

AGENDA

Ordinary Council Meeting

Tuesday 16 December 2025

I hereby give notice that an Ordinary Meeting of Council will be held on:

Time: 6:00 pm
Date: Tuesday 16 December 2025
Location: Mount Gambier Library
6 Watson Terrace



Paul Simpson
CHIEF EXECUTIVE OFFICER
12 December 2025

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1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 CONDUCT OF THE GALLERY

MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.

3 APOLOGIES

Nil

4 LEAVE OF ABSENCE

Nil

5 CONFIRMATION OF COUNCIL MINUTES

5.1 CONFIRMATION OF COUNCIL MINUTES

RECOMMENDATION

That the minutes of the Special Council Meeting held on 18 November 2025, the Ordinary Council Meeting held on 18 November 2025 and the Special Council Meeting held on 1 December 2025 be confirmed as an accurate record of the proceedings of the meeting.

6 MAYORAL REPORT

6.1 MAYORAL REPORT - DECEMBER 2025

- LCLGA Audit and Risk Committee – Budget Review 1
- Unveiling of upgrades at Mount Gambier Hospital
- LGA Mayors Forum (Adelaide)
- LGA AGM & Conference Welcome Reception (Adelaide)
- LGA AGM & Conference (Adelaide), including Special Meeting of the LGA Board
- Anglican Parish – 160th Sip Savour Celebrate Event
- Radio Interview with Llew Jones – 5GTR-FM
- Tenison Woods College Year 4 Local Government presentation
- In Home Hospice Care AGM (Mount Gambier Library)
- Mount Gambier Christmas Parade Awards Presentation (Cave Gardens)
- Weekly meetings with CEO



- Briefing with local media – new CEO
- Elected Member Briefing – Strategic Risk Review
- Elected Member Briefing – Rating Review Update
- Confidential Elected Member Briefing – Wulanda Project
- Regular meetings with Media & Comms Coordinator
- Internal planning meeting – 150 Years of Mount Gambier Celebrations
- Children’s University Graduation Ceremony (Wulanda Recreation and Convention Centre)
- LCLGA Mayors Catch up (virtual)
- AR3 Briefing – Koppamurra Project – LCLGA (virtual)
- Meeting with Minister Clare Scriven’s office – presentation of Advocacy Plan (Adelaide)
- Children’s University Event (Government House, Adelaide)
- bp Adelaide Grand Final (Adelaide)
- Meeting with Lukas Price – Senior Advisor to Premier of South Australia – presentation of Advocacy Plan (Adelaide)
- Mount Gambier Rotary Club – presentation of donation to Mount Gambier Mayors Christmas Appeal
- LCLGA Tourism Transition Committee
- Special Council Meeting
- Elected Member photo – Advocacy Plan
- Meeting with Sam Moosavi, Mount Gambier Medical Students Society
- Meeting / dinner with Native Vegetation Council (the Commodore)
- Julian Mattay – presentation of donation to Mount Gambier Mayors Christmas Appeal
- Meeting with LCLGA Executive Officer – LCLGA Agenda review
- Group Training Employment – presentation of donation to Mount Gambier Mayors Christmas Appeal
- SAROC Meeting / LGA Board Meeting (Adelaide)
- Lord Mayor’s Christmas Celebration
- End of Year BBQ lunch with volunteers
- Drakes Family Day – donation drive for Mount Gambier Mayors Christmas Appeal
- Monthly catch up with Kelly-Anne Saffin, with CEO Paul Simpson
- Blue Lake Fun Run Sponsors Dinner (the Commodore)
- Tenison Woods College – Middle School Awards
- Tony Pasin – presentation of donation to Mount Gambier Mayors Christmas Appeal
- Meeting with Lamorna Alexander, with CEO Paul Simpson and GM People Place and Liveability, Chris White – presentation of Advocacy Plan
- Elected Member Briefing – By-Law Review
- Elected Member Briefing – CBD Masterplan and Activation Update
- Elected Member Briefing – Mount Gambier Historic Pine Plantation
- Alexander & Symonds – presentation of donation to Mount Gambier Mayors Christmas Appeal
- Meeting with Travis Fatchen, with CEO Paul Simpson and GM People Place and Liveability, Chris White – presentation of Advocacy Plan
- LCLGA Mayors Catch Up (virtual)
- Internal planning meeting – 150 Years of Mount Gambier Celebrations
- Pre-agenda discussion, with CEO Paul Simpson
- LGA President webinar (virtual)
- LCLGA Board Meeting (Kingston)
- Blue Lake Carols
- UFS Chemist – presentation of donation to Mount Gambier Mayors Christmas Appeal
- Monthly catch up with GM City Infrastructure
- Council meeting



RECOMMENDATION

That the Mayoral Report be received.

7 REPORTS FROM COUNCILLORS

7.1 REPORTS FROM COUNCILLORS

RECOMMENDATION

That the reports made by Councillors be received.

8 QUESTIONS WITH NOTICE

Cr Josh Lynagh gave notice of his intention to ask the following question:

8.1 QUESTION

Can an update please be provided about the proposed bus stop to be added near the Foodbank Regional Hub on Cave Road, as per the resolution of Council at its July 2024 meeting?

Answer:

The proposed route change has been provided to the Department for Infrastructure and Transport, and we anticipate a response when the Regional Public Transport Review is released. Until this route change has been confirmed we are unable to progress any infrastructure that may be required.

Cr Paul Jenner gave notice of his intention to ask the following question:

8.2 QUESTION

Should Council consider adopting a Festivals and Events Policy and associated guidelines to clarify Council's role?

Answer - General Manager People, Place and Liveability, Chris White

The development and adoption of an Events Policy would help to provide important clarification to the community in connection with Council's role in supporting and authorising events, festivals and associated activities. Such a policy will also assist event organisers and other stakeholders in the development of proposals for consideration by Council. Accordingly, the development of an Events Policy is considered advisable - and it can be informed by the planned review of the 2025/26 Grants and Sponsorship Program. It is envisaged that the Policy can be developed for review, consultation and adoption by the end of May 2026.



9 QUESTIