Council as the Minister's delegate in respect of specific powers under sections 17 and
33(1) of the Road Traffic Act,

by the Instrument of General Approval and Delegation (dated 22 August 2013) (General Approval).

Delegation Sources

- Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Manager Civil Services (402)	Manager Civil Services (402)
Manager Open Space (409)	Manager Open Space (409)

Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s33(1)	<p>2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:</p> <p>(a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and</p> <p>(b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules:</p> <p>(i) rule 221: using hazard warning lights;</p> <p>(ii) rule 230: crossing a road – general;</p> <p>(iii) rule 231 crossing a road at pedestrian lights;</p>	<p>Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)</p>	<p>3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions:</p> <p>(a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and</p>

**Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road
Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(iv) rule 232: crossing a road at traffic lights;</p> <p>(v) rule 234: crossing a road on or near a crossing for pedestrians;</p> <p>(vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);</p> <p>(vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);</p> <p>(viii) rule 250: riding on a footpath or shared path;</p> <p>(ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);</p>		

**Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road
Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)</p> <p>(xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and</p> <p>(xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).</p>		

Adelaide Hills Council

Instrument of sub-delegation

1. The Minister for Transport and Infrastructure granted:
 - (a) approvals to the Council for the purposes of specific powers under sections 17 and 20 of the *Road Traffic Act 1961*; and
 - (b) appointed the Council as the Minister's delegate in respect of specific powers under sections 17 and 33(1) of the Road Traffic Act,by the Instrument of General Approval and Delegation (dated 22 August 2013)
(General Approval).
2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:
 - (a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose 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 the following provisions of the *Australian Road Rules*:
 - (i) rule 221: using hazard warning lights;
 - (ii) rule 230: crossing a road – general;
 - (iii) rule 231 crossing a road at pedestrian lights;
 - (iv) rule 232: crossing a road at traffic lights;
 - (v) rule 234: crossing a road on or near a crossing for pedestrians;
 - (vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);
 - (vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);
 - (viii) rule 250: riding on a footpath or shared path;
 - (ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);
 - (x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);
 - (xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);

Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation to Council (22 August 2013)

- (xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)
 - (xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and
 - (xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).
3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions:
- (a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council.

By resolution (number to be inserted) of the Adelaide Hills Council at its Ordinary Council Meeting on the 25th day of January 2022.

Adelaide Hills Council

Instrument of authorisation

1. The Minister for Transport and Infrastructure granted:
 - (a) approvals to the Council for the purposes of specific powers under sections 17 and 20 of the *Road Traffic Act 1961*; and
 - (b) appointed the Council as the Minister's delegate in respect of specific powers under sections 17 and 33(1) of the Road Traffic Act,by the Instrument of General Approval and Delegation (dated 22 August 2013) **(General Approval)**.
2. Pursuant to the General Approval, the Council authorises the employees of the Council named in the attached table to exercise the powers under sections 17 and 20 of the Road Traffic Act conferred on or delegated to the Council by the General Approval subject to the conditions set out in the General Approval and any additional conditions noted in the table with respect to the exercise of the power.

Signature of the Chief Executive Officer

Andrew Aitken

Name of the Chief Executive Officer

26 January 2022

Date

Council authorisations for the purposes of the General Approval

Road Traffic Act	Approval granted to Council (as set out in the General Approval)	Authorised employee	Conditions
sections 17(1) and 17(2)	<p>A. Traffic control devices</p> <p>Install, maintain, alter, operate or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)</p>	<p>Peter Bice Director Infrastructure & Operations</p> <p>Ashely Curtis Manager Civil Works</p> <p>Chris Janssan Manager Open Space</p>	As set out in clause A of the General Approval
section 20(2)	<p>B. Speed limits at works on roads</p> <p>Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council</p>	<p>Peter Bice Director Infrastructure & Operations</p> <p>Ashely Curtis Manager Civil Works</p> <p>Chris Janssan Manager Open Space</p>	As set out in clause A of the General Approval

Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation to Council (22 August 2013)

Road Traffic Act	Approval granted to Council (as set out in the General Approval)	Authorised employee	Conditions
section 17(3)	<p>C. Traffic control devices at works on roads Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the <i>Road Traffic Act 1961</i> or any other Act</p>	<p>Peter Bice Director Infrastructure & Operations</p> <p>Ashely Curtis Manager Civil Works</p> <p>Chris Janssan Manager Open Space</p>	As set out in clause A of the General Approval
section 17(3)	<p>D. Temporary parking controls Install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council</p>	<p>Peter Bice Director Infrastructure & Operations</p> <p>Ashely Curtis Manager Civil Works</p> <p>Chris Janssan Manager Open Space</p>	As set out in clause A of the General Approval

Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation to Council (22 August 2013)

Road Traffic Act	Approval granted to Council (as set out in the General Approval)	Authorised employee	Conditions
section 17	<p>F. Grant approval to another road authority Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority</p>	<p>Peter Bice Director Infrastructure & Operations</p> <p>Ashely Curtis Manager Civil Works</p> <p>Chris Janssan Manager Open Space</p>	As set out in clause A of the General Approval



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE LOCAL
GOVERNMENT (GENERAL) REGULATIONS 2013

25 JANUARY 2022

Delegation Sources

- Local Government (General) Regulations 2013

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Corporate Services (41)	Director Corporate Services (41)
Executive Manager Governance and Performance (349)	Executive Manager Governance and Performance (349)
Executive Manager Organisational Development (310)	Executive Manager Organisational Development (310)
Organisational Development Advisor (375)	Organisational Development Advisor (375)

Instrument of Delegation under the Local Government (General) Regulations 2013

Local Government (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager Organisational Development (310), Organisational Development Advisor (375)	NIL	council



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE LOCAL
GOVERNMENT ACT 1999

25 JANUARY 2022

Delegation Sources

- Local Government Act 1999

Positions

Abbreviation	Position
Administration Building Support Officer (418)	Administration Building Support Officer (418)
Administration Support Officer (369)	Administration Support Officer (369)
Administration Support Officer (76)	Administration Support Officer (76)
Administrative Officer (216)	Administrative Officer (216)
Adult Collections Officer (226)	Adult Collections Officer (226)
Adult Collections Officer (266)	Adult Collections Officer (266)
Arboriculture and Horticulture Officer (120)	Arboriculture and Horticulture Officer (120)
Assessment Manager (72)	Assessment Manager (72)
Asset and GIS Officer (232)	Asset and GIS Officer (232)
Asset Management System Analyst (455)	Asset Management System Analyst (455)
Biodiversity Officer (327)	Biodiversity Officer (327)
Biodiversity Officer (85)	Biodiversity Officer (85)
Biodiversity Project Officer (447)	Biodiversity Project Officer (447)
Building Fire Safety Committee	Building Fire Safety Committee
Building Management Coordinator (297)	Building Management Coordinator (297)

Abbreviation	Position
Building Management Officer (108)	Building Management Officer (108)
Building Officer (380)	Building Officer (380)
Building Officer (453)	Building Officer (453)
Building Officer (463)	Building Officer (463)
Building Officer (73)	Building Officer (73)
Cadet Engineer (477)	Cadet Engineer (477)
Cemeteries Officer (478)	Cemeteries Officer (478)
Chief Executive Officer (95)	Chief Executive Officer (95)
Children's Program Support Officer (231)	Children's Program Support Officer (231)
Collaborative Project Officer (210)	Collaborative Project Officer (210)
Collections Development Coordinator (14)	Collections Development Coordinator (14)
Collections Support Officer (301)	Collections Support Officer (301)
Communications Officer (377)	Communications Officer (377)
Community and Cultural Development Officer (393)	Community and Cultural Development Officer (393)
Community and Social Planning Officer (465)	Community and Social Planning Officer (465)
Community Centre Operations Officer TSCC (406)	Community Centre Operations Officer TSCC (406)

Abbreviation	Position
Community Centre Operations Officer TVCC (407)	Community Centre Operations Officer TVCC (407)
Community Centre Support Officer (432)	Community Centre Support Officer (432)
Community Dev and Admin Support Officer (404)	Community Dev and Admin Support Officer (404)
Community Development Administration Officer (325)	Community Development Administration Officer (325)
Community Development Officer TSCC (405)	Community Development Officer TSCC (405)
Community Development Officer TVCC (401)	Community Development Officer TVCC (401)
Community Development Officer Y&R (205)	Community Development Officer Y&R (205)
Community Engagement Coordinator (445)	Community Engagement Coordinator (445)
Community Resilience Officer (475)	Community Resilience Officer (475)
Community Support and Programs Officer (428)	Community Support and Programs Officer (428)
Community Support and Volunteer Officer (427)	Community Support and Volunteer Officer (427)
Community Support Officer (328)	Community Support Officer (328)
Community Support Officer (4)	Community Support Officer (4)
Community Support Officer (438)	Community Support Officer (438)
Coordinator Civil Operations (117)	Coordinator Civil Operations (117)
Coordinator Civil Projects (109)	Coordinator Civil Projects (109)

Abbreviation	Position
Coordinator Property Projects and Maintenance (468)	Coordinator Property Projects and Maintenance (468)
Coordinator Service Strategy and Innovation (362)	Coordinator Service Strategy and Innovation (362)
Coordinator Sport and Recreation (391)	Coordinator Sport and Recreation (391)
Corporate Planning & Performance Coordinator (413)	Corporate Planning & Performance Coordinator (413)
Customer Experience Project Officer (479)	Customer Experience Project Officer (479)
Customer Service Officer (11)	Customer Service Officer (11)
Customer Service Officer (18)	Customer Service Officer (18)
Customer Service Officer (23)	Customer Service Officer (23)
Customer Service Officer (365)	Customer Service Officer (365)
Customer Service Officer (382)	Customer Service Officer (382)
Customer Service Officer (473)	Customer Service Officer (473)
Customer Service Officer (59)	Customer Service Officer (59)
Customer Service Officer (62)	Customer Service Officer (62)
Customer Service Officer (66)	Customer Service Officer (66)
Customer Service Officer (68a)	Customer Service Officer (68a)
Customer Service Officer (68b)	Customer Service Officer (68b)

Abbreviation	Position
Customer Service Officer (8)	Customer Service Officer (8)
Customer Service Officer Casual (15)	Customer Service Officer Casual (15)
Customer Service Officer Casual (197)	Customer Service Officer Casual (197)
Customer Service Officer Casual (20)	Customer Service Officer Casual (20)
Customer Service Officer Casual (21)	Customer Service Officer Casual (21)
Customer Service Officer Casual (267)	Customer Service Officer Casual (267)
Customer Service Officer Casual (281)	Customer Service Officer Casual (281)
Customer Service Officer Casual (359)	Customer Service Officer Casual (359)
Customer Service Officer Casual (60)	Customer Service Officer Casual (60)
CWMS Technical Officer (423)	CWMS Technical Officer (423)
Deliberately left blank	Deliberately left blank
Depot Supervisor (443)	Depot Supervisor (443)
Development Compliance Officer (211)	Development Compliance Officer (211)
Digital Learning Officer (440)	Digital Learning Officer (440)
Digital Services Officer (390)	Digital Services Officer (390)
Director Community Capacity (350)	Director Community Capacity (350)
Director Corporate Services (41)	Director Corporate Services (41)

Abbreviation	Position
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Director Fabrik (437)	Director Fabrik (437)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Duty Planner (265a)	Duty Planner (265a)
Duty Planner (265b)	Duty Planner (265b)
E-Development Officer (417)	E-Development Officer (417)
Elected Body	Elected Body
Environmental Health Officer (241)	Environmental Health Officer (241)
Environmental Health Officer (294)	Environmental Health Officer (294)
Environmental Health Officer (91)	Environmental Health Officer (91)
Environmental Health Project Officer (97)	Environmental Health Project Officer (97)
Events Officer (444)	Events Officer (444)
Executive Assistant - Mayor and CEO (1)	Executive Assistant - Mayor and CEO (1)
Executive Assistant Community Capacity (354)	Executive Assistant Community Capacity (354)
Executive Assistant Corporate Services (39)	Executive Assistant Corporate Services (39)
Executive Assistant Development and Regulatory Services (69)	Executive Assistant Development and Regulatory Services (69)

Abbreviation	Position
Executive Assistant Infrastructure & Ops (118)	Executive Assistant Infrastructure & Ops (118)
Executive Manager Governance and Performance (349)	Executive Manager Governance and Performance (349)
Executive Manager Organisational Development (310)	Executive Manager Organisational Development (310)
Field Supervisor (381)	Field Supervisor (381)
Field Supervisor (388)	Field Supervisor (388)
Finance Officer (346)	Finance Officer (346)
Finance Officer - Accounts Payable (46)	Finance Officer - Accounts Payable (46)
Finance Officer - Accounts Receivables & Treasury (399)	Finance Officer - Accounts Receivables & Treasury (399)
Governance and Risk Coordinator (414)	Governance and Risk Coordinator (414)
Home Services Support Officer (25)	Home Services Support Officer (25)
ICT Coordinator (353)	ICT Coordinator (353)
ICT Support Officer (224)	ICT Support Officer (224)
Information Management Admin Officer (436)	Information Management Admin Officer (436)
Information Management Officer (457)	Information Management Officer (457)
Information Management Officer (466)	Information Management Officer (466)

Abbreviation	Position
Information Management Officer Tech Records (434)	Information Management Officer Tech Records (434)
Leading Hand Arboriculture (142)	Leading Hand Arboriculture (142)
Leading Hand Drainage (235)	Leading Hand Drainage (235)
Leading Hand Grading (132)	Leading Hand Grading (132)
Leading Hand Grading (315)	Leading Hand Grading (315)
Leading Hand Grading (450)	Leading Hand Grading (450)
Leading Hand Horticulture (165)	Leading Hand Horticulture (165)
Leading Hand Program Maintenance (178)	Leading Hand Program Maintenance (178)
Leading Hand Sealed Roads North (156)	Leading Hand Sealed Roads North (156)
Leading Worker Civil Services (135)	Leading Worker Civil Services (135)
Leading Worker Civil Services QR North (137)	Leading Worker Civil Services QR North (137)
Leading Worker Civil Services QR South (153)	Leading Worker Civil Services QR South (153)
Leading Worker Open Space (Playgrounds and Cemeteries) (471)	Leading Worker Open Space (Playgrounds and Cemeteries) (471)
Library Acquisitions Officer (181)	Library Acquisitions Officer (181)
Library Youth Collections Officer (227)	Library Youth Collections Officer (227)
Management Accountant (48)	Management Accountant (48)

Abbreviation	Position
Manager Civil Services (402)	Manager Civil Services (402)
Manager Communications Engagement and Events (439)	Manager Communications Engagement and Events (439)
Manager Community Development (187)	Manager Community Development (187)
Manager Development Services (72)	Manager Development Services (72)
Manager Economic Development (386)	Manager Economic Development (386)
Manager Financial Services (214)	Manager Financial Services (214)
Manager Information Services (460)	Manager Information Services (460)
Manager Libraries and Customer Service (12)	Manager Libraries and Customer Service (12)
Manager Open Space (409)	Manager Open Space (409)
Manager Property Services (394)	Manager Property Services (394)
Manager Strategic Assets (403)	Manager Strategic Assets (403)
Manager Sustainability Waste & Emergency Management (93)	Manager Sustainability Waste & Emergency Management (93)
Mobile Library Officer (32)	Mobile Library Officer (32)
Organisational Development Advisor (375)	Organisational Development Advisor (375)
Organisational Development Officer (334)	Organisational Development Officer (334)
Organisational Development Systems Project Officer (481)	Organisational Development Systems Project Officer (481)

Abbreviation	Position
Parks and Reserves Technical Officer (431)	Parks and Reserves Technical Officer (431)
Payroll Officer (50)	Payroll Officer (50)
Procurement Coordinator (412)	Procurement Coordinator (412)
Project Coordinator AHBTC Divestment Strategy (410)	Project Coordinator AHBTC Divestment Strategy (410)
Project Coordinator Business Analyst (456)	Project Coordinator Business Analyst (456)
Project Officer (421)	Project Officer (421)
Project Officer (422)	Project Officer (422)
Property Officer (113)	Property Officer (113)
Property Project Officer (469)	Property Project Officer (469)
Public Programs Officer Fabrik (446)	Public Programs Officer Fabrik (446)
Ranger (333)	Ranger (333)
Ranger (357)	Ranger (357)
Ranger (358)	Ranger (358)
Ranger (99)	Ranger (99)
Rates Officer (43)	Rates Officer (43)
Regulatory Support Officer (101)	Regulatory Support Officer (101)

Abbreviation	Position
Roads Officer (416)	Roads Officer (416)
Senior Civil Engineer (184)	Senior Civil Engineer (184)
Senior Community Resilience Officer (474)	Senior Community Resilience Officer (474)
Senior Customer Service Officer (307)	Senior Customer Service Officer (307)
Senior Customer Service Officer (34)	Senior Customer Service Officer (34)
Senior ICT Officer (458)	Senior ICT Officer (458)
Senior Information Management Officer (470)	Senior Information Management Officer (470)
Senior Infrastructure Planning Engineer (264)	Senior Infrastructure Planning Engineer (264)
Senior Rates Officer (45)	Senior Rates Officer (45)
Senior Statutory Planner (80)	Senior Statutory Planner (80)
Senior Strategic and Policy Planner (200)	Senior Strategic and Policy Planner (200)
Services Coordinator (35)	Services Coordinator (35)
SkyTrust Project Coordinator (442)	SkyTrust Project Coordinator (442)
Sport and Recreation Officer (451)	Sport and Recreation Officer (451)
Statutory Planner (195)	Statutory Planner (195)
Statutory Planner (215)	Statutory Planner (215)
Statutory Planner (230)	Statutory Planner (230)

Abbreviation	Position
Statutory Planner (462)	Statutory Planner (462)
Statutory Planner (82)	Statutory Planner (82)
Statutory Planning Cadet (355)	Statutory Planning Cadet (355)
Supervisor Parks and Reserves (115)	Supervisor Parks and Reserves (115)
Sustainability Officer (306)	Sustainability Officer (306)
System Analyst (384)	System Analyst (384)
Team Leader Administration (77)	Team Leader Administration (77)
Team Leader Building Services (286)	Team Leader Building Services (286)
Team Leader Customer Service (389)	Team Leader Customer Service (389)
Team Leader Digital Services (344a)	Team Leader Digital Services (344a)
Team Leader Digital Services (344b)	Team Leader Digital Services (344b)
Team Leader Environmental Health (96)	Team Leader Environmental Health (96)
Team Leader Financial Accounting (482)	Team Leader Financial Accounting (482)
Team Leader ICT (385)	Team Leader ICT (385)
Team Leader Information Management (433)	Team Leader Information Management (433)
Team Leader Information Systems (459)	Team Leader Information Systems (459)
Team Leader Outreach Services (203)	Team Leader Outreach Services (203)

Abbreviation	Position
Team Leader Positive Ageing (208)	Team Leader Positive Ageing (208)
Team Leader Programs (273)	Team Leader Programs (273)
Team Leader Regulatory Services (196)	Team Leader Regulatory Services (196)
Team Leader Statutory Planning (326)	Team Leader Statutory Planning (326)
Team Member Arboriculture (249)	Team Member Arboriculture (249)
Team Member Arboriculture (250)	Team Member Arboriculture (250)
Team Member Biodiversity (452)	Team Member Biodiversity (452)
Team Member Civil Services (122)	Team Member Civil Services (122)
Team Member Civil Services (123)	Team Member Civil Services (123)
Team Member Civil Services (126)	Team Member Civil Services (126)
Team Member Civil Services (131)	Team Member Civil Services (131)
Team Member Civil Services (136)	Team Member Civil Services (136)
Team Member Civil Services (141)	Team Member Civil Services (141)
Team Member Civil Services (144)	Team Member Civil Services (144)
Team Member Civil Services (146)	Team Member Civil Services (146)
Team Member Civil Services (148)	Team Member Civil Services (148)
Team Member Civil Services (149)	Team Member Civil Services (149)

Abbreviation	Position
Team Member Civil Services (157)	Team Member Civil Services (157)
Team Member Civil Services (160)	Team Member Civil Services (160)
Team Member Civil Services (161)	Team Member Civil Services (161)
Team Member Civil Services (163)	Team Member Civil Services (163)
Team Member Civil Services (168)	Team Member Civil Services (168)
Team Member Civil Services (179)	Team Member Civil Services (179)
Team Member Civil Services (236)	Team Member Civil Services (236)
Team Member Civil Services (238)	Team Member Civil Services (238)
Team Member Civil Services (261)	Team Member Civil Services (261)
Team Member Civil Services (262)	Team Member Civil Services (262)
Team Member Civil Services QR North (130)	Team Member Civil Services QR North (130)
Team Member Civil Services QR South (234)	Team Member Civil Services QR South (234)
Team Member Horticulture (145)	Team Member Horticulture (145)
Team Member Horticulture (162)	Team Member Horticulture (162)
Team Member Horticulture (167)	Team Member Horticulture (167)
Team Member Horticulture (171)	Team Member Horticulture (171)
Team Member Horticulture (173)	Team Member Horticulture (173)

Abbreviation	Position
Team Member Horticulture (251)	Team Member Horticulture (251)
Team Member Open Space (167)	Team Member Open Space (167)
Team Member Open Space (472)	Team Member Open Space (472)
Technical Officer (104)	Technical Officer (104)
Technical Services Officer (383)	Technical Services Officer (383)
Trails Officer (454)	Trails Officer (454)
Volunteering Coordinator (408)	Volunteering Coordinator (408)
Waste Coordinator (299)	Waste Coordinator (299)
WHS Advisor (374)	WHS Advisor (374)
Work Group Leader Arboriculture (448)	Work Group Leader Arboriculture (448)
Work Group Leader Grading (127)	Work Group Leader Grading (127)
Work Group Leader Horticulture (449)	Work Group Leader Horticulture (449)
Work Group Leader Program Maintenance North (124)	Work Group Leader Program Maintenance North (124)
Work Group Leader Program Maintenance South (151)	Work Group Leader Program Maintenance South (151)
Work Group Leader Works Planning (430)	Work Group Leader Works Planning (430)
Work Group Leader Workshop (441)	Work Group Leader Workshop (441)

Abbreviation	Position
Workshop Mechanic (150)	Workshop Mechanic (150)

Instrument of Delegation under the Local Government Act 1999

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	Chief Executive Officer (95), Director Corporate Services (41)	NIL	council
section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Libraries and Customer Service (12)		
section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(j)	Manage, improve and develop resources available to the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 7(k)	Undertake other functions and activities conferred by or under an Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 12(1)	Publish a notice in the Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	into wards or abolishing the division of the area of the council into wards			
section 12(2)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(3)	Undertake a review under section 12 of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(4)	Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(5)	Initiate the preparation of a paper	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(7)(a)	Inform the public by public notice of the preparation of the representation options paper and inviting written submissions within a period of not less than 6 weeks specified by the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(7)(a)	Publish a copy of the public notice in a newspaper circulating in the council area	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(8)	Make copies of the representation options paper available for inspection and purchase at the principal office of the council during the period for making written submissions	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(8a)	Prepare a report addressing the prescribed matters	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(9)(a)	Make copies of the council report available for inspection at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(9)(b)	Inform the public by public notice of the preparation of the report and its availability and invite written submissions	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(9)(c)	Publish a copy of the public notice in a newspaper circulating in the council area	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(10)	Provide an opportunity to any person who makes a written submission an opportunity to appear personally or by representative to be heard on the submission	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(11)	Finalise the council report	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(11b)(a)	Separate a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa from any other proposal in the council's report	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(11b)(b)	Determine to conduct a poll on the proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa either at the next general election or some other time	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(11c)(b)(i)	Prepare a summary of the issues surrounding a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa to assist persons who may vote at the poll	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(11c)(b)(ii)	Obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(11c)(b)(iii)	Make copies of the summary available for public inspection at the principal office of the council and on a website determined by the chief executive officer, and publish or distribute copies of the summary as directed by the Electoral Commissioner	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(12)	Refer report finalised under section 12(11) to the Electoral Commissioner	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(16)(b)	Refer report back to the Electoral Commissioner	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(17)	Comply with requirements of sections 12(9) and 12(1) (unless alteration of report is of a minor nature only)	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 12(24)	Undertake a review within period specified by the Electoral Commissioner	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 13(1)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 13(2)(a)	Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 13(2)(b)	Invite written submissions	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 13(2)(c)	Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 28(1)(c)	Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 31(10)(c)	Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 36(1)(a)	Exercise the legal capacity of a natural person, including entering into contracts or arrangements, suing and being sued and acting in conjunction with another council or authority or person	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive	The CEO sub-delegates subject to the following conditions and limitations: (a) the sub-delegate must exercise a sub-delegated function or power in accordance with: (i) applicable legislative and other legal requirements; and	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12), Procurement Coordinator (412)	(ii) due regard to relevant policies and guidelines adopted by the Council; and (iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and (iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and (v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 36(1)(c)	Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Executive Assistant - Mayor and CEO (1), Collections Development Coordinator (14), Asset and GIS Officer (232), Asset Management System Analyst (455), Biodiversity Officer (327), Biodiversity Officer (85), Biodiversity Project Officer (447), Coordinator Civil Operations (117), Coordinator	<p>The CEO sub-delegates subject to the following conditions and limitations:</p> <p>(a) the sub-delegate must exercise a sub-delegated function or power in accordance with:</p> <p>(i) applicable legislative and other legal requirements; and</p> <p>(ii) due regard to relevant policies and guidelines adopted by the Council; and</p> <p>(iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and</p> <p>(iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and</p>	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Civil Projects (109), CWMS Technical Officer (423), Depot Supervisor (443), Executive Assistant Infrastructure & Ops (118), Field Supervisor (381), Field Supervisor (388), Leading Hand Arboriculture (142), Leading Hand Drainage (235), Leading Hand Grading (132), Leading Hand Grading (315), Leading Hand Grading (450), Leading Hand Horticulture (165), Leading Hand Program Maintenance (178), Leading Hand Sealed Roads North (156), Leading Worker Civil Services (135), Leading Worker Civil Services QR North (137), Leading Worker Civil Services QR South (153), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403),	(v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Sustainability Waste & Emergency Management (93), Parks and Reserves Technical Officer (431), Project Officer (421), Project Officer (422), Senior Civil Engineer (184), Senior Infrastructure Planning Engineer (264), Sport and Recreation Officer (451), Coordinator Sport and Recreation (391), Supervisor Parks and Reserves (115), Sustainability Officer (306), Technical Officer (104), Trails Officer (454), Waste Coordinator (299), Work Group Leader Arboriculture (448), Work Group Leader Grading (127), Work Group Leader Horticulture (449), Work Group Leader Program Maintenance North (124), Work Group Leader Program Maintenance		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		South (151), Work Group Leader Works Planning (430), Work Group Leader Workshop (441), Workshop Mechanic (150), Team Member Biodiversity (452), Assessment Manager (72), Building Fire Safety Committee, Leading Worker Open Space (Playgrounds and Cemeteries) (471), Team Member Open Space (472), Statutory Planner (462), Customer Service Officer Casual (197), Finance Officer - Accounts Payable (46), Finance Officer - Accounts Receivables & Treasury (399), ICT Coordinator (353), ICT Support Officer (224), Team Leader ICT (385), Information Management Admin Officer (436), Information Management Officer (457), Information		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Management Officer Tech Records (434), Management Accountant (48), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Project Coordinator AHBTC Divestment Strategy (410), Project Coordinator Business Analyst (456), Property Officer (113), Rates Officer (43), Roads Officer (416), Senior ICT Officer (458), Senior Rates Officer (45), SkyTrust Project Coordinator (442), System Analyst (384), Team Leader Information Management (433), Information Management Officer (466), WHS Advisor (374), Administration Building Support Officer (418), Administration Support Officer		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(369), Team Leader Administration (77), Building Officer (380), Building Officer (453), Building Officer (73), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Administration Support Officer (76), Development Compliance Officer (211), Duty Planner (265a), Duty Planner (265b), E-Development Officer (417), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Executive Assistant Development and Regulatory Services (69), Manager Development Services (72), Regulatory Support Officer (101), Senior Statutory Planner (80), Senior		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		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), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Administrative Officer (216), Arboriculture and Horticulture Officer (120), Director Fabrik (437), Events Officer (444), Executive Assistant Community Capacity (354), Home Services Support Officer (25), Library Acquisitions Officer (181), Library Youth Collections Officer (227), Manager Communications Engagement		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12), Mobile Library Officer (32), Public Programs Officer Fabrik (446), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Services Coordinator (35), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Technical Services Officer (383), Volunteering Coordinator (408), Building Management Coordinator (297), Building		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Management Officer (108), Cemeteries Officer (478), Executive Assistant Corporate Services (39), Finance Officer (346), Procurement Coordinator (412), Adult Collections Officer (226), Adult Collections Officer (266), Children's Program Support Officer (231), Collaborative Project Officer (210), Collections Support Officer (301), Communications Officer (377), Community and Cultural Development Officer (393), Community Centre Operations Officer TSCC (406), Community Centre Operations Officer TVCC (407), Community Centre Support Officer (432), Community Dev and Admin Support Officer (404), Community		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Development Administration Officer (325), Community Development Officer TSCC (405), Community Development Officer TVCC (401), Community Development Officer Y&R (205), Community Engagement Coordinator (445), Community Support and Programs Officer (428), Community Support and Volunteer Officer (427), Community Support Officer (328), Community Support Officer (4), Community Support Officer (438), Coordinator Service Strategy and Innovation (362), Digital Learning Officer (440), Digital Services Officer (390), Building Officer (463), Corporate Planning & Performance Coordinator (413), Customer		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Service Officer (11), 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), 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), Organisational Development Advisor (375), Organisational Development Officer (334), Payroll Officer (50), Community		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		and Social Planning Officer (465), Senior Information Management Officer (470), Cadet Engineer (477), Team Member Open Space (167), Senior Community Resilience Officer (474), Community Resilience Officer (475), Team Member Civil Services (144), Team Member Civil Services (160), Team Member Civil Services (122), Team Member Civil Services (123), Team Member Civil Services (126), Team Member Civil Services (131), Team Member Civil Services (136), Team Member Civil Services (141), Team Member Civil Services (146), Team Member Civil Services (148), Team Member Civil Services (149), Team Member Civil Services (161), Team		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Member Civil Services (163), Team Member Civil Services (168), Team Member Civil Services (179), Team Member Civil Services (236), Team Member Civil Services (238), Team Member Civil Services (261), Team Member Civil Services (262), Team Member Civil Services QR North (130), Team Member Civil Services QR South (234), Team Member Civil Services (157), Customer Experience Project Officer (479), Customer Service Officer (473), Coordinator Property Projects and Maintenance (468), Customer Service Officer Casual (15), Property Project Officer (469), Team Leader Information Systems (459), Team Member Horticulture (145), Team Member		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Horticulture (162), Team Member Horticulture (167), Team Member Horticulture (171), Team Member Horticulture (173), Team Member Horticulture (251), Team Member Arboriculture (249), Team Member Arboriculture (250), Organisational Development Systems Project Officer (481) , Team Leader Financial Accounting (482)		
section 36(2)	Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70),	<hr/> The CEO sub-delegates subject to the following conditions and limitations: (a) the sub-delegate must exercise a sub-delegated function or power in accordance with:	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	<p>(i) applicable legislative and other legal requirements; and</p> <p>(ii) due regard to relevant policies and guidelines adopted by the Council; and</p> <p>(iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and</p> <p>(iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and</p> <p>(v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Manager	<p>The CEO sub-delegates subject to the following conditions and limitations:</p> <p>(a) the sub-delegate must exercise a sub-delegated function or power in accordance with:</p> <p>(i) applicable legislative and other legal requirements; and</p> <p>(ii) due regard to relevant policies and guidelines adopted by the Council; and</p> <p>(iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and</p> <p>(iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and</p>	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)	(v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.	
section 41(1)	Establish a committee	Elected Body	NIL	council
section 41(2)	Determine the role of the committee	Elected Body	NIL	council
section 41(3)	Determine the membership of the committee	Elected Body	NIL	council
section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 41(6)	Appoint the principal member as an ex officio member of the committee	Elected Body	NIL	council
section 41(8)	Determine the reporting and other accountability requirements applying to a committee	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 44(7)	Enable a person to inspect the record of delegations at the principal office of the councils during ordinary office hours	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 44(8)	Enable a person to purchase an extract from the record of delegations	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(349), Governance and Risk Coordinator (414)		
section 45(1)	Nominate a place as the council's principal office	Elected Body	NIL	council
section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	Chief Executive Officer (95), Director Community Capacity (350)	The Director Community Capacity is limited to altering opening hours for once-off planned or unplanned occasions.	council
section 45(3)	Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements	Chief Executive Officer (95), Director Community Capacity (350)	NIL	council
section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
section 46(2)(a)	Establish a business in connection with a commercial project	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	council
section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41)	Policy subject to the approval of Council upon recommendation from Audit Committee.	council
section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41)	NIL	council
section 48(5)	Make available for public inspection at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41)	Subject to any applicable confidentiality provisions.	council
section 48(6)	Take steps to prevent the disclosure of specific information in order to protect its commercial	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	value or to avoid disclosing the financial affairs of a person (other than the council)	(349), Director Corporate Services (41)		
section 49(a1)	Maintain procurement policies, practices and procedures directed towards: (a) obtaining value in the expenditure of public money; (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability and transparency in procurement operations	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Procurement Coordinator (412), Team Leader Financial Accounting (482)	Policy subject to the approval of Council upon recommendation from Audit Committee.	council
section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services; (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; (c) the use of local goods and services; and	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	Policy subject to the approval of Council upon recommendation from Audit Committee.	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	(d) the sale or disposal of land or other assets.			
section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	Policy subject to the approval of Council upon recommendation from Audit Committee.	council
section 49(4)	Provide a copy of a policy of the council under section 49 of the Local Government Act for inspection at the principal office of the council	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 49(5)	Provide for the purchase of a copy of a policy of the council under section 49 of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 50(1)	Prepare and adopt a public consultation policy	Chief Executive Officer (95)	Policy subject to the approval of Council.	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(5)	Alter or substitute the public consultation policy	Chief Executive Officer (95)	Policy subject to the approval of Council.	council
section 50(6)(c)	Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy	Chief Executive Officer (95), Director Community Capacity (350), Manager Communications Engagement and Events (439)	NIL	council
section 50(6)(d)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions	Chief Executive Officer (95), Director Community Capacity (350), Manager Communications Engagement and Events (439)	NIL	council
section 50(6)(d)	Consider submissions	Chief Executive Officer (95), Director Community Capacity (350), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Communications Engagement and Events (439)		
section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	Chief Executive Officer (95)	NIL	council
section 50(8)	Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council	Chief Executive Officer (95), Director Community Capacity (350), Manager Communications Engagement and Events (439), Community Engagement Coordinator (445)	NIL	council
section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	Chief Executive Officer (95), Director Community Capacity (350), Manager Communications Engagement and Events (439), Community Engagement Coordinator (445)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 54(1)(d)	Grant a leave of absence from council	Elected Body	NIL	council
section 54(1)(d)	Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council	Elected Body	NIL	council
section 57(6)	Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the members of the councils at the time the contract was made or lease was entered	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 70(a1)	Publish prescribed details contained in the Register	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 70(1))	Provide a copy of the Register for inspection at the principal office of the council	Chief Executive Officer (95), Executive Manager		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Governance and Performance (349)	NIL	
section 70(2)	Provide for the purchase of a copy of the Register	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 77(1)	Provide reimbursement of prescribed expenses of a member of council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 77(3)	Provide a copy of a policy for the purposes of section 77(1)(b) for inspection at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 77(4)	Provide for the purchase of a copy of the Register	Chief Executive Officer (95), Executive Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Governance and Performance (349)		
section 79(3)	Provide access to the Register of Benefits and Allowances for inspection at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 79(4)	Provide for the purchase of an extract of the Register of Benefits and Allowances	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 80	Take out a policy of insurance insuring every member of the council and a spouse or domestic partner or another person who may be accompanying a member of the councils against the risks associated with the performance or discharge of official functions or duties by members	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 80A(1)	Prepare a training and development policy for members	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	Policy subject to the approval of Council.	council
section 80A(3)	Alter or substitute a training and development policy for members	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	Policy subject to the approval of Council.	council
section 80A(4)	Provide a copy of the policy under section 80A(1) for inspection at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 80A(5)	Provide for the purchase of a copy of the policy under section 80A(1)	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 84(3)	Provide for the purchase of a copy of the notice and agenda for a council committee meeting	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	Chief Executive Officer (95)	Subject to the limitations of Chapter 6, Meetings, Local Government Act 1999.	council
section 88(3)	Provide for the purchase of a copy of the notice and agenda for a council meeting	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	Policy subject to the approval of Council.	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 90(8a)(a)	Adopt a policy on the holding of informal gatherings	Elected Body	NIL	council
section 90(8c)	Alter or substitute a new policy	Elected Body	NIL	council
section 90(8d)	Provide for inspection at the principal office of the council a copy of the policy under section 90(8a)	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 90(8e)	Provide for the purchase of a copy of the policy under section 90(8a)	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 90A(1)	Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	involved in for the purposes of providing information or a briefing	(349), Governance and Risk Coordinator (414)		
section 90A(4)	Order that an information or briefing session be closed to the public	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 90A(5)	If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5)	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 91(4)	Display a copy of the minutes of meeting of council in the principal office of council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 91(5)	Provide for inspection at the principal office of the council: (a) minutes kept under this 91 of the Local Government Act; (b) reports to the council or a council committee received at a meeting of the council or committee; (c) recommendations presented to the council in writing and adopted by resolution of the council; and	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Manager Financial Services (214), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	(d) budgetary or other financial statements adopted by the council			
section 91(6)	Provide for the purchase of a copy of the document subject to inspection under section 91(5) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 92(1)	Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	Code subject to the approval of Council.	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 92(2)	Review code of practice	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 92(3)	Alter or substitute a new code of practice	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	Code subject to the approval of Council.	council
section 92(5)(a)	Make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the chief executive officer	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 92(5)(b)	Apply relevant steps in the council's public consultation policy to the proposed adoption, alteration or substitution of a code of practice	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 92(6)	Provide for inspection of a copy of the code of practice at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 92(7)	Provide for purchase of a copy of the code of practice at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 93(1)	Convene a meeting of electors of the council area or part of the council area	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 93(11)	Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 93(14)	Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 94(6)	Make submissions to the Minister	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	council
section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(349), Governance and Risk Coordinator (414)		
section 98(3)	Invite applications including by advertising in a newspaper circulating throughout the State	Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 105(3)	Provide for inspection of a copy of the Register of Salaries at the principal office of the council	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager Organisational Development (310), Payroll Officer (50)	NIL	council
section 105(4)	Provide for purchase of a copy of the Register of salaries at the principal office of the council	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager Organisational Development (310), Payroll Officer (50)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 106(2)	Pay contribution to another council	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager Organisational Development (310), Payroll Officer (50)	NIL	council
section 106(3)	Recover a contribution from another council as a debt	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager Organisational Development (310), Payroll Officer (50)	NIL	council
section 106(4)	Provide details of the service of an employees or former employee to another council	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager Organisational Development (310), Payroll Officer (50)	NIL	council
section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	Chief Executive Officer (95), Director Corporate Services (41), Executive Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Organisational Development (310), Payroll Officer (50)		
section 111(b)	Declare that an officer or an officer of a class is subject to Division 2, Part 4, Chapter 7 of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	council
section 122(1)	Develop a strategic management plan	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)		
section 122(1a)(a)	Develop a long-term financial plan	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Planning & Performance Coordinator (413)		
section 122(1a)(b)	Develop an infrastructure and asset management plan	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset Management System Analyst (455), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 122(4)	Review strategic management plans	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12), Corporate Planning & Performance Coordinator (413)		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 122(6)	Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council
section 122(7)	Provide copies of the strategic management plans for inspection and purchase at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)		
section 123(3)(a)	Prepare a draft annual business plan	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
)section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council
section 123(5)	Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)		
section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 123(9)(a)(i)	Prepare a summary of the annual business plan	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council
section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)		
section 123(9)(b)(i)	Provide copies of the annual business plan and budget for inspections or purchase at the principal offices of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 123(9)(b)(ii)	Provide copies of the annual business plan for collection at the principal offices of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)	NIL	council
section 123(9)(c)	Provide copies of the annual business plan and budget on a website determined by the chief executive officer	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Corporate Planning & Performance Coordinator (413)		
section 124(1)(a)	Keep accounting records	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Management Accountant (48), Manager Financial Services (214), Team Leader Financial Accounting (482)	NIL	council
section 125	Implement and maintain appropriate policies, practices and procedures of internal control	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (41), Manager Financial Services (214)		
section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 127(3)	Provide statements to auditor	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (41), Manager Financial Services (214)		
section 127(5)	Provide a copy of audited statements for inspection or purchase at the principal offices of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 127(5)	Provide a copy of audited statements for inspection or purchase at the principal offices of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 128(2)	Appoint an auditor on the recommendation of the council's audit committee	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 130A(1)	Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 131(1)	Prepare annual report	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Corporate Planning & Performance Coordinator (413)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 131(4)	Provide a copy of the annual report to each council member	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Corporate Planning & Performance Coordinator (413)	NIL	council
section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Corporate Planning & Performance Coordinator (413)	NIL	council
section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Corporate Planning & Performance Coordinator (413)	NIL	council
section 131(8)	Provide copies of the annual report for inspection or purchase at the principal offices of the council	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(349), Corporate Planning & Performance Coordinator (413)		
section 131A(1)	Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 132(1)	Provide copies of a document referred to in Schedule 5 of the Local Government Act for inspection or purchase at the principal offices of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 132(2)	Make copies of a document referred to in Schedule 5 of the Local Government Act available in electronic form	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Communications Engagement and Events (439), Manager Community Development		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 132(3)	Make documents listed in section 132(3) of the Local Government Act available on the council's website	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12)		
section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Libraries and Customer Service (12)		
section 133	Obtain funds as permitted by the Local Government Act or other Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Management Accountant (48), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12), Team Leader Financial Accounting (482)		
section 135(1)	Provide security	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 135(2)(a)	Assign a distinguishing classification to a debenture	Chief Executive Officer (95), Director Corporate Services		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(41), Manager Financial Services (214)	NIL	
section 135(2)(b)	Appoint a trustee for the debenture holders	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 137	Expend funds in the performance or discharge of the council's powers, functions or duties under the Local Government Act or other Acts	Chief Executive Officer (95), Director Corporate Services (41), Management Accountant (48), Manager Financial Services (214), Team Leader Financial Accounting (482)	NIL	council
section 139(1)	Invest money under the council's control	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 140	Review performance of investments at least annually	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	NIL	council
section 141(1)	Accept a gift	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 141(2)	Carry out the terms of a trust applying to a gift	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 141(4)	Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 141(6)	Publish an order of the made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414)	NIL	council
section 143(1)	Write off bad debts	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214)	Amounts less than \$5000 are sub-delegated and amounts above \$5,000 are to be submitted to the Audit Committee prior to consideration by Council.	council
section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 144(2)	Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 144(2)	Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 151(5)(d)	Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 151(5)(e)	Follow the relevant steps in the public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 151(8)	Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 156(10)	Extend the time period for lodging an objection	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 156(11)	Decide an objection to attribution of a particular use to land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 156(14e)	Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 159(1)	Determine the manner and form of an application for a rebate of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 159(3)	Grant a rebate of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 159(4)	Increase a rebate of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 159(10)	Determine that proper cause for a rebate of rates no longer applies	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 159(11)	Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 165(2)	Grant a rebate of rates greater than 75% on land being used by a university or university college to provide accommodation and other forms of support on a not-for-profit basis	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 166(2)	Attach conditions to the granting of a rebate of rates or service charges under section 166(1) of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 167(1)	Adopt valuations	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 167(6)	Publish a notice of the adoption of valuations in the Gazette	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 168(1)	Request the Valuer-General to value land in the council area	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 168(2)	Furnish information to the Valuer-General requested information	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 168(3)(b)	Enter valuation into the assessment record	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 169(5)	Refer an objection to the valuation of land to the valuer who made the valuation with a request to reconsider the valuation	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 169(7)	Provide written notice to an objector of the outcome of the objection	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 169(16)	Pay the prescribed fee to the Valuer-General	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 170	Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 173(5)	Determine a review of the outcome of a request to alter the assessment record	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 173(6)	Provide written notice of decision on review	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 173(7)	Participate in a review of decision of council	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 174(1)	Provide the assessment record for inspection at the principal offices of the council	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 174(2)	Provide for the purchase of an entry in the assessment record	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 178(3)	Recover rates as a debt	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 179(2)	Adopt a valuation of land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 180(1)	Provide a rates notice to the principal ratepayer	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 181(2)	Determine the day on which an instalment of rates falls due	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 181(3)	Adjust the months in which instalments of rates are payable	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 181(5)	Provide rates notice to principal ratepayer	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 181(11)	Grant discounts or other incentives in relation to the payment of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 181(12)(b)	Impose a surcharge or administrative levy not exceeding 1 per cent of the rates payable in a	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	particular financial year with respect to the payment of rates by instalments	Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 181(13)	Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 182(1)(a)	Postpone payment of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182(1)(b)	Remit the whole or part payment of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 182(2)(b)	Impose other conditions on the postponement of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182(2)(c)	Revoke a postponement of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182(3)	Postpone the payment of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 182(4)	Grant a remission of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182A(1)	Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(2)	Send a notice to the principal ratepayer	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 184(3)	Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee, the holder of any caveat over the land and, if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 184(6)	Set a reserve price for the auction	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(7)	Seek the consent of the Minister who is responsible for the administration of the Crown Lands Act 1929 to have the land sold by public auction	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(9)	Call off an auction	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(10)	Sell land by private contract	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 184(11)	Apply money receive in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11)	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 184(12)	Deal with money under the Unclaimed Money Act 1891	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	an order under section 185 of the Local Government Act	Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 186(2)(a)	Repay an amount of overpaid rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 186(5)	Refund an amount to a person ceasing to be a ratepayer	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Financial Accounting (482)		
section 187(1)	Issue a certificate stating the amount of any liability for rates or charges on the land and any amount received on account of rates or charges that is held in credit against future liabilities for rates or charges on the land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 187A(5)(b)	Receive a report from the Ombudsman	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 187B(5)	Receive a report from the Ombudsman	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)		
section 187B(6)	Provide a written response to the Ombudsman and complainant	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council
section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Rates Officer (43), Senior Rates Officer (45), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)	NIL	council
section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)	NIL	council
section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)		
section 188(3)	Provide for: (a) specific fees and charges; (b) maximum fees and charges and minimum fees and charges; (c) annual fees and charges; (d) the imposition of fees or charges according to specified conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges.	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 188(5)(b)	Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)	NIL	council
section 188(6)	Keep a list of fees and charges imposed under section 188 of the Local Government Act on public display at the principal offices of the council	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)	NIL	council
section 188(7)	Update the list of fees and charges and take reasonable steps to bring a variation of a fee or	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	charge to the notice of a person who may be affected	Property Services (394), Property Officer (113), Roads Officer (416), Team Leader Financial Accounting (482)		
section 190	Agree to acquire land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 191(1)	Seek the Minister's consent to acquire land compulsorily	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 191(1)	Acquire land compulsorily	Chief Executive Officer (95), Director Corporate Services (41), Manager Property	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (394), Property Officer (113), Roads Officer (416)		
section 191(2)	Acquire land compulsorily	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 193(6)	Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (394), Property Officer (113), Roads Officer (416)		
section 194(3)(a)	Submit the proposal to revoke the classification of land as community land with a report on all submissions made in respect of the proposal to the Minister	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 194(4)	Participate in consultation with the Minister	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 196(1)	Prepare and adopt a management plan for community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Deliberately left blank	Deliberately left blank	Adelaide City Council
section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 197(1)(a)	Make copies of a proposed management plan available or inspection of purchase at the council's principal office	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 197(3)	Give public notice of the adoption of the management plan	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 198(1)	Amend or revoke a management plan	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	Chief Executive Officer (95), Director Corporate Services (41), Manager Property	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (394), Property Officer (113), Roads Officer (416)		
section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 199	Manage community land in accordance with any relevant management plan	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 200(1)	Approve the use of community land for a business purpose	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 200(3)	Impose conditions on an approval to use community land for a business purpose	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 201(1)	Sell or otherwise dispose of an interest in land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 202(1)	Grant a lease or licence over community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 202(2)	Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land	Chief Executive Officer (95), Director Corporate Services (41), Manager Property	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (394), Property Officer (113), Roads Officer (416)		
section 207(1)	Keep a register of community land in the council area	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 207(3)	Provide the register of community land in the council area for public inspection at the principal office of the council	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 207(4)	Provide for the purchase of an extract of the register of community land in the council area	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 208(4)	Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 210(1)	Declare a private road to be a public road	Chief Executive Officer (95), Director Corporate Services (41), Manager Property	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (394), Property Officer (113), Roads Officer (416)		
section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 211(1)(a)	Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 212(1)	Carry out roadwork in the council area	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 212(3)(b)	Consult with the Commissioner of Highways	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 212(3)(d)	Obtain the agreement of the owner of private land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 213(2)	Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 213(3)(a)	Recover the cost of roadwork on private land or a contribution to the cost of the work determined by the council as a debt from the owner of the private	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 214(2)(a)	Agree the amount of contribution to roadwork with another council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 217(2)(a)	Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 217(2)(a)	Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council
section 218(1)	Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Manager Civil Services (402), Manager Open Space (409), Senior Civil Engineer (184)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 219(1)	Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 219(1a)	Assign a name to a public road created by land division	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Infrastructure Planning Engineer (264)		
section 219(2)(b)	Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 219(3)(a)	Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 219(3)(b)	Provide information to the Registrar-General, the Surveyor-General and the Valuer-General	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	about the name of roads and public places in the council area	GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)		
section 219(4)	Provide public notice on the assigning or changing of a road name	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 219(5)	Prepare and adopt a policy on the assigning of road names	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 219(6)	Alter or substitute a policy on the assigning of road names	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 219(7)	Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Infrastructure Planning Engineer (264)		
section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 220(2)	Alter or substitute a new numbering system	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 220(6)	Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset and GIS Officer (232), Manager Strategic Assets (403), Senior	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Infrastructure Planning Engineer (264)		
section 221(1)	Grant an authorisation to alter a public road	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 222(1)	Grant a permit authorising the use of a public road for business purposes	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
section 223(1)	Follow the relevant steps in the council's public consultation policy	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
section 224(1)	Attach conditions to an authorisation or permit	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 224(2)	Comply with any requirements prescribed by the regulations in relation to attaching conditions	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	under section 224(1) of the Local Government Act	Civil Services (402), Manager Open Space (409)		
section 225(1)	Cancel an authorisation or permit	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Manager Civil	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (402), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)		
section 231(1)	Keep a register of public roads in the council area	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset Management System Analyst (455), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 231(3)	Provide the register of public roads for inspections and the principal office of the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset Management System Analyst (455), Manager Strategic Assets (403), Senior	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Infrastructure Planning Engineer (264)		
section 231(4)	Provide for purchase an extract from the register of public roads	Chief Executive Officer (95), Director Infrastructure and Operations (114), Asset Management System Analyst (455), Manager Strategic Assets (403), Senior Infrastructure Planning Engineer (264)	NIL	council
section 232	Plant vegetation on a road	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 232	Authorise the planting of vegetation on a road	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road of structure belonging to the councils associated with a road	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 234(1)	Remove and dispose of any structure, object or substance from a road	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 234(2)	Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114), Biodiversity Officer (85), Parks and Reserves Technical Officer (431), Technical Officer (104), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	council
section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Leader Regulatory Services (196)		
section 234A(5)	Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	council
section 234A(6)	Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
section 236(2)	Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	council
section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	council
section 237(5)	Sell a vehicle by public auction or public tender	Chief Executive Officer (95), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)		
section 237(6)	Dispose of a vehicle	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196)	NIL	council
section 238(3)	Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Leader Regulatory Services (196)		
section 242(3)	Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council
section 243(1)	Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113), Roads Officer (416)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 245(2)	Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Biodiversity Officer (327), Biodiversity Officer (85), Biodiversity Project Officer (447), Leading Hand Arboriculture (142), Leading Hand Horticulture (165), Manager Civil Services (402), Manager Open Space (409), Work Group Leader Arboriculture (448), Work Group Leader Horticulture (449), Assessment Manager (72), Manager Development Services (72), Arboriculture and Horticulture Officer (120)	NIL	council
section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an	Chief Executive Officer (95), Director Development and		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	approval under the Planning, Development and Infrastructure Act 2016 which could cause damage to any local government land (including a road) within the vicinity of the site of the development	Regulatory Services (70), Director Infrastructure and Operations (114), Assessment Manager (72), Manager Development Services (72)	NIL	
section 245A(3)	Participate in the hearing of an appeal by a person against the requirements to enter and agreement of the terms or conditions of the agreement	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Assessment Manager (72), Manager Development Services (72)	NIL	council
section 246(4a)	Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 249(1)(a)	Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection at the principal offices of the council and on the internet	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 249(1)(b)	Publish a notice in a newspaper circulating in the council area informing the public of the availability of the by-laws and the terms of the by-law, or describing the by-laws nature and effect	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 249(2)	Consider submissions made on a proposed by-law	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 249(4)	Obtain a certificate signed by a legal practitioner	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 249(5)	Publish a by-law in the Gazette	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 249(7)	Publish a notice of making a by-law	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 250(5)	Publish a resolution adopting a model by-law in the Gazette	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 252(1)	Maintain a register of the by-laws made or adopted by the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 252(3)	Provide the register of by-laws for inspection at the principal office of the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 252(4)	Provide for purchase an extract of the register of by-laws	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 252(5)	Provide for purchase a certified copy of a by-law	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 254(1)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 255(3)(a)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 255(3)(b)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 255(3)(c)	Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 255(11)	Vary an order	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 255(12)	Make an order	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 256(3)	Participate in a review of an order by the South Australian Civil and administrative Tribunal	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 257(1)	Take action required by an order made under section 255 of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 257(5)	Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 257(5)(b)	Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Environmental Health Officer (241), Environmental Health	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 259(1)	Prepare and adopt policies concerning the operation of Part2, Chapter 12 of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 259(2)(a)	Prepare a draft policy	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 259(2)(b)	Give notice in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 259(3)	Consider submissions	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 259(4)	Amend a policy	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 259(6)	Provide for inspection a copy of a policy	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 259(7)	Provide for purchase a copy of a policy	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Development and Regulatory Services (70), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	council
section 260(1)	Appoint an authorised person	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Corporate Services (41), Director Community Capacity (350), Director Development	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 260(2)	Impose conditions or limitations on the appointment of an authorised person	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Corporate Services (41), Director Community Capacity	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 260(3)	Issue an identity card to an authorised person	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Corporate Services (41),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 260(5)	Revoke the appointment of an authorised person	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Civil Services (402), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 270(a1)	Develop and maintain policies, practices and procedures for dealing with requests for the provision of services by the council or complaints about the activities of the council,	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	employees of the council or person acting on behalf of the council	Coordinator (414), Director Community Capacity (350), Coordinator Service Strategy and Innovation (362)		
section 270(1)	Establish procedures for the review of decisions	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Community Capacity (350), Coordinator Service Strategy and Innovation (362)	NIL	council
section 270(4)	Refuse an application for the review of a decision	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Community Capacity (350), Coordinator Service Strategy and Innovation (362)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 270(5)	Provide for inspection copies if policies, practices and procedures applying under section 270 of the Local Government Act at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Community Capacity (350), Coordinator Service Strategy and Innovation (362)	NIL	council
section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Director Community Capacity (350), Coordinator Service Strategy and Innovation (362)	NIL	council
section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Coordinator (414), Director Community Capacity (350), Coordinator Service Strategy and Innovation (362)		
section 271(1)	Make provision in a procedure under section 270 of the Local Government Act for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 271(2)	Constitute panels of mediators, conciliators and evaluators	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 271(7)	Pay costs of mediation, conciliation and evaluation	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(349), Director Community Capacity (350)		
section 271A(1)	Provide requested information to the Minister	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 271B(1)(b)	Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 272(3)	Provide an explanation and make submissions to the Minister	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Community Capacity (350)	NIL	council
section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	Chief Executive Officer (95), Executive Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Governance and Performance (349)		
section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL	council
section 279(1)	Serve a document	Chief Executive Officer (95), Executive Manager Governance and Performance	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)		
section 281(1)	Notify a lessee or licensee of land to pay the council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council
section 282(1)	Approve an occupier of land undertaking work	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 294(1a)	Provide notice to an owner or occupier of land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 294(3)(c)(i)	Remedy damage to land caused by the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 294(5)	Erect a fence	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 294(5)	Comply with the relevant requirements of the Mining Act 1971	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 296(1)	Recover the cost or a portion of the costs of works as a debt	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 296(3)	Give notice of a valuation to the owner of land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 296(5)	Participate in an objection or review to a valuation	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402)	NIL	council
section 297	Sell or dispose of rubbish collected by the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409), Manager Sustainability Waste & Emergency Management (93)	NIL	council
section 298(1)	Order action in response to flooding or imminent flooding	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Civil Services (402), Manager Open Space (409), Manager Sustainability Waste & Emergency Management (93)		
section 300(1)	Pay the cost of advertising	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Manager Financial	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services (214), Manager Information Services (460), Manager Property Services (394), Manager Development Services (72), Director Fabrik (437), Manager Community Development (187), Manager Economic Development (386), Manager Libraries and Customer Service (12), Team Leader Financial Accounting (482)		
clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 17(1), Schedule 1A	Prepare a stormwater management plan	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Civil Services (402), Manager Open Space (409)		
clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 20(1), Schedule 1A of the Local Government Act	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 20(6), Schedule 1A	Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 24(1), Schedule 1A	Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by:</p> <p>(a) entering and occupying any land;</p> <p>(b) constructing, maintaining or removing any infrastructure;</p> <p>(c) excavating any land;</p> <p>(d) inspecting, examining or surveying any land and for that purpose:</p> <p>(i) fixing posts, stakes or other markers on the land;</p> <p>(ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and</p> <p>(iii) removing samples for analysis; and</p> <p>(e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to</p>	Civil Services (402), Manager Open Space (409)		

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>another watercourse or to a lake or controlling the flow of water in any other manner;</p> <p>(f) holding water in a watercourse or lake or by any other means;</p> <p>(g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner;</p> <p>(h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water;</p> <p>(i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation);</p> <p>(j) undertaking any testing, monitoring or evaluation; and</p> <p>(k) undertaking any other activity of a prescribed kind.</p>			

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 24(2)(b), Schedule 1A	Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 25(2), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Civil Services (402), Manager Open Space (409)		
clause 25(3)(b), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	council
clause 26(3), Schedule 1A	Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	public authority
clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Civil Services (402), Manager Open Space (409)	NIL	public authority

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 2(1), Schedule 1B	Enter a building upgrade agreement	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)		
clause 6(1), Schedule 1B	Declare a building upgrade charge	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)		
clause 7(3)(b), Schedule 1B	Pay money to the finance provider	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 9(2), Schedule 1B	Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)		
clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 13(3), Schedule 1B	Provide the register of building upgrade agreements for inspection at the principal office of the council	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)		
clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 3(1), Schedule 2	Prepare a charter for a subsidiary	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 3(4), Schedule 2	Review a charter for a subsidiary	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 3(4)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)		
clause 3(4)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council
clause 3(4)(c), Schedule 2	Publish a notice in the Gazette of the fact of the amendment and website address at which the charter is available for inspection	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Property Services (394), Manager Development Services (72)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	Elected Body	NIL	council
clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	Elected Body	NIL	council
clause 4(6), Schedule 2	Appoint a deputy of a board member	Elected Body	NIL	council
clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	Elected Body	NIL	council
clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 5(12), Schedule 2	Direct the board of management as to procedures	Elected Body	NIL	council
clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	Elected Body	NIL	council
clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	Elected Body	NIL	council
clause 8(4), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	Elected Body	NIL	council
clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	Elected Body	NIL	council
clause 9(5), Schedule 2	Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year	Elected Body	NIL	council
clause 10(1), Schedule 2	Give a direction to a subsidiary	Elected Body	NIL	council
clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council
clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council
clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council
clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	Elected Body	NIL	council
clause 14(2), Schedule 2	Approve borrowing by a subsidiary	Elected Body	NIL	council
clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	Elected Body	NIL	council
clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	Elected Body	NIL	council
clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	Elected Body	NIL	council
clause 19(5)(a), Schedule 2	Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister	Elected Body	NIL	council
clause 19(5)(b), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a website determined by the chief executive officer	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)		
clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	Elected Body	NIL	council
clause 20(7), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility	Elected Body	NIL	council
clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	Elected Body	NIL	council
clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the	Elected Body		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	papers provided to board members for the meeting		NIL	
clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council
clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	Elected Body	NIL	council
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	subsidiary in the preparation and adoption of a business plan			
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan	Elected Body	NIL	council
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	Elected Body	NIL	council
clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary	Elected Body	NIL	council
clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	Elected Body	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	Elected Body	NIL	council
clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	Elected Body	NIL	council
clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	Elected Body	NIL	council
clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70),	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Director Infrastructure and Operations (114)		
clause 28(1), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a subsidiary must furnish to the constituent councils report on the work and operations of the subsidiary	Elected Body	NIL	council
clause 28(1), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	Elected Body	NIL	council
clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	Elected Body	NIL	council
clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Team Leader Financial Accounting (482)	NIL	council
clause 3(1)(b), Schedule 6	Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Team Leader Financial Accounting (482)	NIL	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 4(1), Schedule 6	Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge	Chief Executive Officer (95), Director Corporate Services (41), Manager Financial Services (214), Team Leader Financial Accounting (482)	NIL	council



Adelaide Hills
COUNCIL

ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE
OMBUDSMAN ACT 1972

25 JANUARY 2022

Delegation Sources

- Ombudsman Act 1972

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Community Capacity (350)	Director Community Capacity (350)
Director Corporate Services (41)	Director Corporate Services (41)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Executive Manager Governance and Performance (349)	Executive Manager Governance and Performance (349)
Executive Manager Organisational Development (310)	Executive Manager Organisational Development (310)

Instrument of Delegation under the Ombudsman Act 1972

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12H(1)(b)	Act on a referral from the Ombudsman	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 12H(2)(a)	Produce a specified document or a document relating to a specified matter	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 18(4)	To comment on the subject matter of a report	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19A(1)	Comply with a notice of the Ombudsman	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41)	NIL	agency
section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41)	NIL	agency
section 25(2)	Act in accordance with a recommendation of the Ombudsman	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41)	NIL	agency

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 28AA(1)	Comply with directions of the Ombudsman	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 28AA(2)	Comply with varied or further directions of the Ombudsman	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 28AA(3)	Provide comments to the Ombudsman	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority
section 29(8)	Act on a referral of the inspector	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	public authority

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 31(1)(b)	Receive and use evidence or information for the purposes of any disciplinary investigation or action	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Director Corporate Services (41), Director Community Capacity (350), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Organisational Development (310)	NIL	Agency



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE SOUTH
AUSTRALIA PUBLIC HEALTH (LEGIONELLA)
REGULATIONS 2013

25 JANUARY 2022

Delegation Sources

- South Australia Public Health (Legionella) Regulations 2013

Positions

Abbreviation	Position
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Environmental Health Officer (241)	Environmental Health Officer (241)
Environmental Health Officer (294)	Environmental Health Officer (294)
Environmental Health Officer (91)	Environmental Health Officer (91)
Environmental Health Project Officer (97)	Environmental Health Project Officer (97)
Team Leader Environmental Health (96)	Team Leader Environmental Health (96)

Instrument of Delegation under the South Australia Public Health (Legionella) Regulations 2013

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 5(3)	Receive fee for registration of a high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5(3)	Register a high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294),	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)		
regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 6(1)	Keep a register of high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(2)	Determine manner and form of keeping a register of high risk manufactured water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294),	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	manufactured water systems registered with the council	Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)		
regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 15(1)(b)	Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water and each warm water system	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	relevant authority

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 15(2)(a)	Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294),	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)		
regulation 16(1)(d)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding microbiological testing	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL	
regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294),	NIL	

South Australia Public Health (Legionella) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)		

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 12.9

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
27/07/2021	Ordinary Council	152/21	Assistance to Vulnerable Residents on Catastrophic Fire Days	None declared
24/08/2021	Ordinary Council	174/21	Policy for Community Consultation - Memorials Policy	None declared
24/08/2021	Ordinary Council	175/21	Policy Review - Cemetery Operating Policy	None declared
24/08/2021	Ordinary Council	183/21	Audit Committee Membership Independent Members	None declared
24/08/2021	Ordinary Council	185/21	Delegations Review August 2021	None declared
28/09/2021	Ordinary Council	202/21	MON - Community Project Update	None declared
28/09/2021	Ordinary Council	203/21	Formal Motion - Woodside Recreation Ground Reuse Proposal	Actual - Cr Andrew Stratford
28/09/2021	Ordinary Council	214/21	MWN - Woodside Recreation Ground Reuse Proposal	None declared
26/10/2021	Ordinary Council	224/21	S221 Permit Redden Drive Cudlee Creek CFS Water Storage Tank	None declared
23/11/2021	Ordinary Council	246/21	12.2 Community & Recreation Facility Grants 2021-2022 – Piccadilly Valley Community Recreation Centre	Material - Cr Ian Bailey
23/11/2021	Ordinary Council	247/21	Community & Recreation Facility Grants 2021-2022	None declared
23/11/2021	Ordinary Council	248/21	12.3 Memorials Policy - Community Engagement Outcomes and Adoption of Policy	None declared
23/11/2021	Ordinary Council	253/21	Draft 2020 - 2021 Annual Report	None declared
4/12/2021	Ordinary Council	273/21	Woodside Recreation Ground Water Reuse Proposal Environmental & Economic Analysis	Perceived - Cr Stratford
14/12/2021	Ordinary Council	275/21	S270 Internal Review of Council Decision	None declared
14/12/2021	Ordinary Council	277/21	Assisting Vulnerable Residents on Extreme & Catastrophic Fire Danger Days	None declared
14/12/2021	Ordinary Council	290/21	East Waste Independent Chair Appointment - Confidential	None declared

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 O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

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

2. 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.

3. 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.

4. 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.

5. 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	Status (for Council reporting)
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	14/01/2022	<p>April 21 - The State Dioceses has advised that they are ready to progress and have engaged a valuer to provide an updated valuation. Council has engaged a valuer to undertake a valuation. A report will be presented to Council for consideration once the valuation process is completed.</p> <p>June 21 - The State Dioceses has advised that there has been a delay in progressing and they expect to be in a position to further engage with Council in July/August.</p> <p>July 21 - The State Dioceses has provided a valuation which will be discussed with Council's Property Advisory Group prior to a report being presented to Council for consideration</p> <p>October 21 - Matter discussed with Council's property Advisory Group and feedback provided to the State Dioceses for consideration</p> <p>November 21 - following additional communication with the State Diocese, the matter was again discussed with the Council's Property Advisory Group and feedback provided to the State Diocese</p> <p>Jan 22 - Fee estimates are being sought to complete the survey work which will assist to finalise a position with a report expected to be presented to Council at the March meeting for consideration.</p>
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	None declared	<p>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.</p> <p>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 Forestry SA regarding infrastructure improvements for Cudlee Creek Forest Reserve.</p>	Peter Bice	In Progress	10/01/2022	Croft Road upgrade application for the Bushfire Recovery Grant Funding Program has been submitted and we are awaiting outcome.
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	14/01/2022	<p>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.</p> <p>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).</p> <p>In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access.</p> <p>DEW staff member dealing with this matter has left DEW so there may be an extended delay whilst it is reallocated and assessed.</p> <p>DEW awaiting finalisation of negotiations with Dept for Mining</p> <p>March 21 - Council staff have requested an update from DEW as to the status of this matter</p> <p>October 21 - Council staff continue to engage with DEW to seek a progression of the matter</p> <p>November 21 - no further update from DEW</p> <p>Jan 22 - contact has been made with DEW who are investigating the situation again prior to further communication with Council</p>
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	<p>1. That the report be received and noted.</p> <p>2. That the Biodiversity Officer be authorised to enter: Doris Coulls Reserve, 152 Old Mt Barker Road, AldgateHeathfield Waste Facility, 32 Scott Creed Road, HeathfieldKiley Reserve, 15 Kiley Road, AldgateShanks Reserve, 1 Shanks Road, AldgateStock Reserve, Stock Road, MylorLeslie Creek Reserve, Leslie Creek Road, MylorMi Mi Reserve, 125 Aldgate Valley Road, MylorAldgate Valley 2 Reserve, 114 Aldgate Valley Road, MylorKyle Road Nature Reserve, Kyle Road, MylorCarey Gully Water Reserve, Deviation Road, Carey GullyHeathfield Stone Reserve, 215 Longwood Road, HeathfieldMylor Parklands, Mylor all being of significant biodiversity value, into Heritage Agreements.</p> <p>3. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves.</p>	Peter Bice	In Progress	11/01/2022	<p>The Heritage Applications were phased over the years in order to be accommodated within available resourcing.</p> <p>Heritage Agreement have been registered over:</p> <ul style="list-style-type: none"> Kiley Reserve Shanks Reserve Kyle Road Nature Reserve, Leslie Creek Reserve Aldgate Valley 2 Reserve Doris Coulls Reserve Mylor Parklands Heathfield Waste Facility <p>Heritage Assessments scheduled for FY21/22:</p> <ul style="list-style-type: none"> • Reserve 26 - "Stock Rd 1" • Mi Mi Reserve • Carey Gully Water Reserve • Heathfield Stone Reserve <p>Heathfield Stone rededication in progress.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
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	Terry Crackett	In Progress	14/01/2022	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. Awaiting advice that land division has been completed so that the boundary realignment can occur. November 21 - Boral have received final DA and lodgement of land division plan with Land Services SA is expected shortly, once the land division is finalised, the boundary realignment can proceed. Jan 22 - awaiting lodgement of land division plans by Boral.
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 Carripook 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 consultation and further investigations have been completed.	Terry Crackett	In Progress	14/01/2022	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 Carripook Park as their preferred option. Council, at the meeting of 27 August 2019, approved Carripook Park as the location to vary the trust to. The Attorney-General has provided in-principle support to the proposal so a design for the landscaped garden and bushfire memorial at Carripook Park will be prepared for submission to the Supreme Court. November 21 - consultation has been undertaken and draft affidavit has been prepared for lodgement with the Supreme Court. Jan 22 - awaiting approval from the Attorney General prior to lodgement with the Supreme Court.
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	14/01/2022	The land sits within the Environmental Food Protection Area and proposed use (land division) is not supported. An application will be made to DPTI for a review once the Minister announces the review, which is expected to commence in March 2021. 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). Note that the implementation of the new legislation (Planning Development and Infrastructure Act 2016) has been deferred to March 2021 which has delayed the review of the EFPA. August 21 - review currently underway by Plan SA Jan 22 - further consideration is being given to options.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
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.	Terry Crackett	In Progress	14/01/2022	Works to the Heathfield High School site courts are well underway. Works to existing courts at Stonehenge Reserve are due to be completed shortly.
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	6/12/2021	Council staff have undertaken a review of the mobile library service delivery model and a revised business case considered by Council at its June 2021 meeting. This resulted in a new approach to replacing the mobile library. Draft Library Services Strategy presented at a Council Workshop 10 November 2020 for feedback. Subsequent changes to library management and the detailed review of the outreach services offering (as above) resulted in further work being deferred until the second half of 2021. Review of Library Services Strategy continues, with direct engagement with Friends groups occurring in November 2021. Mobile Library scoping continues, looking to go out to tender in early 2022. Awaiting endorsement of Strategic plan before progressing work on review of Monday opening hours.
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	10/01/2022	Council is working with an electrical consultant to investigate the most efficient tariff structure associated with LED upgrades on Council owned infrastructure. Council is seeking quotes for Council owned lights in Aldgate, Summertown and Uraidla. The Public Lighting Working Group (including representatives from Local Government, DIT and SAPN) has established a sub-group to work with DIT on the transition of V Category lights on state maintained roads. Timing of any agreements between LG and DIT unknown. Council officers continue to be updated on sub-group progress and have nominated to join main street lighting working group.
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	19/01/2022	Through collaboration with Council's Rural Land Management Advisory Group the rural land management education series titled "Adelaide Hills – A Shared Space" has been developed with all content finalised and ready for release. The Communications Team are scheduling a launch date for the series. Unfortunately the previous mid-November launch could not be accommodated. It is now likely that the post xmas/new year period will be targeted, with engagement to continue periodically into the new year with ongoing reference to the series occurring via dedicated landing page on Council's website (currently under development).

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
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 endorses, 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 2020/21.	Peter Bice	In Progress	10/01/2022	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, wheelee bins, office paper, fence posts and road construction materials. To date council has purchased 3446 tonnes of recycled product including predominantly recycled road base and other items such as wheelie bins, bollards, picket fence panels and steel rails. Training is ongoing as required, staff continue to record purchases of recycled product through the procurement process. Staff continue to record purchases of recycled product through the procurement process. Email sent to budget holders 10 March 2021 reminding them of Circular Procurement Pilot. The intent is to provide an update to Council via a Council report on the progress of the procurement process. Recording of relevant purchases is ongoing, training is being provided to staff as required and requirements of the trial are being embedded in all procurement documentation. Participation in the Circular Procurement Pilot Project continues.
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	14/01/2022	Investigations as to various arrangements is being undertaken with a report being presented to Council once further investigations are completed. May 21 - investigations have indicated some complexities with one of the sites which is being further investigated before a report is presented to Council. August 21 - further investigation is being undertaken and report is deferred October 21 - advice to be sought from the Property Advisory Group in November and then report presented to Council November 21 - matter further discussed with Council's Property Advisory Group, report to be presented to Council in January January 22 - preliminary report to be presented to Council in February
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	17/01/2022	Council has executed documents to support a process to bring land under the provisions of the Real Property Act 1886 which are being progressed with the Surveyor-General's Office Awaiting finalisation by the Surveyor-General
28/01/2020	Ordinary Council	11/20	Revocation of Community Land - Bridgewater Retirement Village	None declared	That the report be received and notedSubject 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	14/01/2022	Application to the Minister for Planning will be made once the trust variation scheme has been approved by the Supreme Court. The Attorney-General has provided in-principle support for the proposal. A detailed landscape design has been prepared, community consultation on the design is underway and submission for the Supreme Court is being prepared. November 21 - consultation has been undertaken, draft affidavit has been prepared for lodgement with the Supreme Court Jan 22 - awaiting approval from the Attorney General to lodge with the Supreme Court

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
28/07/2020	Ordinary Council	149/20	Road Widening Netherhill Road Kenton Valley	None declared	<ol style="list-style-type: none"> 1. That the report be received and noted 2. To purchase the areas of land totalling 335 sqm identified in red on the Land Acquisition Plan attached as <i>Appendix 2</i> ("land") from Stephen Paul Cowie the land owner at 67 Nether Hill Road, Kenton Valley, for the purchase price of \$6,700 (excl GST) plus all reasonable costs to vest the Land as public road. 3. To purchase the area of land being 188 sqm identified in red on the Land Acquisition Plan attached as <i>Appendix 2</i> ("land") from Paul Andrew Arnup and Danielle Marie Beatrice Helbers the land owner at 109 Nether Hill Road, Kenton Valley, for the purchase price of \$3,760 (excl GST) plus all reasonable costs to vest the Land as public road. 4. The road land being acquired to be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and 5. That the Mayor and CEO be authorised to sign all necessary documentation, including affixing the common seal, to give effect to this resolution. 6. To approve an expenditure budget of \$10,460 to purchase the two areas of land on Nether Hill Road, Kenton Valley, with funding to be sourced from favourable capital revenue identified within the 2020-21 Capital Works budget. 	Terry Crackett	In Progress	17/01/2022	<p>Progress has commenced in accordance with the resolution</p> <p>Awaiting completion of the process by the Surveyor and Land Services Group</p>
22/09/2020	Ordinary Council	205/20	100 Old Mt Barker Road Stirling	Material - Cr Kirrilee Boyd	<ol style="list-style-type: none"> 1. That the report be received and noted 2. To progress the budgeted upgrade of the old school building located at 100 Old Mt Barker Road Stirling including the replacement of the roof, gutters, fascia boards, downpipes and damaged internal ceilings, with the anticipated cost to be \$155,000. 3. To apply to the Minister for Environment and Water for approval to lease the land located at 100 Old Mt Barker Road Stirling, including the old school building, to The Old School Community Garden Inc. 4. Subject to obtaining the approval specified in 3 above, offer to The Old School Community Garden a 2 year lease over the land located at 100 Old Mt Barker Road Stirling, including the old school building. The rent under the lease to be \$1 per annum (if demanded). 5. That the Mayor and Chief Executive Officer be authorised to sign all necessary documents, including affixing the common seal, to give effect to this resolution. 	Terry Crackett	In Progress	14/01/2022	<p>Initial information provided to Crown Lands in relation to approval for lease, Ministerial approval is required for the lease and this is being sought.</p> <p>April - DA granted and tender for works being undertaken</p> <p>June 21 - works are being scheduled subject to availability of materials and contractor</p> <p>October 21 - meeting held with occupiers of the site to discuss progression of works and leasehold arrangements including restrictions on use</p> <p>November 21 - works have commenced on site</p> <p>Jan 22 - following completion of the works, a lease will be negotiated with the OSCG</p>
15/12/2020	Ordinary Council	300/20	Road Exchange Pomona Road Stirling	None declared	<ol style="list-style-type: none"> 1. That the report be received and noted. 2. In accordance with sections 12 and 15 of the Roads Opening and Closing Act 1991, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as "Public Road A", subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs 3. The closed road be excluded as Community Land pursuant to the Local Government Act 1999. <p>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</p>	Terry Crackett	In Progress	17/01/2022	<p>Final Plans and Road Process Order documents have been executed by all parties.</p> <p>Awaiting on processing with the Surveyor- General and the Lands Titles Office</p>
27/01/2021	Ordinary Council	22/21	CWMS Review	None declared	<p>that the report, related attachments and the discussion and considerations of the subject matter be retained in confidence until 30 July 2021.</p>	Peter Bice	In Progress	10/01/2022	
23/03/2021	Ordinary Council	49/21	Local Heritage Grant Fund Project 2020 - 2021	Material - Cr Linda Green Perceived - Cr Leith Mudge	<ol style="list-style-type: none"> 1. That the report be received and noted 2. To approve the eight shortlisted projects to receive grant funding as detailed in the body of this report to contribute to the works as detailed in <i>Appendix 1</i> of this report and listed below: Our Lady of the Rosary Church, Aldgate - \$2,500 Old Post Office, Crafers - \$1,417 Crataegus Cottage, Crafers - \$2,500 Circa 1850's Cottage, Mount George - \$2,500 Shop, Stirling - \$2,500 Stone Cottage, Stirling - \$2,500 Former Aldgate Valley Church of Christ, Aldgate - \$2,500 Cudlee Creek Uniting Church, Cudlee Creek - \$2,500 3. To delegate to the Chief Executive Officer to determine whether any changes to grant recipient's proposed works maintain grant eligibility. 	Marc Salver	In Progress	19/01/2022	<p>Round 2 update:</p> <p>Currently four out of the endorsed eight applications have received grant funding following successful completion of the grant application process. One application is still engaged in the Development Application process. One application has been withdrawn. Full completion of Round 2 (three remaining projects) is contingent on the individual property owners completing the works and informing Council, and for this reason it is difficult to estimate a completion timeline. It is hoped that with more favourable weather in the coming months that works that had been delayed through the cooler months can now progress.</p> <p>The Third and final round of the grant has been open for applications, with closing date scheduled for the 31st January 2022.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
23/03/2021	Ordinary Council	52/21	Crown Land Revocation	None declared	<ol style="list-style-type: none"> 1. That the report be received and noted 2. That the consultation report (<i>Appendix 1</i>) be received and noted 3. To apply to the Minister for Planning to revoke the Community Land classification of the following parcels of land:- <ol style="list-style-type: none"> i. CR 5752/186, Lot 32 Fullgrave Road, Crafers ii. CR 5753/725, Section 1609 Illert Road, Mylor iii. CR 5753/729, Section 1657 Scott Creek Road, Scott Creek iv. CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside v. CR 5753/742, Section 547 Schuberts Road, Lobethal vi. CR 5753/744, Section 553 Pedare Park Road, Woodside vii. CR 5753/745, Section 556 Tiers Road, Woodside viii. CR 5753/746, Section 565 Old Carey Gully Road, Stirling ix. CR 5753/754, Section 511 North East Road, Inglewood x. CR 5753/758, Section 262 Reserve Road, Forreston xi. CR 5763/631, Section 1591 Silver Road, Bridgewater xii. CR 5763/634, Section 71 Magarey Road, Mount Torrens xiii. CR 5763/635, Section 72 Magarey Road, Mount Torrens xiv. CR 5763/636, Section 84 Forreston Road, Forreston xv. CR 6142/329, Lot 501 Greenhill Road, Balhannah xvi. CR 5926/487, Lot 20 Bell Springs Road Charleston (for rededication to the Department of Environment & Water) xvii. CR 5753/718, Section 1544 Reserve Terrace Aldgate (for rededication to Meals on Wheels) xviii. CR 5753/753, Section 495 off Kersbrook Road Kersbrook (for 	Terry Crackett	In Progress	14/01/2022	Being progressed in accordance with resolution. November 21 - awaiting feedback from the Minister for Planning on final application for revocation Jan 22 - final application has been lodged with the Minister for Planning
27/04/2021	Ordinary Council	70/21	Green Organic Service Options	None declared	Council resolves that: The report be received and noted. The budget for free green organic drop off days be increased to \$138,600 as part of the Draft 2021/22 Annual Business Plan and Budget. Funding for a detailed analysis of Option 2 be included in the budget development for 2022/23.	Peter Bice	In Progress	10/01/2022	Increased budget for free green organic drop off days adopted with the 2021/22 Annual Business Plan and Budget at the June 2021 Council meeting. Funding for a detailed analysis of Option 2 (Expand kerbside FOGO bin to all residents to ensure equity in kerbside services) will be included in the budget development for 2022/23.
22/06/2021	Ordinary Council	117/21	Mobile Library Replacement	None declared	<p>That the report be received and noted.</p> <p>That the Administration proceed with the replacement of the mobile library with a customised van and that the amount carried forward into 2021-22 be adjusted from \$480,000 to \$200,000. That the report be received and noted.</p> <p>That the Administration proceed with the replacement of the mobile library with a customised van and that the amount carried forward into 2021-22 be adjusted from \$480,000 to \$200,000.</p>	David Waters	In Progress	6/12/2021	No progress to occur on this action until development of the 2022/23 budget. Scoping complete and three potential vehicles identified, staff assessing interior fit out and disability access options. Tenders planned to be called in early 2022.
22/06/2021	Ordinary Council	119/21	Community & Recreation Facilities Framework & Play Space Framework - Drafts for Consultation	None declared	<ol style="list-style-type: none"> 1. That the report be received and noted. 2. To receive and endorse the draft Community and Recreation Facilities Framework and the draft Play Space Framework and implement Stage 3 of Engagement (consultation). 3. That the results of Stage 3 Engagement and the final draft Frameworks be presented to Council for their consideration by December 2021. 4. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Draft Framework documents 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>. 	Terry Crackett	In Progress	14/01/2022	Framework consultation with stakeholders and the general community commenced in August 2021, and have now been extended until the 19th November. Consultation findings will be provided to Council in December. Financial implications will be considered at upcoming workshops, and a final draft for endorsement due in mid-2022. Jan 22 - due to extended consultation timeframe and request by a number of clubs to meet to discuss the framework, a workshop with Council has been delayed. It is proposed to arrange a meeting of CRFFIWG following completion of the requested meetings with clubs
22/06/2021	Ordinary Council	146/21	Event Opportunity - SANTOS TDU 2022	None declared	Refer to Confidential Minute	David Waters	In Progress	14/01/2022	The Santos Tour Down Under has been replaced with a domestic event in 2022 however the report remains in confidence.
22/06/2021	Ordinary Council	147/21	Event Opportunity SANTOS TDU 2022	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 Council receives written confirmation from the South Australian Tourist Commission that the event information is no longer confidential, but not longer than 30 June 2022.	David Waters	In Progress	14/01/2022	

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
27/07/2021	Ordinary Council	152/21	Assistance to Vulnerable Residents on Catastrophic Fire Days	None declared	The CEO investigates measures that Council could take to assist vulnerable residents such as the elderly, disabled and young in bushfire prone areas of the Adelaide Hills Council district on Catastrophic and Extreme fire danger days. The investigation includes (but is not limited to) an exploration of options to provide transportation of vulnerable residents to areas designated as Bushfire Safer Places, the establishment of shelters for vulnerable people in nearby Bushfire Safer Places, Federal, State and NGO partnerships (e.g. LGA, Red Cross), funding sources and grants that could be applied to a program of this nature, and Development of a communication campaign to allow people in the Council district to determine where their nearest Bushfire Safer Places and Places of Last Resort are located and what services (both government and non-government) will be available to them in these locations on different levels of fire danger day. A report on the outcomes of the investigation be discussed at a workshop and presented to Council no later than the November 2021 Ordinary Council Meeting to allow sufficient time for some measures (if identified) to be implemented for the start of the 2021/22 fire danger season.	Peter Bice	Completed	10/01/2022	Investigation into assisting vulnerable residents on catastrophic fire danger days has commenced. Investigation continues in preparedness for report to Council in December 2021. Following cancellation of 19 October workshop due to CFS scheduling the workshop was held 16 November 2021 and Council report moved to 14 December Ordinary Council meeting. Council report presented and considered at the December 2021 Ordinary Council meeting.
27/07/2021	Ordinary Council	154/21	AH Reconciliation Working Group Terms of Reference & Membership	None declared	<ol style="list-style-type: none"> the report be received and noted. Council adopts the changes to the Terms of Reference of the Adelaide Hills Reconciliation Working Group as proposed in <i>Appendix 1</i> with a review to take place in two years. Council authorises the Chief Executive Officer to make any minor alterations to the Terms of Reference, not affecting the substantive form or function of the Adelaide Hills Reconciliation Working Group, as may be required to finalise the matter. in conjunction with the Mount Barker District Council, to commence the Adelaide Hills Reconciliation Working Group Community Member Expression of Interest process and appoints Cr Kirrilee Boyd to the selection panel with Cr Ian Bailey as proxy member. 	David Waters	In Progress	14/01/2022	The selection panel met via zoom 20 December. As per the Terms of Reference the approval of the selection as recommended by the panel rests with the CEOs of both Adelaide Hills Council and Mount Barker District Council. Andrew Aitkin has approved this selection, however we are still awaiting confirmation from Mount Barker Council which is expected within the month.
27/07/2021	Ordinary Council	158/21	Revocation of Community Land Classification - Closed Roads R2142AA & R1573AB	Perceived - Cr Linda Green	<ol style="list-style-type: none"> That the report be received and noted To commence a revocation of community land process for the land described as "AA" in Road Plan No. 2142 ("Closed Road"), off Lenger Road, Mount Torrens including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners. To commence a revocation of community land process for the land described as "A" and "B" in Road Plan No. 1573 ("Closed Road") adjacent to 105 Nicholls Road, Norton Summit including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners. That a further report be presented to Council at the completion of the consultation. 	Terry Crackett	In Progress	17/01/2022	Commenced in accordance with the resolution Public Consultation to commence early February for revocation of Community Land Classification
27/07/2021	Ordinary Council	167/21	46 Mt Barker Road Stirling - Old Stirling Police Station	Material - Cr Mark Osterstock	that the minutes, report, related attachments and the discussion and considerations of the subject matter be retained in confidence until the Land has been sold, but not longer than 12 months.	Terry Crackett	In Progress	14/01/2022	Minutes have been released from confidentiality.
4/08/2021	Ordinary Council	169/21	MON Natural Burials	None declared	That the CEO provides a report to Council by 30 June 2022, outlining a policy and/or procedures by which Council can effectively manage natural burials in council cemeteries, such a report to include suitable locations and indicative costs.	Terry Crackett	In Progress	14/01/2022	Preliminary planning underway for return to Council with report by 30 June 2022.
24/08/2021	Ordinary Council	170/21	Road Exchange Aldi Development Pomona Road Stirling	None declared	That the report be received and noted in accordance with sections 12 and 15 of the <i>Roads (Opening and Closing) Act 1991</i> , enter into an Agreement for Exchange with the owner of the land of 3-5 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 21/0011 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 21/0011 as "Public Road A", subject to the owner of the land at 3-5 Pomona Road Stirling and Council agreeing to share all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs. The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> . 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	17/01/2022	Commenced in accordance with resolution Awaiting Road Process Documents for Council execution from the Surveyor

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
24/08/2021	Ordinary Council	173/21	Closed Road Upper Hermitage Community Revocation Consultation Outcome	None declared	<ol style="list-style-type: none"> That the report be received and noted. To cease the revocation of community land process for the land described as "A" in Road Plan No. 855 ("Closed Road"). To retain the Closed Road on the Council's <i>Community Land Register</i> and undertake a community consultation process to adopt a <i>Community Land Management Plan</i> for the Closed Road as a Conservation Reserve. 	Terry Crackett	In Progress	17/01/2022	Commenced in accordance with resolution, consultation for the inclusion into the Community Land Management Plan will be undertaken in conjunction with the next round of consultation for updates to the Community Land Management Plan later this year
24/08/2021	Ordinary Council	174/21	Policy for Community Consultation - Memorials Policy	None declared	<p>That the report be received and noted</p> <p>To approve the draft Memorials Policy as contained in Appendix 1 for community consultation.</p> <p>That the CEO be authorised to determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.</p>	Terry Crackett	Completed	14/01/2022	Community Consultation has been undertaken. Further advice will be sought from the Cemetery Advisory Group in November prior to being presented to Council. November 21 - advice sought from Council's Cemetery Advisory Group and report being presented to Council at the November meeting.
24/08/2021	Ordinary Council	175/21	Policy Review - Cemetery Operating Policy	None declared	<ol style="list-style-type: none"> That the report be received and noted With an effective date of 7 September 2021, to revoke the 22 June 2021 <i>Cemetery Operating Policy</i> and to adopt the revised 24 August 2021 <i>Cemetery Operating Policy</i> in Appendix 1. That Section 4.13 – Tributes and Section 7 - Memorials be retained in the <i>Cemetery Operating Policy</i> until such time as a <i>Memorials Policy</i> is adopted. That the CEO be given delegation to remove Section 4.13 – Tributes and Section 7 - Memorials from the <i>Cemetery Operating Policy</i> after a <i>Memorials Policy</i> is adopted. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 24 August 2021 <i>Cemetery Operating Policy</i> prior to the effective date. 	Terry Crackett	Completed	14/01/2022	Updated policy provided to Governance for uploading to website. Action to remain 'in progress' until Sections 4.13 and 7 are removed after Memorials policy has undertaken community consultation and been subsequently adopted by Council.
24/08/2021	Ordinary Council	178/21	Operational Workplace Review	None declared	<ol style="list-style-type: none"> That the report be received and noted That Council take up commercial lease space in Stirling at 85 Mount Barker Road Stirling, and the associated costs for the leasehold premises detailed in <i>Appendix 1</i> be adjusted in the 2021-22 financial year at Budget Review 1 Further detailed scoping be undertaken on the proposed renewal and energy efficiency upgrades to the Stirling Office, Heathfield Depot, Gumeracha Depot and Woodside Offices (current Development and Building Team offices) and presented to Council for consideration where appropriate within the 2021-22 Budget Review 1 and the next review of the Long Term Financial Plan Subject to endorsement of the detailed scoping identified in 3 above, the Development and Building Team be relocated from Woodside to Stirling To include budget provision in the draft Annual Business Plan for the 2022-23 financial year to undertake a feasibility study on the medium to long term needs for community and operational sites and where greater efficiencies may be obtained through consolidation of sites. 	Terry Crackett	In Progress	14/01/2022	Commenced in accordance with resolution Fitout of Garrod Office and progression of preliminary work for Stirling transportable underway. Scoping of other components to be undertaken by June 2022.
24/08/2021	Ordinary Council	183/21	Audit Committee Membership Independent Members	None declared	<p>That the report be received and noted</p> <p>To undertake a recruitment process for the selection of two Independent Ordinary Members for the Audit Committee for a term commencing 1 December 2021 and concluding 30 November 2023 (inclusive). To appoint Cr Malcolm Herrmann, Cr Leith Mudge and the CEO (or delegate) as members of the Audit Committee Independent Member Selection Panel.</p>	Andrew Aitken	Completed	15/12/2021	Council resolved appointments at 14/12/21 meeting
24/08/2021	Ordinary Council	185/21	Delegations Review August 2021	None declared	Refer to minutes	Andrew Aitken	Completed	30/11/2021	Delegations loaded onto Council website, separate instrument of delegation being prepared for staff. 30 Nov 2021 - Instruments for staff are progressing and is likely to occur over numerous months. 14 Jan 2022 - As there is another delegations update report going to the Jan 2022 Ordinary Council Meeting, I will close this action out and pick up on them from the latest report.
28/09/2021	Ordinary Council	202/21	MON - Community Project Update	None declared	That Council establishes additional, more accessible and visible reporting mechanisms to provide information on the progress of significant projects across the district for the community and associated sporting clubs and associations. This could include more detailed information on key milestones and target dates and would be made available on the Adelaide Hills Council website for easy accessibility. This information would be updated on at least a quarterly basis.	Andrew Aitken	Completed	14/01/2022	Augmented Community Project Updates have been included in the Q2 Council Performance Report and will be duplicated on our website.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
28/09/2021	Ordinary Council	203/21	Formal Motion - Woodside Recreation Ground Reuse Proposal	Actual - Cr Andrew Stratford	That the question be adjourned - on Item 12.1 Woodside Recreation Ground Reuse Proposal Environmental and Economic Analysis to the 14 December 2021 Council meeting to provide the opportunity for the CEO to attempt to renegotiate the government's contribution towards the capital cost of the project, an increase in the discounted price of the recycled water.	Peter Bice	Completed	11/01/2022	Further information has been obtained from SA Water and the Department of Treasury and Finance as required by the Formal Motion. A Council report was presented on Tuesday 14 December 2021.
28/09/2021	Ordinary Council	205/21	Roadside Trading Policy for Community Consultation	Actual - Cr Kirilee Boyd	<ol style="list-style-type: none"> That the report be received and noted. To approve the draft <i>Roadside Trading (Use of Public Road Verges for Business Purposes) Policy</i> as contained in <i>Appendix 1</i> for community consultation. That a further report be presented to Council for consideration following completion of the community consultation 	Terry Crackett	In Progress	14/01/2022	Consultation has been completed. Consultation outcomes and proposed policy position will be presented to Council at a workshop in March prior to being presented to Council for a decision.
28/09/2021	Ordinary Council	214/21	MWN - Woodside Recreation Ground Reuse Proposal	None declared	In reference to item 12.1, Woodside Recreation Ground Reuse Proposal Environmental and Economic Analysis, the CEO undertake consultation with the Woodside Recreation Ground Management Committee regarding water charges should recycled water be used and this information be incorporated into that report.	Peter Bice	Completed	10/01/2022	Consultation with members of the Woodside Recreation Ground Management Committee has been undertaken including meetings, phone conversations, emails and attendance at a Committee meeting on Thursday 9 December 2021. The Manager Sustainability, Waste and Emergency Management and the Sustainability Coordinator attended. A Council report was presented on Tuesday 14 December 2021.
26/10/2021	Ordinary Council	220/21	Charleston Cemetery Compulsory Acquisition	None declared	<ol style="list-style-type: none"> That the report be received and noted. To revoke the resolution of Council of 22 May 2001, B129. To commence a process to compulsorily acquire, under the <i>Land Acquisition Act 1969</i>, the Charleston Cemetery being the land contained in Certificate of Title Volume 5066 Folio 740 located at 36 Newman Road Charleston from The Charleston Cemetery Trust Inc. To continue to manage the Charleston Cemetery on behalf of The Charleston Cemetery Trust Inc in the interim from the date of this resolution until the completion of the land acquisition process. To authorise the Mayor and Chief Executive Officer to undertake all necessary actions, including execution of documents, including under the common seal of Council, to give effect to this resolution. 	Terry Crackett	In Progress	14/01/2022	Commenced in accordance with the resolution. November 21 - letter seeking consent to undertake the compulsory acquisition has been sent to the Minister Jan 22 - Minister has advised they are considering their position and will advise further in due course
26/10/2021	Ordinary Council	221/21	Single Use Plastic MON Response	None declared	That the report be received and noted that the actions outlined in this report are implemented.	Peter Bice	In Progress	11/01/2022	The Sustainability, Waste and Emergency Management team have met and prepared an action plan which identifies responsibility for the actions. Initial discussions have been held with responsible officers and actions are in progress.
26/10/2021	Ordinary Council	224/21	S221 Permit Redden Drive Cudlee Creek CFS Water Storage Tank	None declared	<ol style="list-style-type: none"> That the report be received and noted. To issue an exclusive road rent permit under section 221 of the <i>Local Government Act 1999</i> for a term of thirty (30) years to the SA Country Fire Service for the purpose of installation of a water storage tank for the provision of water for fire fighting purposes. Authorise the Chief Executive to finalise and sign all necessary documentation pursuant to give effect to this resolution. 	Terry Crackett	Completed	17/01/2022	Commenced in accordance with Council Resolution. Documents signed by all parties
26/10/2021	Ordinary Council	235/21	Ashton Landfill - Confidential Item	None declared	As per Confidential minute	Peter Bice	In Progress	10/01/2022	Matter continues to be progressed. Further updates will be provided when a material change occurs.
26/10/2021	Ordinary Council	238/21	Electricity Procurement Legal Matter - Confidential Item	None declared	As per confidential minute	Peter Bice	In Progress	10/01/2022	
23/11/2021	Ordinary Council	244/21	Cromer Cemetery Legal Access	None declared	That the CEO writes to the Minister for the Environment and Water requesting that the Department of the Environment and Water expedite a reply to Council in regard to legal access to the Cromer Cemetery.	Terry Crackett	In Progress	14/01/2022	Letter has been drafted and is to be sent to the Minister before the end of January 22
23/11/2021	Ordinary Council	246/21	12.2 Community & Recreation Facility Grants 2021-2022 - Piccadilly Valley Community Recreation Centre	Material - Cr Ian Bailey	That the report be received and noted that Council approves the awarding of a Community Recreation and Facility Grants to Piccadilly Valley Community Recreation Centre supply & installation of rainwater tank \$2,543	Terry Crackett	Completed	14/01/2022	
23/11/2021	Ordinary Council	247/21	Community & Recreation Facility Grants 2021-2022	None declared	That Council approves the awarding of Community Recreation and Facility Grants for 2021-2022 totalling \$97,119 as follows: <ul style="list-style-type: none"> Obethal Cricket Club Community kitchen & storage shed \$6,500 Woodside Warriors Soccer Club Replacing an ageing & damaged fence \$4,000 Oakbank Bowling Club Partial re-roof of Clubrooms \$8,000 Stirling Districts Football Club Boundary netting \$7,000 Ashton Community & Sports Association Plumb downpipes into tank & clubroom toilet upgrade \$9,130 Bridgewater Hall Energy efficiency project \$7,000 Aldgate Cricket Club Aldgate Oval Facility Planning \$11,000 Adelaide Hills Hawks Football Club Repair and upgrade of staircase to pitch \$5,500 Lenswood Memorial Park Hall / Clubroom air-conditioning \$9,990 Cherryville Residents Association Community Centre kitchen upgrade \$9,499 Birdwood Football & Netball Club Netball Change Room upgrade \$19,500 	Terry Crackett	Completed	14/01/2022	

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
23/11/2021	Ordinary Council	248/21	12.3 Memorials Policy - Community Engagement Outcomes and Adoption of Policy	None declared	That the report be received and noted. With an effective date of 7 December 2021, to adopt the 23 November 2021 draft Memorials within Council Cemeteries Policy as contained in Appendix 2 with the removal of clause 5.14.11.3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 23 November 2021 draft Memorials within Council Cemeteries Policy prior to the effective date	Terry Crackett	Completed	14/01/2022	
23/11/2021	Ordinary Council	250/21	Road Acquisition - Portion of Teringie Drive Teringie	None declared	1. That the report be received and noted. 2. To purchase Allotment 592 in Deposited Plan No. 127876 (Appendix 3) being an area of land totalling 7sqm identified in red on the Certificate of Title attached as Appendix 2 ("Land") from the land owner at 59 Teringie Drive, Teringie, for the purchase price of \$1,000 (excl GST) plus all reasonable costs to vest the Land as public road. 3. The Land being purchased to be excluded as Community Land pursuant to the Local Government Act 1999; and 4. That the CEO be authorised to sign all necessary documentation to give effect to this resolution	Terry Crackett	Not Started	17/01/2022	Commenced in accordance with Council resolution. Documents being prepared by Conveyancer to complete the boundary realignment
23/11/2021	Ordinary Council	252/21	CWMS Fee Adjustment	Material - Cr Malcolm Herrmann Material - Cr Linda Green Material - Cr Andrew Stratford	That the report be received and noted That it provides an efficiency dividend in total of \$143,880 to Community Waste Management Scheme (CWMS) Customers at \$71 per occupied property unit and \$35 per vacant property unit.3. That the CEO be authorised to distribute the dividend to customers via the most effective and efficient administration process, that being a credit to the rate notice in Quarter 3	Peter Bice	In Progress	10/01/2022	Process to update 3rd quarter rate notice reminders underway. Letter to CWMS customers being drafted explaining the credit to be applied to rate accounts with Council.
23/11/2021	Ordinary Council	253/21	Draft 2020 - 2021 Annual Report	None declared	That the report be received and noted. The 2020-21 Annual Report, as contained in Appendix 1, be adopted. 3. That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary for publication purposes	Terry Crackett	Completed	14/01/2022	Annual report completed and distributed to all Council members, staff and public by December 7. Legislated distribution also occurred to parliamentary library, national library and grants commission on December 7 2021.
14/12/2021	Ordinary Council	273/21	Woodside Recreation Ground Water Reuse Proposal Environmental & Economic Analysis	Perceived - Cr Stratford	1. That the report be received and noted. 2. To decline the \$327,000 grant funding through the Local Government Infrastructure Partnership Program funding and not enter into an agreement with SA Water to purchase recycled water for the Woodside Recreation Ground.	Peter Bice	Completed	10/01/2022	The resolution of Council has finalised this matter which is therefore now completed.
14/12/2021	Ordinary Council	274/21	Woodside Recreation Ground Reuse further information	Perceived - Cr Stratford	1. The report be received and noted. 2. That a report be prepared for Council's information on the costs associated with bore water saving initiatives that could be implemented in respect to Council-owned recreational assets that are currently irrigated by bore water.	Peter Bice	Not Started	10/01/2022	Exploration of bore water saving initiatives to commence early 2022.
14/12/2021	Ordinary Council	275/21	S270 Internal Review of Council Decision	None declared	That the report be received and noted To accept the findings and recommendation of the external advisor on decision (105/21) and affirm the decision on the Multi Year Rally Proposal was reasonable and should stand. The CEO or their delegate advises the applicant of Council's decision.	Andrew Aitken	Completed	17/12/2021	Correspondence has been forwarded to applicant to close the matter out.
14/12/2021	Ordinary Council	276/21	Trails & Cycling Routes Framework - Draft Service Levels and Guidelines for consultation	None declared	That the report be received and notedThat the draft Trails and Cycle Routes Service Levels in Appendix 1 and Guidelines in Appendix 2 be endorsed for consultation That the results of consultation and the final draft Framework be presented to Council for their consideration by June 2022. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation andDetermine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy .	Terry Crackett	In Progress	14/01/2022	Commenced in accordance with resolution
14/12/2021	Ordinary Council	277/21	Assisting Vulnerable Residents on Extreme & Catastrophic Fire Danger Days	None declared	1. That the report be received and noted. 2. That Council continues to collaborate with relevant agencies and stakeholders to explore, advocate for and implement opportunities to educate and support the community, including vulnerable persons, with their bushfire preparedness.	Peter Bice	Completed	10/01/2022	Actions within the resolution of Council are ongoing business as usual thus closing out this action.
14/12/2021	Ordinary Council	287/21	Citizen of the Year Awards 2022 - Confidential	None declared	As per Confidential Minute	David Waters	In Progress	14/01/2022	Australia award winners will be announced on Wednesday 26 January at ceremonies in Woodside, Gumeracha and Stirling. An embargoed media release will be sent to media on Tuesday 25 January.
14/12/2021	Ordinary Council	288/21	Citizen of the Year Awards 2022 - 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 presentation of the awards on 26 January 2022, with the exception of the appropriate release of information to award recipients and their close family and friends, nominators and media outlets to enhance coverage of the awards.	David Waters	Not Started	14/01/2022	Australia award winners will be announced on Wednesday 26 January at ceremonies in Woodside, Gumeracha and Stirling. An embargoed media release will be sent to media on Tuesday 25 January.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Date of Update	Status (for Council reporting)
14/12/2021	Ordinary Council	290/21	East Waste Independent Chair Appointment - Confidential	None declared	As per Confidential Minute	Andrew Aitken	Completed	15/12/2021	Notification of resolution provided to EW General Manager - 15/12/21
14/12/2021	Ordinary Council	291/21	East Waste Independent Chair Appointment - 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 discussion and considerations of the subject matter be retained in confidence until 30 March 2022 or until East Waste advises of the Independent Chairperson appointment, whichever occurs earlier.	Andrew Aitken	In Progress	14/01/2022	Notification of resolution provided to EW General Manager - 15/12/21 awaiting confirmation to cease period of confidentiality.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
AGENDA BUSINESS ITEM**

Item: 13.1

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Quarterly Council Performance Report – Q2 2021-22

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. The Quarterly Council Performance Report is just one of these elements.

A revised suite of corporate performance indicators and targets was developed in consultation with Council Members, the Strategic Leadership Team and relevant officers as part of the *2020-21 Annual Business Plan* process and have continued to be incorporated into the *Annual Business Plan 2021-22*. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020.

The Quarterly Council Performance Report for Q2 (**Appendix 1**) covers the period 1 October 2021 to 31 December 2021, and shows the performance against the corporate performance indicators as well as discussing key highlights aligned with the Strategic plan.

The purpose of this report is to provide information on Council's performance against the *Annual Business Plan 2021-22* targets and aspirations.

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 Quarterly Council 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 (3E)	Low (3E)

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 *Annual Business Plan 2021-22*.

➤ **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 initiative.

➤ **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>	Not applicable
<i>External Agencies:</i>	Not applicable
<i>Community:</i>	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.

Over the 2019-20 financial year, Quarterly Council Performance Reports were drafted showing the performance against the Corporate Performance indicators, strategic initiatives and key activities of the *2019-20 Annual Business Plan*.

A revised suite of corporate performance indicators and targets were developed in consultation with Council Members, the Strategic Leadership Team and relevant officers as part of the 2020-21 Annual Business Plan process. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020. These indicators have continued to be used in the *Annual Business Plan 2021-22*.

A change has been made to the timing of reports for the 2021-22 financial year. Reports are now provided to Council and the Audit Committee at the next meeting directly following the end of the quarter.

Council resolved at the 28 September 2021 meeting to establish more visible and accessible reporting mechanisms on significant projects across the district. Part of this is to include this information in the Quarterly Council Performance reports.

11.4 Community Project Update

7.25pm Cr John Kemp left the meeting
7.34pm Cr John Kemp returned to the meeting

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

202/21

That Council establishes additional, more accessible and visible reporting mechanisms to provide information on the progress of significant projects across the district for the community and associated sporting clubs and associations. This could include more detailed information on key milestones and target dates and would be made available on the Adelaide Hills Council website for easy accessibility. This information would be updated on at least a quarterly basis.

Carried Unanimously

3. ANALYSIS

To reflect the alignment to the *Strategic Plan 2020-24 – A brighter future* the format of the Quarterly Council Performance Report is formatted to show Council's performance against the 5 strategic goals:

- Built Environment
- Community Wellbeing
- Economy
- Natural Environment
- Organisation

The report also includes:

- Reporting against the five (5) identified Major Projects (recently included per Res 202/21),
- Customer service standards,
- Capital works performance, and
- Quarterly financial performance.

Overall performance results for Quarter 2 include:

- 68 of Strategic initiatives are in progress, 8 are completed, 2 were deferred, 6 were not started and 15 are behind schedule.
- 15 of the 23 corporate performance indicators were met or exceeded, 7 were not met and 1 could not be assessed this quarter.
- 11 of the 17 customer service standards were met or exceeded, 2 were not met, and 4 had no instances reported or could not be assessed this quarter.

Comments within the report provide additional information on the strategic initiatives and performance indicators where they are not currently on track or under target.

See the attached Quarterly Council Performance Report – Quarter 2 2021-22 (**Appendix 1**) for details.

4. OPTIONS

As this is an information report, Council is limited to receiving and noting the report, however additional feedback can be provided to the Governance and Performance team for consideration of future enhancements within the ongoing reports.

5. APPENDIX

- (1) *Quarterly Council Performance Report – Quarter 2 2021-22*

Appendix 1

*Quarterly Council Performance Report –
Quarter 2 2021-22*

Quarterly Council Performance Report

Quarter 2 – 1 October to 31 December 2021






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1. Executive Summary

Strategic Goal	Performance Indicators	Annual Business Plan Strategic Initiatives
 Built Environment	 1 of 4 Targets met or exceeded	 In Progress (21) Completed (7) Not Started (3) Deferred (2) Behind Schedule (8)
 Community Wellbeing	 3 of 4 Targets met or exceeded	 In Progress (17) Not Started (1) Behind Schedule (4)
 Economy	 2 of 3 Targets met or exceeded	 In Progress (4)
 Natural Environment	 4 of 4 Targets met or exceeded	 In Progress (10) Not Started (1)
 Organisation	 5 of 8 Targets met, N/A or exceeded	 In Progress (12) Not Started (1) Behind Schedule (2)

Customer Service Standards

-  **11** Targets met or exceeded
-  **4** N/A or No Incidents reported
-  **2** Target not met

Capital Performance

- \$4.9m** of infrastructure delivered
- \$4.7m** of works ordered

The primary focus of this quarter was making sure that key Local Roads and Community Infrastructure Projects commenced, along with many of the other larger category renewal programs and major projects.

Highlights

- Over 12,000 inspections on Adelaide Hills properties have been completed and 355 105F notices issued as part of our fire prevention strategies. This has shown an improvement on property compliance from last year with 29% less notices issued.
- More than 6,000 people attended twilight markets at Fabrik over two nights during the Lights of Lobethal Festival.
- 'Chipper the Cat' continued to work hard at getting the message out there about the Cat Bylaw commencement on 1 Jan 22. Since the media/education program began Council has seen an increase in cat registrations from 440 to over 1050.
- The first Home Based Business Network meeting was held, with strong interest reflecting this growing area of the Hills economy.
- AHC's Work Health and Safety Action Plan has been completed with 100% of the actions achieved and implemented.
- 2021 Youth Leadership Program has been completed. Program participants took the lead in the production and distribution of 300 support packs for local year 12s going through exam periods.
- The Service Review Framework was endorsed by the Audit Committee and adopted by Council.
- The second series of legislative reforms came into effect in November 2021.
- A vendor for the Council's new website has been selected and appointed.
- Community & Recreation Facility Grants of \$100,000 and Community Development Grants of \$42,460 were awarded.

Risk and Challenges

COVID-19 continues to impact all areas of the organisation as detailed below:

- Staff impacts - increased pressures on staff due to additional activities such as supporting staff and managers with working from home arrangements, assisting SA Health and SAPOL with public health inspections, and finding new ways to provide services and events to the community.
- Project & Procurement impacts - there are materials supply and contractor availability issues which are impacting on the delivery timeframes and costs of projects.
- Volunteer impact – volunteer numbers have reduced from 170 to 130 over the past 6 months, affecting service provision and placing more pressure on the paid workforce and other volunteers.
- Event impacts – uncertainty has led to many events being cancelled. Restrictions have reduced numbers of community members able to attend Council meetings.

2. Adelaide Hills Council Major Projects

Gumeracha Main Street Project

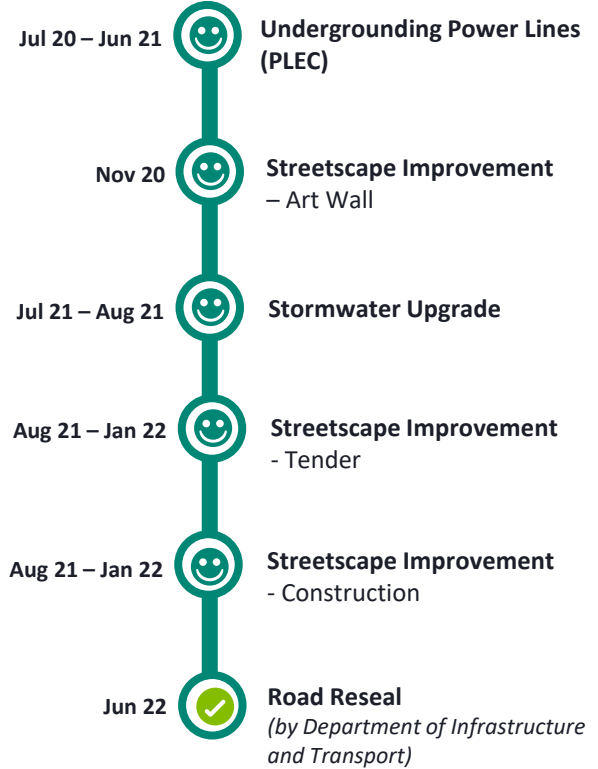
The Gumeracha Main Street Upgrade project will deliver a range of improvements, including underground power lines, a new storm water system, better pedestrian connectivity and a safer streetscape environment for Gumeracha's 'Village Heart'. This community streetscape project is delivered in close partnership with SA Power Networks, the Gumeracha Main Street Group and the Gumeracha Community Association.

Latest News

The streetscape upgrade works are complete. The contractor "Plot Works" accelerated the works uphill and have achieved an outstanding finish. All benches and bike hoops are installed and trees have been planted.

The Department for Infrastructure and Transport (DIT) will reseal Albert Street by the end of this financial year.

The tennis and netball courts in Federation Park have been asphalted and newly fenced. There's a waiting period for the asphalt to cure and evaporate chemicals before the acrylic paint can be applied. The project will be complete by mid-February.



FABRIK Development

The FABRIK Development Project will involve upgrading and enhancing the former Onkaparinga Woollen Mills site at Lobethal. The new building will provide an exciting and focused entry point to the site that will enable staff to promote the history of the site, the current uses and businesses within the location and then direct visitors to various buildings from a central location.

Latest News

Walter Brooke were engaged by Council to undertake the detailed design, produce the planning documentation, and coordinate the building documentation in-conjunction with Council staff. The draft designs included a project video fly-through.

Council's Heritage Advisor was included in meetings to provide feedback on the draft designs. Elected Members were then informed of the design and following that session, the Community were updated and the next steps in the process were discussed.

The final designs were then submitted for Planning Approval in November and will be assessed by State Government in January 2022.



Heathfield Oval Change Rooms

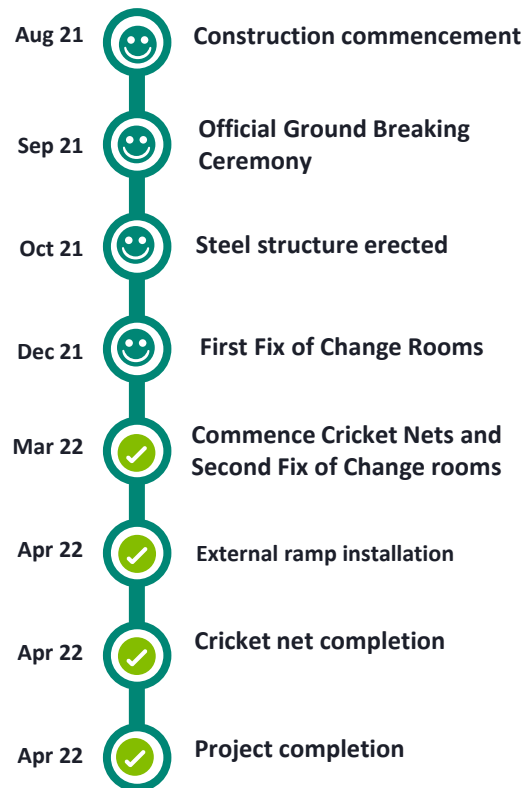
Constructing new change rooms for Heathfield Oval to provide compliant male/female and umpire change room facilities in accordance with South Australian Cricket Association standards.

Latest News

Construction is well underway following a very positive official Groundbreaking ceremony, attended by Hon Minister Wingard, and local MPs Rebekah Sharkie and Josh Teague.

The existing structure was demolished back to required levels and a new steel structure erected in October 2021. First fix of building was achieved before Christmas 2021 which included sheeting and cladding underway, and services installed.

The scope for the cricket nets has been verified and design and quoting is underway.



Heathfield Sports Courts Redevelopment

The Heathfield Sports Courts Redevelopment is being constructed in partnership with the Department of Education and the federal Government.

It aims to provide additional sporting facilities to the community, sports clubs as well as an improved amenity for the Heathfield School.

Latest News

Construction on the sports courts project is well underway. Activities completed to date includes:

- vegetation clearance,
- access road establishment,
- bulk excavation of excess material,
- retaining walls,
- drainage,
- court base levelling and
- asphalt sealing of court base.

Work on the court perimeter fencing has started and is expected to be completed by the end of January.



Lobethal Bushland Park Masterplan Implementation

Lobethal Bushland Park (LBP) Masterplan goals are:

- Biodiversity protection, conservation, restoration and enhancement
- To promote community health, wellbeing and education
- Maintain the 'local' feel of Lobethal Bushland Park whilst improving the function and amenity for all

Latest News

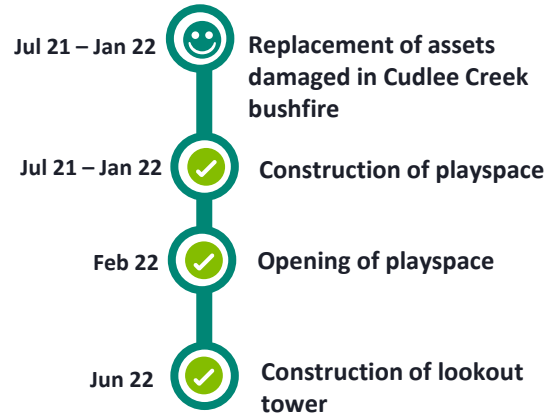
Replacement of infrastructure – all the pre-existing boardwalks, bridge and signage has been replaced since the Cudlee Creek Bushfire, utilizing recycled materials where possible. Additional park entry signage is also being developed for the park under current successful grant funding.

Weed Management – under the successful Nature Foundation Grant funding, annual weed management works is underway. Weed management activities are also ongoing associated with volunteer group (Friends of LBP) and Council annual operational budgets.

Lookout Tower – planning and approvals under the Native Vegetation Act for upgrade to existing Lookout Tower is underway. Further approval will also need to be sought by the Minister for Environment.

Threatened Species recovery – Translocation of Nationally Threatened plant species that were impacted by the Cudlee Creek Bushfire has been initiated. Further translocations and monitoring of populations is proposed in association with the Department of Environment and Water, and the SA Seed Conservation Centre.

Playspace - The Bushland Park Playspace is under construction with an expected completion in February 2022, the majority of the civil works are complete and equipment installation has begun but there are some items waiting transport from Sydney, they are expected to be delivered in mid-January.



2. Performance by Strategic Goal

A functional Built Environment

Highlights

- ✔ **Local Heritage Grant Fund**
 - Round 3 of the Local Heritage Grant Fund launched on the 15th November 2021. Applications window has been extended until 31 January 2022. Shortlisted Projects will be presented to the Council for endorsement in March 2022.
- ✔ **Bus Shelter Installation Program**
 - New bus shelters in Woodside and Stirling have been installed.
- ✔ **New and Upgrade Footpath Program**
 - Completed footpath projects include Mount Barker Road, Aldgate; Elizabeth St, Woodside; and Glover St, Kersbrook.
- 😊 **Gumeracha Main Street Project**
 - The streetscape upgrade works are complete which now finalises the full project for Gumeracha Main Street upgrades.
- ✔ **Bridgewater Oval Drainage**
 - Works are almost complete. The associated clubs should be congratulated for their work in delivering a great community outcome and working so successfully, in partnership with Council.
- ✔ **Strategic Assets**
 - Council endorsed its Bridge Asset Management Plan for community consultation.
- ✔ **Water reuse for Woodside recreation ground irrigation**
 - The funding allocated to this project will be utilised for an investigation into bores and water efficiencies as per Council resolution 14 December 2021.
- ✔ **Federation Park and Oval masterplan implementation**
 - Centrally controlled irrigation system still being investigated as well as the potential for a new bore.
- ✔ **Asset Management Plans for Buildings**
 - Review of all buildings on Council owned or controlled land nearing completion for tender to be released early in 2022.
- ✔ **Recreation Trails & Cycling Route Upgrades**
 - Draft Trails & Cycling Routes Framework documents were endorsed by Council for consultation in December 2021.
- ✔ **Community Wastewater Management System (CWMS)**
 - Council has identified efficiencies in the operation of the CWMS business and these savings will be returned to customers in Quarter 3.

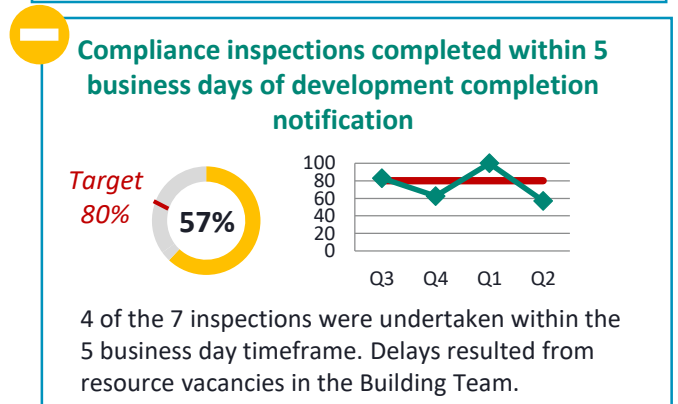
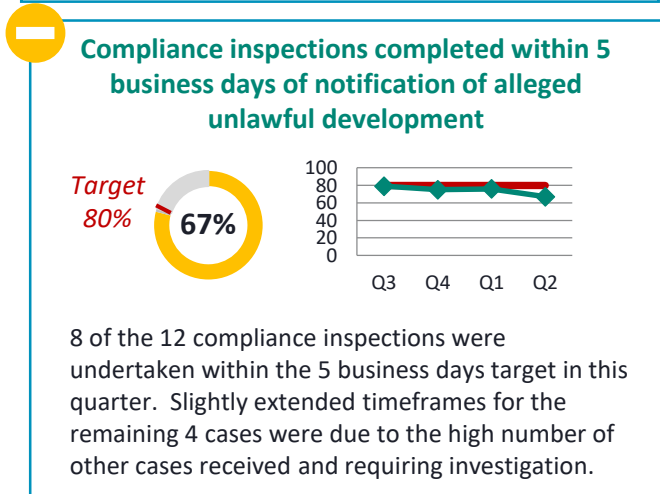
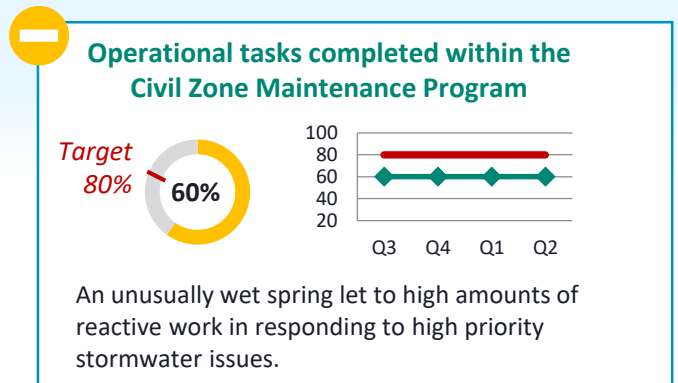
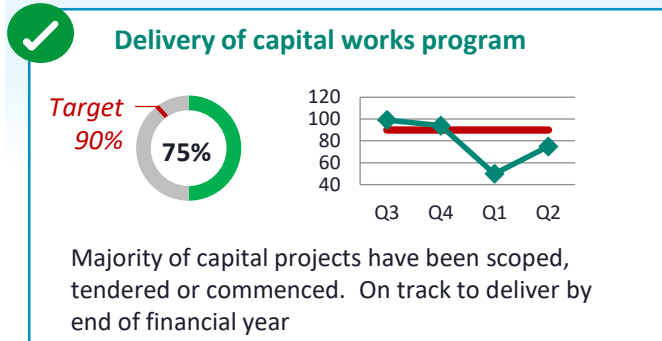
Risks & Challenges

- ✘ **Transition to the Planning, Development & Infrastructure Act (PDI Act)**
 - 94% of the project has been completed. There are three remaining actions to be finalised, but all have been commenced.
 - Development of backup system to PlanSA Portal commenced to enable access to data for business continuity should system outages occur.
- ➔ **Integration of Development Assessment Systems**
 - Project on hold waiting on outcome of PlanSA system enhancements
- ✘ **Crafrers Village Main Street Traffic Calming and Open Space Upgrades**
 - Project scope redefined for pocket park development.
 - Community engagement for pocket park has been undertaken, and a Tender for design called.
- ✘ **Purchase of Electric Vehicles cars for fleet**
 - Seven Hybrid vehicles on order with one delivered this quarter. Delays due to procurement issues resulting from the pandemic.

Risks & Challenges *Continued...*

- ✘ **Energy Upgrades, Battery & Efficiency Actions from new Carbon Management Plan**
 - Property and Sustainability Audit tender documentation is being prepared to enable the identification and prioritisation of building works to improve electricity and water efficiencies.
- ✘ **Installation of further Electric Vehicle charging stations**
 - Council workshop planned in the new year to discuss the role of Council in providing EV charging stations. Still waiting on outcome of grant funding application.
- ✘ **Mount Lofty Gardens - Lampert Road Safety Upgrade**
 - Community consultation undertaken and scope realigned. Design to be tendered.
- ✘ **Mount Barker Road, Aldgate ' Park and Ride'**
 - Awaiting Department of Infrastructure and Transport, and Australian Rail Track Corporation Land Agreement.
- ✘ **Public Toilet Upgrades – Stirling, Aldgate and Bridgewater**
 - Bridgewater Oval and Aldgate Main Street toilet upgrades have been completed.
 - Steamroller Park toilet upgrade has commenced and is due for completion in February 2022, there has been some delay due to supply issues and weather.
- ✘ **Upper Sturt Road Walking Path**
 - Property owner is in support of land transfer. Boundary survey quotes being sought.
- ✔ **Local Heritage Grant Fund**
 - Increased Development Application fees have significantly reduced the benefit of the grant to recipients.

Performance Indicators



Legend: ✔ = Target Met ⚪ = Target not met

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
B1001	Recreation Trails & Cycling Route Upgrades	✓
B1003	New Bus Shelter Installation Program	✓
B1004	New and Upgrade Footpath Program	✓
B1006	Crafrers Village Main Street Traffic Calming and Open Space Upgrades	✗
B2001	Federation Park and Oval masterplan implementation	—
B2002	Gumeracha Main street project - stage 2	😊
B2004	Gumeracha Main Street Stormwater	😊
B2005	Transition to the Planning, Development & Infrastructure Act (PDI Act)	✗
B2006	Local Heritage Grant Fund	✓
B2007	Integration of Development Assessment Systems	➔
B3001	Water reuse for Woodside recreation ground irrigation	😊
B3002	Implement irrigation systems (renewal / upgrades)	😊
B3005	Energy Upgrades, Battery & Efficiency Actions from new Carbon Management Plan	✗
B3006	LED Street lighting replacement	✓
B4006	Asset management – Additional System Licenses and Field Devices	😊
B4007	Asset Management Plans for Buildings	✓
B4009	Building Upgrades – minor	✓
B4011	Community Wastewater Management System Capacity Upgrades (Birdwood & Woodside gravity mains)	✓
B4014	Road Safety Program including co-contribution to Road Blackspot	✓
B4015	Installation of further Electric Vehicle charging stations	✗
B4016	Purchase of Electric Vehicles cars for fleet	✗
B4019	Aldgate Main Street amenity upgrade	✓
B4021	Merchants Rd slip repair	✓
B4022	Western Branch Creek erosion protection - design only.	✓

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
B4023	Bushland Park lookout tower	✓
B4024	Bridgewater Oval Drainage	✓
B4025	Play space Audit	—
B4026	Woodside Rec Ground - Driveway & Carpark Upgrade	—
B4027	Woodside Recreation Ground - Masterplan progression	✓
B4028	Aldgate Bridgewater Crafers Stormwater Master Plan	✓
B4030	Mill Road, Lobethal - School Crossing	✓
B4031	Public Toilet Upgrades – Stirling, Aldgate and Bridgewater	✗
B4032	Mount Barker Road, Aldgate ' Park and Ride'	✗
B4033	Upper Sturt Road Walking Path	✗
B4034	Strathalbyn Rd - Service road Sealing	✓
B4035	Hunters Road - Amenity Upgrade	😊
B4036	Mount Lofty Gardens - Lampert Road Safety Upgrade	✗
B4037	Birdwood footpath from kindergarten to playground	✓
B4038	Bus Stop replacement - main street Stirling	✓
B4039	Civil Services Cadet engineer	✓
B4040	Crafers to Stirling Bikeway Stirling	😊

Highlights

✓ Accessibility Planning

- Staff training in creating Easy Read docs.
- Establishment and promotion of new Disability Engagement Group.
- New Disability Access & Inclusion section of Council's website has been created and now live
- Call for expressions of interest has been promoted, inviting residents with disability and their supporters to join new Disability Engagement Group.
- Accredited access consultant has been engaged to inform strategic planning and projects to improve accessibility and inclusion.

✓ Community wellbeing indicators (CWI)

- The CWI project was announced Regional Winner of the Minister's Award for Excellence in Public Health. There will be a launch event (Feb-2022), and discussions with potential research and funding partners for the next stage of development.

✓ Support for Small Community Events

- The number of small events has increased during the quarter with Council supporting multiple events across the district including Bio-Blitz in Gumeracha, Lobethal Gardening Festival, Uraidla Show, local markets and the Stirling Family Fun day (run by The Hut).
- The global pandemic still continues to provide uncertainty to event organisers and lead to cancellation of community events.

✓ Online Youth Hub

- Development of an online Youth Hub has commenced. The aim is to increase youth wellbeing by offering a platform for connection, engagement and information provision around programs and events, community organisations, support services and wellbeing.

✓ Year 12 Support program

- The program, run by the Youth Leadership group, delivered a total of 300 Support packs to Year 12s in 4 High Schools in the district plus the Adelaide Hills Vocational College.

✓ Youth Leadership

- 13 participants graduated from the 2021 program.
- Participants have been involved in organising a number of successful events, including the Represent live youth music festival in October, a BMX event at Woodside, and their graduation event.

✓ Mylor BMX - Pump track at Sherry Park

- Staff are working with all stakeholders to find a compromise that delivers good outcomes for each group.
- Contractors will review plans early in the New Year.

✓ Community Resilience and Readiness program

- Charleston Community have completed 4 community ready workshops, identified gaps in their preparedness and developed an action plan to address them.
- Parents from primary schools in the region have received training regarding preparing children and how to have conversations with them regarding bushfire preparation.
- The Adelaide Hills Community Action Bushfire Network has commenced with representatives from various community groups as members.
- Two grant applications have been submitted to continue resilience and preparedness work with the AHC community beyond the closure date of this project in June 2022.

✓ Reconciliation Action Plan Initiatives

- Acknowledgement of Country cards produced using new branding.
- Aboriginal Place Naming Strategy scheduled to go to Feb 2022 Council meeting for consideration.

✓ Grow our involvement in the Women's Tour Down Under

- The Santos Festival of Cycling will take place in the Adelaide Hills on January 25, 27 and 28 with the Women's Stage 3 start and finish in Lobethal on Tuesday 25.
- We continue to work closely with SA Tourism Commission around COVID-19 requirements. Local residents and businesses were informed in December of the potential road closures.

✓ Emergency management

- Council's Emergency Management Plan was completed in October 2021.
- I-Responda training was provided for Council's Incident Management Team and support staff.
- Thanks to the City of Burnside, the Glenunga Hub has been established as an alternative site to establish Council's Incident Management Team and Emergency Operations Centre.

Risks & Challenges

✘ The Summit Community Centre Natural Amenity Space

- Meeting held with contractor to plan process, product requirements and expectations. Awaiting final quote with expected commencement late February 2022.

✓ Volunteer Program

- The long term effect of COVID -19 has resulted in the reduction in active volunteer numbers from 170 to 130 over the past six months.
- Potential reasons for loss of volunteers and reduction in new volunteers includes:
 - Uncertainty due to COVID19
 - Programs being shutdown or placed on hold
 - Mandated vaccines for Commonwealth Home Support Programs
- Lower numbers of volunteers are causing some issues with service provision.
- Additional recruitment drives will be undertaken in the new year when appropriate

✘ Bridgewater Court Resurfacing

- A request has been made to change the scope of this project to include some additional foundation works. Additional funds have been applied for from the Office for Recreation & Sport's grant funding program.
- The timing may impact the grant funding requirements associated with the Local Road's and Community Infrastructure Project which is currently funding this project.

✘ Capital Divestment - Sales Revenue & Capital Cost

- Further engineering assessments being undertaken in respect of the under building culvert to determine remediation works required.
- Negotiations with tenant are on hold pending outcome of under building culvert assessment and remediation

Legend: ✓ = On Track — = Not Started ➔ = Deferred ✘ = Behind Schedule 😊 = Completed ✓ = Not a Strategic initiative

Performance Indicators



Positive ageing wellbeing score

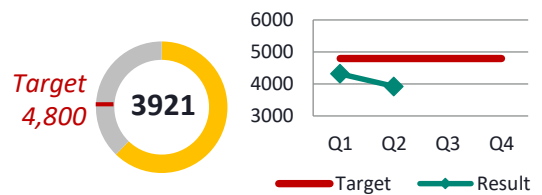
Average level of self-determined wellbeing of program participants reviewed in the quarter.



The wellbeing score has improved slightly this quarter, spring time often gives the client group a bounce as the weather improves and activates and outings increase (especially after the lockdown which happened in the previous quarter).



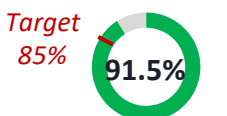
Number of volunteer hours contributed to AHC programs each year



Volunteer hours are down this quarter primarily due to COVID disruptions. The long term effect of COVID -19 has resulted in the reduction in active volunteer numbers from 170 to 130 over the past six months.



Feedback from Community Centre Participants



Feel better connected to other in the community



Will use the knowledge/skills gained in the future

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
C1001	Accessibility Planning - Staffing	✓
C1002	Accessibility Planning materials	✓
C1003	Mylor BMX - Pump track at Sherry Park	✓
C1004	Gumeracha Library upgrades	✓
C1005	Stirling region Skate Park	—
C2003	The Summit Community Centre Natural Amenity Space	✗
C4001	Community Wellbeing Indicators - staffing	✓
C4002	Regional Health Planning Initiatives - Staffing	✓
C4004	Gumeracha Court Resurfacing – Federal Government Community Development Grant Funding	✓
C4006	Play Space Upgrades	✓
C4009	AHC contribution to Heathfield High School Sports Court Redevelopment	✓
C4017	Bridgewater Court Resurfacing	✗
C4018	Community Resilience and Readiness program	✓
C4019	Heathfield Oval Changeroom Upgrade	✓
C4020	Play space upgrades at Lobethal Bushland Park	✓
C5001	Reconciliation Action Plan (RAP) initiatives	✓
C5002	Aboriginal Cultural Centre development	✓
C6001	Fabrik activation - Capital	✓
C6002	Capital Divestment - Sales Revenue	✗
C6003	Capital Divestment - Capital Cost	✗
C6004	Activation Arts & Heritage Hub - Operating (Income)	✓
C6005	Activation Arts & Heritage Hub - Operating (Expenditure)	✓
C6006	Grow our involvement in the Women's Tour Down Under	✓
C6007	Support for Small Community Events	✓
C6009	Public Art (including Acquisition)	✓

Highlights

✔ Expression of interest process related to 'Free' Camping Sites in the district

- The Free Camping Expression of Interest process was opened to the community at the Gumeracha Community Forum. It has also been promoted on Council's Social Media.
- The Expression of Interest process closes on 28 February 2022. This is on track to meet the initiative timelines.

✔ Additional Tree Safety Work required to support the Tour Down Under

- Route for Festival of Cycling has been inspected by an arborist and works identified at four sites. These works will be actioned prior to the event

✔ Business Workshop

- AHC hosted a networking event for Home Based Businesses in response to information provided by the recently conducted Business Survey.
- The event was attended by 9 businesses who were very happy with the networking opportunity.

✔ Procurement Training

- AHC provided two training sessions for businesses on how to engage in Council's Procurement processes.
- 18 businesses attended the events. This supports local businesses to grow their market share and Council to purchase more goods and services locally.

✔ Place making program to shape, activate and coordinate community place making

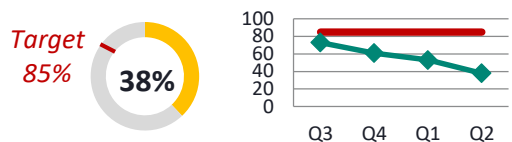
- Focus during the quarter has been on supporting the Crafers Pocket Park upgrade in particular leading the community engagement component for this project.
- Council received high levels of participation during the engagement with over 130 survey responses received.
- Early engagement with the Chair of Imagine Uraidla has commenced, following the adoption at a recent Committee Meeting of the intent/desire to initiate a Township Masterplan Project should funding be secured in the near future.

✔ Review and upgrade Council signage and branding

- Banners are in production for the Woodside Council offices and design work and costing is continuing for wayfinding signage at the Stirling library and offices.

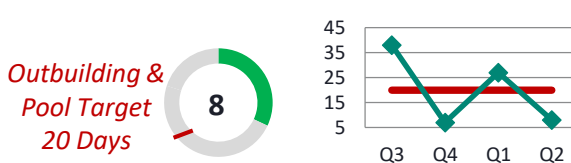
Performance Indicators

Percentage of planning consents completed within statutory timeframes





We are currently unable to accurately report on this indicator due to discrepancies with data management in the new State system. Of the 26 applications approved in the old system, 10 of these were determined within the statutory timeframes. Most of the applications that did not meet the timeframe were ones of a complex nature that involved public notification and agency referrals.

Average number of days for applications to be approved - building consent



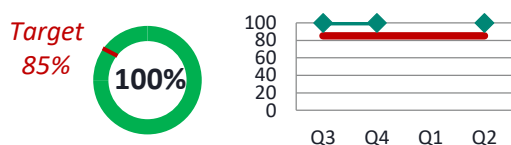
One case was approved in the old system in Q1 which exceeded the target timeframe by 7 days.

We are currently unable to accurately report on any new applications for this indicator due to discrepancies with data management in the new PlanSA system.

Legend:  = Target Met or N/A  = Target not met






 = N/A – cant be assessed

Percentage of new development application decisions upheld in Council/CAPs favour under appeal



There is one new appeal of a CAP decision this quarter and one on-going appeal, both of which are yet to be determined.

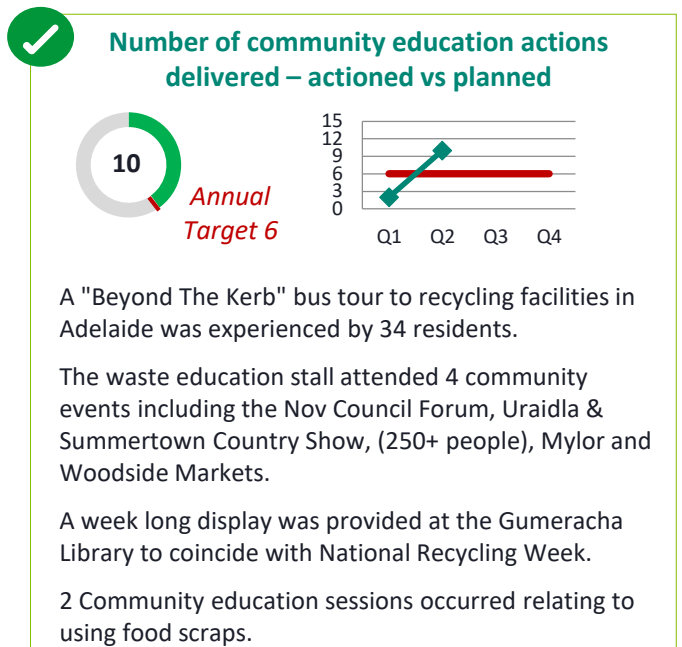
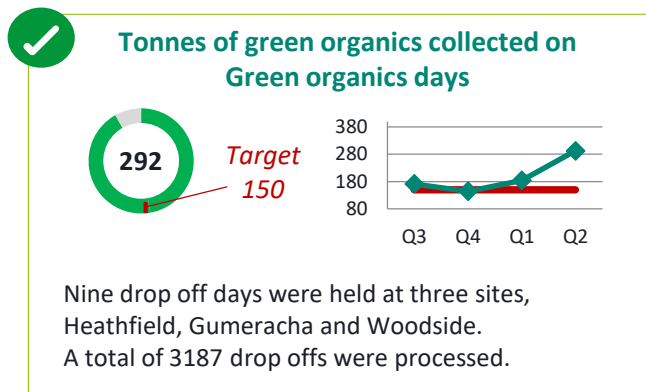
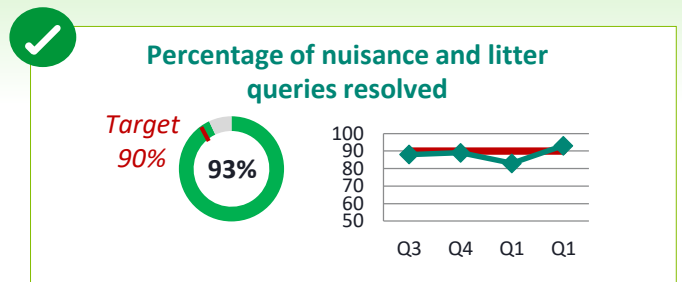
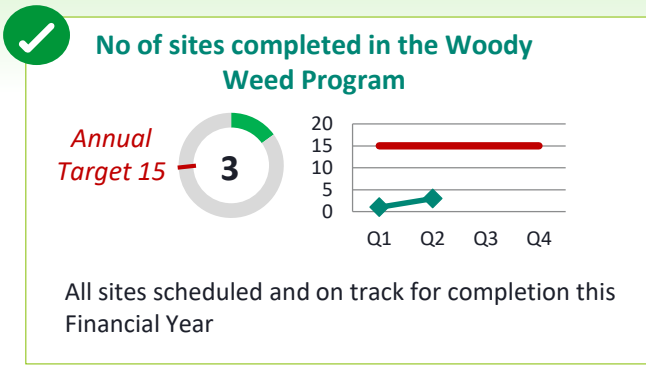
Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
E1003	Undertake an expression of interest process related to the level of interest and viability of 'Free' Camping Sites in the district	
E2001	Review and upgrade Council signage and branding	
E2002	Place making program to shape, activate and coordinate community place making	
E4001	Additional Tree Safety Work required to support the Tour Down Under	
E4002	UNESCO World Heritage Bid	

Highlights

- ✔ **Long Term Strategic Tree Planting Program**
 - Plantings to occur on Piccadilly Road Crafers
 - Approval sought from SA Power Networks to remove and plant on Onkaparinga Valley Road Charleston.
- ✔ **Native Vegetation Marker Program to protect and manage roadside vegetation**
 - 27 Bushrat assessments undertaken across 16 sites.
- ✔ **Local Climate Adaptations for landscape conservation**
 - Our collaboration continues with Trees for Life, Adelaide University, Mt Barker Council and Department of Environment and Water to investigate the dying stringybarks and links to a changing climate within the region.
- ✔ **Animal management**
 - Education related to the upcoming By-law change for cat confinement has continued during the quarter including:
 - Presentations at the Basket Range Community meeting and the Gumeracha Community meeting.
 - An education stall at the Stirling market to provide information to cat owners.
 - A competition for cat owners was held, as well as continuing with a social media ad campaign, print media and signage around the Council area.
- ✔ **Sustainability**
 - The reduction of single use plastic Council report was endorsed on 26 October 2021 and Council is now progressing priority actions.
 - The final Council report for the Woodside Recreation Ground reuse project was presented to Council on the 14 December 2021 and it was endorsed not to proceed.
 - The Fleet Transition Plan outcomes will be included in the budget deliberations for 2022-2023.
- ✔ **Heritage Agreements for land under Council's care and control**
 - Heathfield Stone Reserve letter of request for rededication to conservation reserve has been lodged with the Lands Title Office.
 - Purchase order raised for consultant to undertake Heritage Agreement applications for 4 reserves - MiMi Reserve, Stock Road Reserve (Mylor), Heathfield Reserve and Carey Gully Water Reserve, to be completed and lodged by June 30 2022.
- ✔ **Fire prevention**
 - All property inspections (both initial and follow up) have been for fire danger season.
 - Over 12,000 inspections on Adelaide Hills properties have been completed with 355 105F notices issued.
 - Council has engaged a contractor to clear 13 properties for falling to take reasonable steps under the Fire and Emergency Services Act.
- ✔ **Waste**
 - The first of Council's new waste and recycling educational videos, featuring the Brinkley Landfill, was completed and made publicly available in December 2021.
 - A number of waste and education stalls were held at local events including the Gumeracha Community Forum and the Uraidla Show.
 - Free green organic drop off days continued in the lead up to the 2021/22 Fire Danger Season.

Performance Indicators



Legend: = Target Met = Target not met

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
N1003	Long Term Strategic Tree Planting Program	
N1004	Strategic Tree Planting - Avenue of trees	
N1005	Internal resourcing of Tree Team	
N2002	Heritage Agreements for land under Council's care and control	
N2003	Native Vegetation Marker Program to protect and manage roadside vegetation	
N2006	Develop and review Council Management Plans for high value reserves	
N2008	Develop informative and attractive signage in Council reserves/playgrounds	
N2010	Post prescribed burn weed management	
N3001	Local Climate Adaptations for landscape conservation	
N3002	Resilient community facilities and open space including water fountains	
N5001	Undertake Kerbside Waste Audits	



Highlights

✓ Cyber & Systems Security

- Realignment of the work activity within the Cyber Security Plan has commenced to align with the development of a state wide Local Government Information Security Framework facilitated by LGITSA (Local Government Information Technology South Australia) and grant funding from LGA's Local Government Research & Development Fund.

✓ Service Review Framework Development

- The Service Review Framework was endorsed by the Audit Committee at its October meeting and adopted by Council at the November meeting.

✓ Update of Business Continuity Plan (BCP) and implementation

- Departmental managers have completed the Maximum Acceptable Outage (MAO) analysis for each of the Council's service areas. The resulting critical functions will be subject to further analysis for inclusion in the draft BCP

✓ Local Government legislative reform proposals

- The second series of legislative reforms came into effect in November 2021. The majority of the reforms related to changes to the election legislation which will be in place for the 2022 Local Government Election.
- Submission made regarding the Stage 2 Regulation Reforms which came into effect on 23 December. Most reforms relate to strategic and financial planning and reporting.

Finance

- ✓ • The financial statements for the 2020-2021 financial year were finalised and presented to both the Audit Committee and Council.
- New supplier contracts were entered into for the supply of vehicle tyres, debt recovery services, printing and cleaning services.

✓ New council website and e-services

- A vendor for the Council's new website has been selected and appointed..

✓ Develop or respond to Boundary Reform Proposals

- Council's LGA AGM motion regarding changes to the Boundary Change Guidelines was narrowly defeated. Mayor Wisdom will write to the Boundaries Commission to encourage progress on the matter.
- The Woodforde/Rostrevor boundary proposal does not appear to have any further progress.

✓ Customer Experience Training

- A Complaint Handling form within our CRM system has been developed for improved record keeping in line with our Complaint Handling Policy and Procedure. It is currently undergoing testing and will be rolled out to the wider organisation in quarter 3.

✓ Customer experience improvement projects

- Internal workshops are being conducted to understand issues and opportunities relating to automatic CRM case updates to customers.

✓ Organisational Development

- Work continued on the payroll and HR system implementation including learning the new system and quality checking the data.

✓ Crown Land review

- Meeting held with Crown Lands Department to discuss Crown Land parcels within our district, including those that are proposed to be resumed to the Crown. Application for revocation lodgment with the Minister for Planning.

✓ Unmade road review

- Consultation completed for the proposed review of the Roadside Trading Policy with a workshop to be held with Council in February.

Risks & Challenges

✗ Heathfield Resource Recovery Centre (HRRC)

- Project delayed due to unplanned work in the Sustainability, Waste and Emergency Management area.
- Project to be managed internally between January and June 2022.

✓ Resource to manage building & swimming pool compliance inspections

- Staff resources reduced during this quarter due to planned leave and two team vacancies

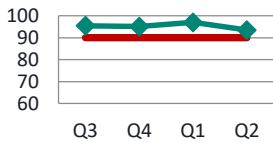
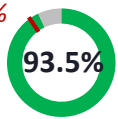


Performance Indicators



Decisions (Council resolutions) considered in open Ordinary and Special Council meetings during the period

Target 90%

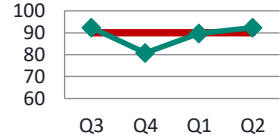
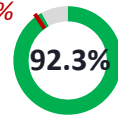


Council considered five confidential items during the quarter.



Council member attendance at ordinary and special meetings for the period

Target 90%



There were three apologies during the quarter and two Leaves of Absence granted (one did not span a meeting).



Freedom of Information (FOI) requests completed within the legislated timeframe

Target 100%

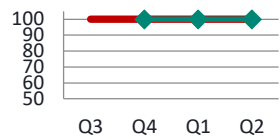


Three ongoing from previous quarter. Six received during this quarter with 3 completed. All completed/being completed within legislative timeframes.



Percentage of Ombudsman investigations upholding Council's decisions

Target 100%



One FOI Internal Review completed in favour of original FOI outcome. One Ombudsman FOI External Review ongoing - provisional determination in Council's favour. One Ombudsman FOI External Review completed - final determination in Council's favour.



Number of lost time injuries

Annual Target

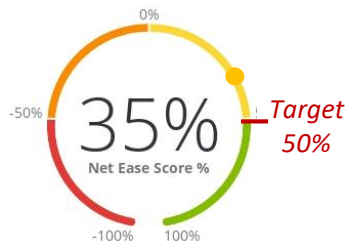
0

Actual

2



Customer Net Ease Score



Customers find contacting us by phone easier (+45) than when putting in a service request (+27). Potentially due to instant connection versus extended and more involved service requests. This has highlighted areas for improvement and enabled some strategic planning for how customers raise requests, how we manage those requests and how customers are kept informed about progress of their requests



Employee Turnover

Annual Target

7-15%

Actual

4.57

The assessment against the target figure will only be realised at the end of financial year. Across the year a rolling update is provided.



Over Customer Satisfaction

Target 75%

63%

Whilst the overall satisfaction of customers survey was 68% (609 responses), our customers that contacted us by phone had higher satisfaction rates (75%) than those who put in a service request (62%). Potentially due to instant connection versus extended and more involved service requests. This has highlighted areas for improvement, including the need for better communication with our customers that have requested services which cannot be resolved at the first point of contact.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
O1001	Resource to manage Skytrust (WHS system) implementation	✓
O1002	Update of Business Continuity Plan and implementation	✓
O1003	Heathfield Resource Recovery Centre (HRRC) - Concreting of Bays	✗
O1004	Heathfield Resource Recovery Centre (HRRC) - Pedestrian movement safety upgrade	✗
O2001	New council website and e-services	✓
O2003	Customer experience improvement projects	✓
O2004	Customer Experience Training	✓
O2006	Cemetery mapping and imaging	✓
O3001	Service Review Framework Development	✓
O4003	Develop or respond to Boundary Reform Proposals	✓
O4004	Council Member Honour Boards	✓
O5001	Local Government legislative reform proposals	✓
O5003	Corporate Plan Review	—
O5005	Resource to manage building & swimming pool compliance inspections	✓
O6002	Cyber & Systems Security - Program Management	✓

3. Q2 Customer service standards

5.1 General Customer Standards

Answering Incoming Phone Calls

Volume of calls = 8,911

Contact centre calls answered within 30 sec

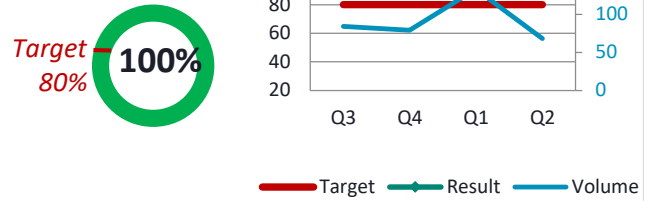


Although target not met, 80% of all incoming phone calls were answered within 60 seconds

Updating Customer Details

Volume of updates = 68

Details updated within 5 days



5.2 Service Specific Standards – Time Based Indicators

New Event Applications

Volume of applications = 14

Acknowledgement of receipt within 5 days



Illegal Burning Complaints

Volume of complaints = 12

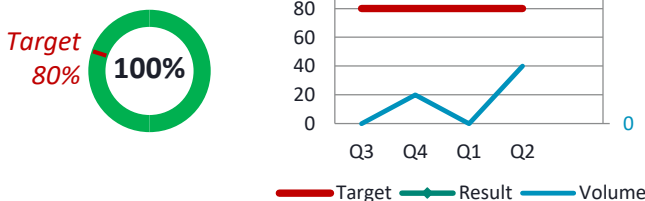
Investigated within 24 hours



Health Complaints

Volume of complaints = 2

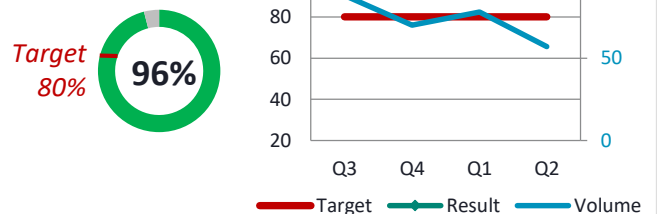
Investigated within 24 hours



Illegally Dumped Rubbish

Volume of reports = 57

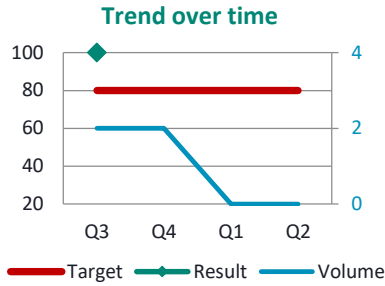
Rubbish removed within 3 days



Library Services

Volume of requests = 0

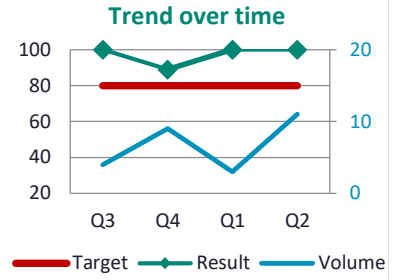
Response to requests to purchase materials within 10 days



Dog Attacks

Volume of attack reports = 11

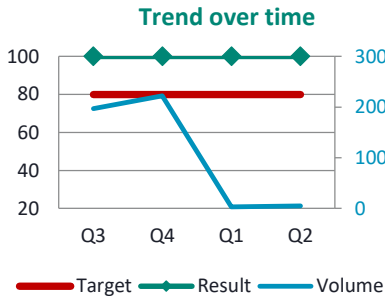
Response within 24 hours



Wasps

Volume of reports = 5

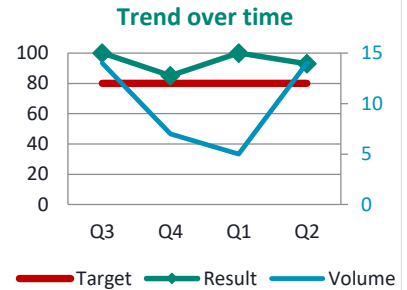
Investigate and action within 7 days



Development Applications

Volume of applications = 14

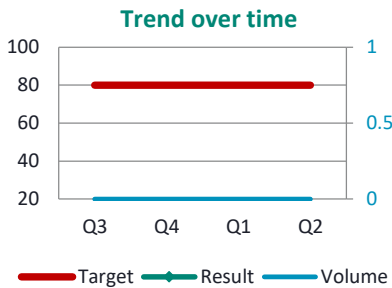
Approval of fast track development applications within 28 days



Missed Bins

Volume of requests = 0

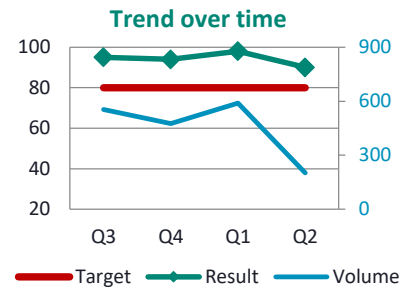
Missed bins collected within 2 days



Request for Bin Repair or Replacement

Volume of requests = 202

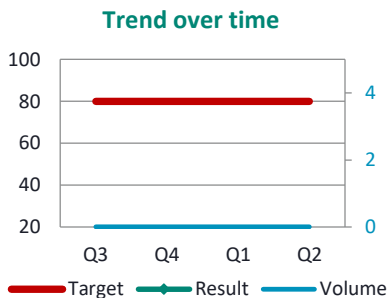
Requests actioned within 7 days



Footpath Repairs - Hazardous

Volume of repairs = 0

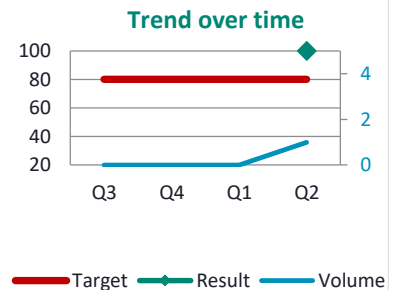
Responded and made safe within 24 hours



Road Repairs - Hazardous

Volume of repairs = 1

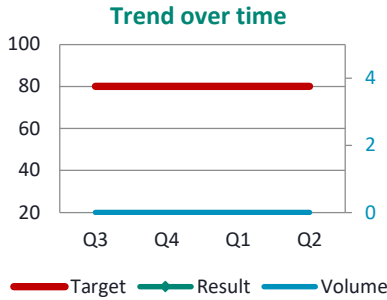
Responded and made safe within 24 hours



Stormwater Repairs - Hazardous

Volume of reports = 0

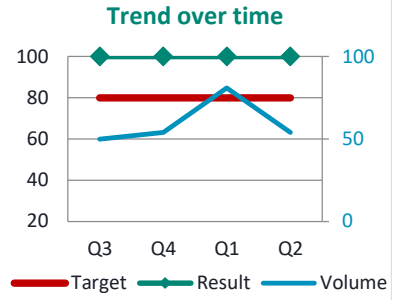
Responded and made safe within 24 hours



Trees - Hazardous

Volume of reports = 54

Responded and made safe within 24 hours

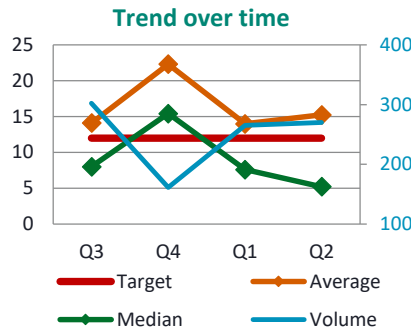
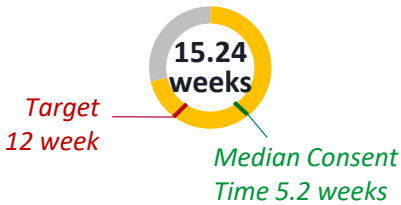


5.3 Service Specific Standards – Other Indicators

Development Applications

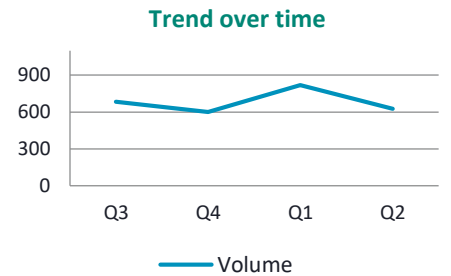
Volume of planning consents = 270
Average for Plan SA = 6.66 weeks

Average consent time from date of receipt



Low Risk Infrastructure Requests – Number of New Requests

Volume of new requests = 625



Low Risk Infrastructure Requests – Average Time to Resolve

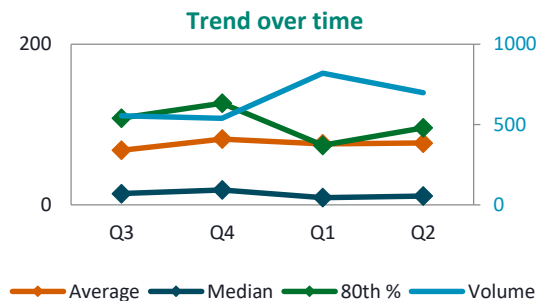
Volume of Requests = 697

Resolution time of requests

Average = 77 days

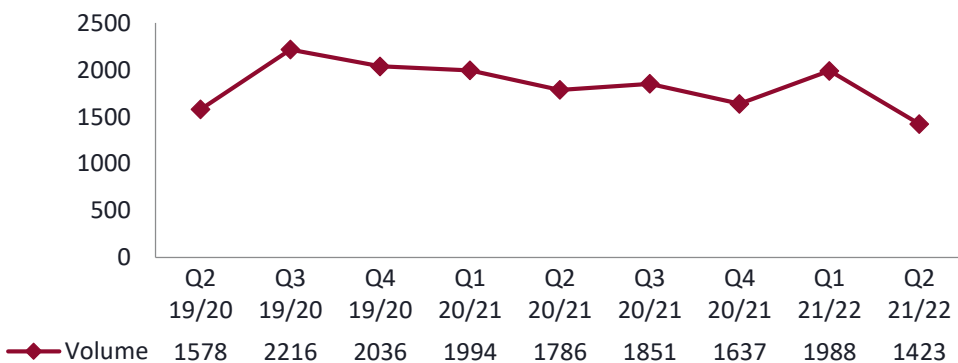
Median = 11.1 days

80th Percentile = 95.89 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. This data now includes number of planning consents granted for the quarter. In previous quarters this wasn't included.



3. Capital Works Program

Quarter 2 of the 2021-22 FY was very productive , with \$4.91M of Capital Works delivered during this period and another \$4.72M of works on Order. The primary focus of this quarter was making sure that Key LCRIP projects commenced along with the larger category renewal programs and major Projects.

Highlights

- Construction for sports court resurfacing and change room redevelopment at Heathfield well underway.
- Streetscape upgrade in Gumeracha completed, as is Stirling to Crafers Bikeway.
- Unsealed Renewal Program 50% Complete
- Sealed Road reseal, heavy patch and major patch programs all well underway
- New Toilet Blocks at Bridgewater and Aldgate Well received
- Gumeracha Playing Courts Renewal Underway
- Drainage installed at Bridgewater and Heathfield Ovals

What's Next

- Retaining wall Works and Replacement of the footbridge at Bridgewater Oval will commence in Quarter 3
- All major road renewal programs will continue to be delivered in Quarter 3
- New CWMS Control Cabinets to be installed at Springhead Rd Mount Torrens, Jacaranda Drive and Mount Barker Rd, Verdun in Quarter 3
- Toilet Block at Steamroller Park to be completed in Quarter 3

Financial Performance by Asset Category (preliminary numbers)

Asset Category	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Annual Budget \$'000s
Bridges	17	85	68	300
Buildings	536	1,342	807	6,496
Cemeteries	5	20	14	92
CWMS	51	69	17	302
Footpaths	1,015	430	(585)	1,893
Guardrails	-	25	25	110
Kerbing	29	50	21	220
Local Roads & Community Infrastructure Program (LRCIP Phase 1)	111	103	(7)	103
Local Roads & Community Infrastructure Program (LRCIP Phase 2)	463	1,432	969	1,432
Other - Ret Walls, Str Furniture & Bus Stops	74	97	23	514
Roads	669	993	324	6,270
Sport & Recreation	1,502	683	(819)	4,311
Stormwater	355	239	(117)	853
Fleet	770	755	(15)	3,056
ICT	280	523	243	1,149
Library	3	11	8	15
Plant & Equipment	14	25	11	118
	5,891	6,881	990	27,235

4. Financial Performance

Overall Funding Statement as at 30 December 2021

Note: These figures are preliminary only. The fully reconciled figures will be presented to Council as part of the Budget Review report.

	YTD Actual	YTD Budget	YTD Variance	Revised Budget
	\$'000	\$'000	\$'000	\$'000
<i>Total Operating Income</i>	45,812	45,179	● 633	51,335
<i>Total Operating Expenditure</i>	20,411	21,006	● 594	50,220
Funding surplus before Capital	25,401	24,173	● 1,228	1,115
<i>Capital Expenditure</i>	5,891	6,881	● 990	27,236
<i>Capital Income</i>	1,768	1,702	● 66	9,041
Net expenditure - Capital projects	4,123	5,179	● 1,055	18,195
Net Lending / (Borrowing) Result for Year	21,278	18,994	● 2,284	(7,348)

Adelaide Hills Council Operating Summary By Directorate as at December 2021

	YTD Actuals	YTD Budget	YTD Var	Revised Budget
	\$'000s	\$'000s	fav / (unfav) \$'000s	\$'000s
Income				
Community Capacity	1,468	1,493	● (25)	2,161
Corporate Services	40,455	40,385	● 70	41,694
Development & Regulatory Services	900	790	● 110	1,228
Infrastructure & Operations	2,989	2,510	● 479	6,253
Income Total	45,812	45,179	● 633	51,335
Expenditure				
Community Capacity	3,670	3,912	● 242	7,832
Corporate Services	5,422	5,502	● 80	8,478
Development & Regulatory Services	1,941	1,957	● 15	3,913
Infrastructure & Operations	9,377	9,635	● 258	29,998
Expenditure Total	20,411	21,006	● 594	50,220
Operating Surplus (Deficit)	25,401	24,173	● 1,228	1,115



Adelaide Hills
COUNCIL

MORE INFORMATION



63 Mt Barker Road
Stirling SA 5152



08 8408 0400



mail@ahc.sa.gov.au

Item 17 Minutes of Committees

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 12 JANUARY 2022
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 9 February 2022]

In Attendance

Presiding Member
Geoff Parsons

Members

Ross Bateup
David Brown
Paul Mickan
John Kemp

In Attendance

Deryn Atkinson
Melanie Scott
Marie Molinaro
Doug Samardzija
Karen Savage

Assessment Manager
Senior Statutory Planner
Statutory Planner
Statutory Planner
Minute Secretary

1. Commencement

The meeting commenced at 6.30pm

2. Opening Statement

“Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come”.

3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

**ADELAIDE HILLS COUNCIL
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[Please Note: These minutes are unconfirmed until 9 February 2022]

4. Previous Minutes

4.1 Meeting held 10 November 2021

The minutes were adopted by consensus of all members (1)

That the minutes of the meeting held on 10 November 2021 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Paul Mickan advised that he has recently been engaged by The Barossa Council to undertake a planning project, to review policies which affect a small portion of the Adelaide Hills Council area, which includes the area south of Kersbrook which is within the Barossa Valley Character preservation district. As neither of the applications before the CAP are within this area he does not believe he has any conflict of interest in either matter and will remain in the room and vote.

Additionally, Paul advised that, in relation to Item 9.1, he is connected with the applicant's Planning Consultant, Emma Barnes, through social media. He has not connected with Emma in recent times, and has not discussed the subject application nor any other application with her. He does not believe there to be a conflict of interest and will remain in the room and vote on the matter.

The Presiding Member also advised that, in relation to Item 9.1, the organisation he works for has a contract with Planning Studio to undertake development assessment services. This is a professional relationship and will not impair his ability to remain impartial, and he will remain in the room and vote on the matter.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

7.2 Matters Deferred
Nil

**ADELAIDE HILLS COUNCIL
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WEDNESDAY 12 JANUARY 2022
63 MOUNT BARKER ROAD, STIRLING
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ZOOM VIRTUAL MEETING ROOM
*[Please Note: These minutes are unconfirmed until 9 February 2022]***

8. **Development Assessment Applications – Development Act**
Nil
9. **Development Assessment Applications – Planning, Development and Infrastructure Act**
- 9.1 **Development Application 21027668 by Planning Studio Pty Ltd and Vinteloper Wines to convert former dwelling to shop for the sale and tasting of wine with associated building alterations and additions, associated car parking and landscaping at 589 Cudlee Creek Road, Cudlee Creek**

9.1.1 **Representations**

Name of Representor	Address of Representor	Nominated Speaker
Annette Mason	10 Berry Hill Road Lobethal	Annette Mason
Jason Draper	632 Cudlee Creek Road Lobethal	Jason Draper

The applicants' representatives, David Bowley and Emma Barnes (Planning Studio), addressed the Panel.

9.1.2 **Decision of Panel**

The following was adopted by consensus of all members (2)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 21027668, by Planning Studio Pty Ltd and Vinteloper Wines for conversion of former dwelling to shop for the sale and tasting of wine with associated building alterations & additions, associated car parking and landscaping is GRANTED Planning Consent subject to the following conditions:

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 12 JANUARY 2022
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 9 February 2022]

CONDITIONS

Planning Consent

- 1) **Development in Accordance with Approved Plans**
The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
- 2) **Commercial Lighting**
Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.
- 3) **External Finishes**
The external finishes to the building herein approved shall be as follows:
WALLS: Mixture of existing brick walls, pre-cast concrete panels and pre-colour treated steel in Colorbond 'Monument' colour or similar.
ROOF: Zinc cladding in 'Pigmento Red' colour & Colorbond 'Monument' or similar.
- 4) **Prior to Building Consent – Provision of Carparking Plan Designed In Accordance with Australian Standard AS 2890.1:2004**
Prior to Building Consent being granted a final car parking plan which complies with Australian Standard AS2890.1:2004 shall be provided and approved by Council.
- 5) **Construction & Maintenance of Car-Parking**
All car parking spaces, driveways and manoeuvring areas shall be constructed and line-marked in accordance with AS 2890.1:2004. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of compacted gravel prior to the opening of the shop and thereafter be maintained in good condition at all times to the reasonable satisfaction of Council.
- 6) **Car Parking Directional Signage**
Directional signs indicating the location of car parking spaces shall be provided on the subject land and maintained in a clear and legible condition at all times.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 12 JANUARY 2022
63 MOUNT BARKER ROAD, STIRLING
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[Please Note: These minutes are unconfirmed until 9 February 2022]

- 7) **Unloading and Storage of Materials and Goods**
All materials and goods shall at all times be loaded and unloaded within the confines of the subject land. Materials and goods shall not be stored on the land in areas delineated for use as car parking.
- 8) **Opening Hours**
The opening hours of the shop shall be Friday-Monday and public holidays from 11:00am to 5:00pm.
- 9) **Overall Capacity**
At any one time, the overall capacity of the premises shall be limited to a maximum of 40 persons. This includes the associated outdoor areas.
- 10) **Entertainment**
Amplified music shall be limited to within the shop building.
- 11) **Sale & Tasting of Alcoholic Beverages Restricted to Licensee's Own Product**
Sales and tasting shall be limited to the licensee's own product, and shall be primarily produced within the Mount Lofty Ranges Region.
- 12) **Timeframe for Landscaping to be Planted**
Landscaping detailed on the approved landscaping plan shall be planted in the next available planting season following the opening of the shop. Landscaping shall thereafter be maintained in good health and condition at all times. Any landscaping that dies or becomes seriously diseased shall be replaced in the next available planting season.
- 13) **Stormwater Roof Runoff & Car-Park Runoff to be Dealt With On-Site**
All roof run-off and run-off from the car park shall be managed on-site in accordance with the approved stormwater plan to the satisfaction of Council.
- 14) **Prior to Building Consent – Provision of an amended Site Plan with Waste Storage**
Prior to Building Consent being granted a final site plan with the location of the solid waste area and associated screening of the area from Cudlee Creek Road and Berry Hill Road, shall be provided and approved by Council staff.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 12 JANUARY 2022
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 9 February 2022]

- 15) **Removal & Storage of Solid Waste**
All solid waste of any kind shall be stored in a closed container having a closed fitting lid, and that container shall be stored in the screened area.
- 16) **Ancillary Food**
Individual meals may not be offered to patrons, with the exception of light snacks such as platters.

ADVISORY NOTES

- 1) This Planning Consent is valid for a period of twenty four (24) months commencing from the date of the decision. Building Consent must be applied for prior to the expiry of the DPC.
- 2) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 3) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 4) A separate development application is required for any signs or advertisements (including flags and bunting) associated with the development herein approved.
- 5) This approval does not in any way imply compliance with the Food Act SA 2001 and/or Food Safety Standards. It is the responsibility of the owner or other person operating the food business from the building to ensure compliance with the relevant legislation before opening the food business on the site.

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9.2 Development Application 21018753 by Kate Bishop for tourist accommodation and associated free standing advertisement at 159 Ridge Road, Ashton

9.2.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Kym & Sophie Nitschke	Lot 39 (141) Ridge Road Ashton	Sydney McDonald Botten Levinson

The applicant's representative, Mark Kwiatkowski (Planning Consultant), addressed the Panel.

9.2.2 Decision of Panel

The following was lost for want of a Seconder

Moved John Kemp Lost
S/- (3)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 21018753 by Kate Bishop and Bella Casa Ashton for Tourist Accommodation & associated free standing advertisement at 159 Ridge Road Ashton is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

- 1) Development in Accordance with Approved Plans
The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

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- 2) Flood Lighting
Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.
- 3) External Finishes
The external finishes to the building herein approved shall be as follows:
- WALLS: Vertical wood panelling in a timber-look finish or similar.
ROOF: Colorbond Monument or similar.
- 4) Use of Building
The person(s) having the benefit of this consent shall refrain from permitting the use of the building (or any part thereof) for provision long term accommodation or as a separate dwelling. The tourist accommodation unit shall be used and operated on a short term rental arrangement with a maximum of a one week stay per occupancy.
- A logbook shall be kept of all occupancies for each calendar year and made available for inspection by the Council upon request.
- 5) Stormwater Overflow
All roof run-off generated by the development hereby approved shall be managed on-site to the satisfaction of Council using design techniques such as:
- Rainwater tanks
 - Grassed swales
 - Stone filled trenches
 - Small infiltration basins
- Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area. Stormwater shall be managed on site with no stormwater to trespass onto adjoining properties.
- 6) External Colours of Signage
The external colours of the sign herein approved shall be comprised of non-reflective materials and finishes.
- Any lighting associated with the sign shall be switched off at midnight on each day and shall not be switched back on before sunrise the following day.

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7) Landscaping

The southern and south-eastern aspects of the tourist accommodation herein approved, including the associated rainwater tank and car parking, shall be landscaped either with:

- An appropriate landscaped margin peripheral to the development site, OR
- Augmented landscape screening along the southern (Ridge Road) boundary and north-west aspect of the main (existing) driveway

Utilising appropriate locally suitable and indigenous landscaping species, to attenuate clear and direct view of the building from public outlook directly from the south and from the south-east approach on Ridge Road.

Conditions imposed by South Australian Country Fire Service under Section 122 of the Act:

1) Siting

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 2.1, 4.2, 4.3) details the mandatory requirements for buildings and structures to be located away from areas that pose an unacceptable bushfire risk in order to provide sufficient defensible space for occupants and fire fighters; ensure radiant heat levels at the buildings are minimised in line with the assessed bushfire attack level & construction level; whilst maintaining reduced fuel loads and ensuring it can be maintained in perpetuity by the occupants:

- Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable building, unless built to building code requirements for associated structures in Bushfire Prone Areas.

2) Access to Habitable Building

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 6.2) details the mandatory requirements for 'Private' roads and driveways to facilitate safe and effective firefighting, evacuation where required. These requirements apply when the path of travel to the furthest point of the building is more than 60m from the nearest public road:

- A clear and unobstructed vehicle or pedestrian pathway shall be provided; no greater than 60 metres in length between the most distant part of the habitable building and the nearest part of the formed public access way.

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- The driveway shall be connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8).
- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres, and must allow forward entry and exit for large fire-fighting vehicles, to within 60m of the furthest point of the building; OR
- 4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5).
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either:
 1. A loop road around the building, OR
 2. A turning area with a minimum radius of 12.5 metres, OR
 3. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres, OR
 4. A 'U' shaped 'drive-through' option.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Private access shall provide overhead clearance of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.
- Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.
- The all-weather road shall incorporate passing bays. The combined width of the passing bay & access track shall be 6m, and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the road or driveway. Where it is necessary to provide adequate visibility, such as the nearest point to the public road or other passing bay, passing bays may be required at intervals of less than 200 metres.
- The gradient of the access road shall not exceed 16 degrees (1-in-3.5) at any point along the driveway. In steep terrain exceeding 10 degrees the surface should be sealed.
- The cross fall-off of the driveway shall be not more than 6 degrees (1-in-9.5) at any point along the driveway. In steep terrain roads shall be widened and appropriate guard rails and visibility markers should be installed on sides where a steep downslope is present.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

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3) Water Supply & Access (to dedicated water supply)

Ministerial Building Standard MBS008 “Designated bushfire prone areas – additional requirements” July 2020, as published under the *Planning, Development and Infrastructure Act 2016*, provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone.

‘The Planning and Design Code’ Hazards (Bushfire – High Risk) Overlay (Performance Objective 4.3) details the mandatory requirements for the site to provide a dedicated hardstand area in a location that allows fire fighting vehicles to safely access the dedicated water supply.

Where a water storage facility is required to have a fire authority fitting, the following will apply:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 60 metres from the proposed dwelling.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering “FIRE WATER”).
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance’s inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- Ideally a remote water supply outlet should be gravity fed. Where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:
 1. The dedicated water supply outlet for draughting purposes shall not exceed 5 metres maximum vertical lift (calculated on the height of the

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hardstand surface to the lowest point of the storage) and no greater than 6 metres horizontal distance.

2. The suction outlet pipework from the tank shall be fitted with an inline non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.

Pools are permissible as the dedicated fire-fighting water supply, if the following can be achieved:

- Provision shall be made adjacent to the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes), that is a distance equal to or less than 3m to edge of water source; OR
- A gravity fed outlet can be incorporated into the design of the plumbing; AND
- Is unobstructed by associated landscaping and barriers.

Access via a removable inspection opening is permissible if the following can be achieved:

- Provision shall be made adjacent to the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes), that is a distance equal to or less than 3m to edge of the tank, AND
- The opening is a minimum of 200mm wide and is not more than 1.5m above ground level and no lower than 5m to the lowest point of the water source, AND
- Is unobstructed by associated landscaping and barriers.

4) Vegetation Management

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 4.2) details the mandatory requirements to establish and maintain an asset protection zone. As such, landscaping shall include bushfire protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and fire-fighters.

A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:

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- The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that, when considered overall, a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
- Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
- Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
- Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
- Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height from the trees' lowest branches.
- Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- No understorey vegetation shall be established within 1 metre of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
- Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves.
- The VMZ shall be maintained to be free of accumulated dead vegetation.

ADVISORY NOTES

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

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- 3) A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate:
- a) Until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b) If an appeal is commenced:
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been fully determined (other than any question as to costs).

Planning Consent

- 1) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision.

Building Consent must be applied for prior to the expiry of the DPC.

- 2) Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

- 3) The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

- 4) More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au

Advisory Notes imposed by South Australian Country Fire Service under Section 122 of the Act

- 5) Building Considerations
Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.

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Please refer to the National Construction Code (NCC), relevant standards and state provisions for construction requirements and performance provisions.

A site Bushfire Attack Level (BAL) assessment is a requirement in accordance with the NCC and Australian Standard™3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”.

- 6) The subject land is known to be within 500m of a former landfill site where there is a site contamination audit being undertaken on behalf of the Adelaide Hills Council (Council). Landfill gas has been detected on the former landfill site. However, the source (anthropogenic or natural) and extent of this gas is subject to ongoing monitoring and further analysis. At this stage, it is unknown whether or not landfill gas is migrating offsite, noting that testing for landfill gas has so far only occurred within the site of the former landfill. While the Environment Protection Authority (EPA) has not issued any formal advice or direction to the Council in relation to the proposed development, its general advice suggests that in the absence of site-specific risk information, an effective control measure is a 500m buffer between new development and a landfill, measured from the outer boundary of the area containing waste: see EPA Information Sheet ‘Landfill gas and development near landfills – advice for planning authorities and developers’ issued February 2021.

The applicant is reminded that if they elect to proceed with the development in the absence of site-specific risk information:

1. They do so entirely at their own risk.
2. Under the Environment Protection Act 1993, a developer may be considered to have caused site contamination if the development creates a risk to future residents or occupiers from landfill gas.
3. The Council accepts no responsibility for any harm to persons, or any harm or damage to, or loss of property, or any other detriment resulting from the applicant’s actions.

It is the applicant’s responsibility to ensure that all appropriate steps are undertaken to minimise the potential harm or damage to property or persons arising from this situation.

Any queries in regards to landfill gas migration or site contamination should be directed to the EPA Hotline on 1800-729-175.

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The following was adopted by consensus of all members

(4)

The Council Assessment Panel DEFERS consideration of Development Application Number 21018753 by Kate Bishop and Bella Casa Ashton for Tourist Accommodation & associated free standing advertisement at 159 Ridge Road Ashton to enable the applicant to provide:

- 1) A detailed site and contour plan with location of access to tourist pod, CFS turnaround, detailed sign position and proposed landscaping.
- 2) Site specific elevations taking into account the nature of the site and any cut and fill.

10. Development Assessment Applications – Review of Decisions of Assessment Manager

Nil

11. ERD Court Appeals

Nil

12. Policy Issues for Advice to Council

Nil

13. Other Business

- 13.1 Deryn advised that the term of the Council Assessment Panel expires on 31 May 2022, and Council will be advertising in February or early March for Expressions of Interest for a decision to be made at the Council meeting on 26 April 2022. The current Panel members were invited to submit EOIs to extend their appointment.

14. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

Nil

15. Confidential Item

Nil

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- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 9 February 2022.
- 17. Close meeting**
The meeting closed at 9.03pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 January 2022
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 18.1

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

Subject: Audit Committee Independent Member Vacancy

For: Decision

1. Audit Committee Independent Member Vacancy – 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:

- Chief Executive Officer, Andrew Aitken
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Acting Director Development & Regulatory Services, Melissa Bright
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Corporate Planning & Performance Coordinator, Kira Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (Audit Committee Independent Member Vacancy) 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) (a) 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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it would disclose the personal details of an Audit Committee Independent Member's performance.

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.

3. Audit Committee Independent Member Vacancy – 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) (a) 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 be retained in confidence until 30 April 2022.

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.

Appendix 1

Audit Committee – Terms of Reference

ADELAIDE HILLS COUNCIL
Audit Committee



TERMS OF REFERENCE
Effective from 1 September 2017

1. ESTABLISHMENT

- 1.1 The Audit Committee (the Committee) of Council is established under Section 41 of the *Local Government Act 1999* (the Act), for the purposes of Section 126 of the Act and in compliance with regulation 17 of the *Local Government (Financial Management) Regulations 2011*.
- 1.2 The Audit Committee does not have executive powers or authority to implement actions in areas which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent from management.

2. ROLE

- 2.1 The overall role of the Audit Committee will be to assist Council to accomplish its objectives by monitoring and providing advice on the adequacy and effectiveness of the systems and processes regarding financial management and reporting, internal control and risk management, internal audit and governance functions through the following functions:

3. SPECIFIC FUNCTIONS

- 3.1 Financial Reporting and Prudential Requirements

The Committee shall:

- 3.1.1 Provide comment on the assumptions underpinning Council's Strategic Management Plans (Strategic Plan, Annual Business Plan and Budget and Long Term Financial Plan), the consistency between plans and the adequacy of Council's plans in the context of maintaining financial sustainability;
- 3.1.2 Review and provide advice to Council on the degree to which the annual financial statements present fairly the state of affairs of the Council;
- 3.1.3 Monitor the integrity of the financial statements of the Council, including its annual report, reviewing significant financial reporting issues and judgements which they contain.;
- 3.1.4 Review and challenge where necessary:
- 3.1.4.1 The consistency of, and/or any changes to, accounting policies;
- 3.1.4.2 The methods used to account for significant or unusual transactions where different approaches are possible;
- 3.1.4.3 Whether the Council has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the external auditor;

3.1.4.4 The clarity of disclosure in the Council's financial reports and the context in which statements are made; and

3.1.4.5 All material information presented with the financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management);

3.1.5 Review prudential reports prepared under Section 48(1) of the Act and provide advice to Council, upon request, on other prudential matters.

3.2 Internal Controls and Risk Management Systems

The Committee shall:

3.2.1 Ensure that appropriate policies, practices and procedures of internal control (and other financial and risk management systems) are implemented, reviewed and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner to achieve its objectives;

3.2.2 Review Council's risk management framework and monitor the performance of Council's risk management program;

3.2.3 Monitor the corporate risk profile and significant risk exposures for the organisation to ensure that there are appropriate management plans to manage and mitigate this business risk; and

3.2.4 Ensure an appropriate legislative compliance framework exists to identify risks and controls over compliance with applicable legislation and regulations.

3.3 Whistle blowing

The committee shall:

3.3.1 Review annually the Council's Whistleblower Protection Policy

3.3.2 Provide recommendations to Council regarding the Whistleblower Protection Policy to ensure that:

3.3.2.1 There are adequate arrangements for Council employees to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters; and

3.3.2.2 The policy allows independent investigation of such matters and appropriate follow-up action in a manner that is in accordance with the Independent Commissioner Against Corruption Act 2012 and Regulations 2013.

3.4 Internal Audit

The Committee shall:

- 3.4.1 Monitor and review the effectiveness of the Council's internal audit function in the context of the Council's overall risk management system;
- 3.4.2 Consider and make recommendation on the program of the internal audit function and the adequacy of its resources and access to information to enable it to perform its function effectively and in accordance with the relevant professional standards.
- 3.4.3 Review all reports on the Council's operations from the internal auditors;
- 3.4.4 Review and monitor management's responsiveness to the findings and recommendations of the internal auditor; and
- 3.4.5 Where appropriate, meet the "head" of internal audit (internal or outsourced) at least once a year, without management being present, to discuss any issues arising from the internal audits carried out. In addition, the head of internal audit shall be given the right of direct access to the Principal Member of the Council and to the Presiding Member of the committee.

3.5 External audit

The Committee shall:

- 3.5.1 Consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council's external auditor. The Committee shall oversee the selection process for new auditors and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required;
- 3.5.2 Oversee Council's relationship with the external auditor including, but not limited to:
 - 3.5.2.1 Recommending the approval of the external auditor's remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted;
 - 3.5.2.2 Recommending the approval of the external auditor's terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit;
 - 3.5.2.3 Assessing the external auditor's independence and objectivity taking into account relevant professional and regulatory requirements and the extent of Council's relationship with the auditor, including the provision of any non-audit services;
 - 3.5.2.4 Satisfying itself that there are no relationships (such as family, employment, investment, financial or business) between the external auditor and the Council (other than in the ordinary course of business);

- 3.5.2.5 Monitoring the external auditor's compliance with legislative requirements on the rotation of audit partners; and
 - 3.5.2.6 Assessing the external auditor's qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditor on the audit committee's own internal quality procedures);
 - 3.5.3 Meet as needed with the external auditor. The Committee shall meet the external auditor at least once a year, without management being present; to discuss the external auditor's report and any issues arising from the audit;
 - 3.5.4 Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement;
 - 3.5.5 Review the findings of the audit with the external auditor. This shall include, but not be limited to, the following:
 - 3.5.5.1 a discussion of any major issues which arose during the external audit;
 - 3.5.5.2 any accounting and audit judgements; and
 - 3.5.5.3 Levels of errors identified during the external audit. The committee shall also review the effectiveness of the external audit.
 - 3.5.6 Review any representation letter(s) requested by the external auditor before they are signed by management;
 - 3.5.7 Review the management letter and management's response to the external auditor's findings and recommendations.
- 3.6 Economy and Efficiency Audits
- The Committee shall:
- 3.6.1 Propose and review the exercise of powers under Section 130A of the Act; to examine and report on any matter relating to financial management, or the efficiency and economy with which the council manages or uses its resources to achieve its objectives,
- 3.7 Service Improvement
- The Committee shall:
- 3.7.1 Monitor the benefits achieved through Council's Service Improvement Program with a focus on efficiency and effectiveness.

4. OTHER MATTERS

The Committee shall:

- 4.1 Have access to reasonable resources in order to carry out its duties, recognising the constraints within Council's Budget;
- 4.2 Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members;
- 4.3 Give due consideration to laws and regulations of the Act;
- 4.4 Make recommendations on co-ordination of the internal and external auditors;
- 4.5 Oversee any investigation of activities which are within its terms of reference;
- 4.6 Oversee action to follow up on matters raised by the external and internal auditors;
- 4.7 Invite Council's external auditors and internal auditors to attend meetings of the Committee, as considered appropriate; and
- 4.8 At least once in its term, review its own performance and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

5. MEMBERSHIP

- 5.1 The Committee will comprise 5 members as follows:
 - 5.1.1 Three (3) Independent Members; and
 - 5.1.2 Two (2) Council Members
- 5.2 All members of the Committee will be appointed by the Council.
- 5.3 Independent Member(s) of the Committee shall have recent and relevant skills and experience in professions such as, but not limited to accounting, financial management, risk management, law, compliance, internal audit and governance.
- 5.4 It is desirable for the Council Members to be appointed to the Committee to have a sound understanding of financial management, risk management and governance.
- 5.5 In considering appointments to the Committee, Council should give consideration to the diversity of the membership.
- 5.6 Appointments to the Committee shall be for a period of up to three (3) years.
- 5.7 Members of the Committee are eligible for reappointment at the expiration of their term of office.
- 5.8 The terms of appointment of the Independent Members should be arranged to ensure the orderly rotation and continuity of membership despite changes to the composition of the Council.

6. SITTING FEES

- 6.1 The applicable Remuneration Tribunal (or its successor) Determination outlines the applicable allowance for Council Members on the Committee.
- 6.2 The Independent Members are to be paid a sitting fee as determined by Council for attendance at meetings and authorised training sessions. Council may determine a higher sitting fee for the presiding member.

7. PRESIDING MEMBER

- 7.1 The Council will appoint the Presiding Member of the Committee.
- 7.2 The Council authorises the Committee to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee.
- 7.3 If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy Presiding Member, or both the Presiding Member and the Deputy Presiding Member of the Committee are absent from a meeting of the Committee, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.
- 7.4 The role of the Presiding Member includes:
 - 7.4.1 overseeing and facilitating the conduct of meetings in accordance with Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations);and
 - 7.4.2 Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

8. REPORTING RESPONSIBILITIES

- 8.1 For the purposes of Section 41(8) of the Act, the Committee's reporting and accountability requirements are:
 - 8.1.1 The minutes of each Committee meeting will be included in the agenda papers of the next ordinary meeting of the Council;
 - 8.1.2 The Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee;
 - 8.1.3 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed; and
 - 8.1.4 The Presiding Member may attend a Council meeting at any time that the Presiding Member sees fit to discuss any issue or concern relating to the Committee's functions. Depending on the nature of the matter, this may be held in confidence in accordance with Section 90 of the Act and staff may be requested to withdraw from the meeting.

9. MEETING PROCEDURE

- 9.1 Meeting procedure for the Committee is as set out in the Act, Parts 1, 3 and 4 of the Regulations. Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 9.2 In accordance with Section 90(7a), one or more Committee members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Committee members.
- 9.3 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision.
- 9.4 Council Employees may attend any meeting as observers or be responsible for preparing papers for the committee.

10. SECRETARIAL RESOURCES

- 10.1 The Chief Executive Officer shall provide sufficient administrative resources to the Committee to enable it to adequately carry out its functions.

11. FREQUENCY OF MEETINGS

- 11.1 The Committee shall meet at least four times a year at appropriate times and places as determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 If after considering advice from the CEO or delegate, the Presiding Member of the Committee is authorised to cancel the respective Committee meeting, if it is clear that there is no business to transact for that designated meeting.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Committee will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:
- 12.1.1 To members of the Committee by email or as otherwise agreed by Committee members at least 3 clear days before the date of the meeting; and
- 12.1.2 To the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

12.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 12.3 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.
- 12.4 Members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the Act.

13. MINUTES OF MEETINGS

- 13.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance are minuted and that the minutes otherwise comply with the requirements of the Regulations.
- 13.2 Minutes of Committee meetings shall be circulated within five days after a meeting to all members of the Committee and will (in accordance with legislative requirements) be available to the public.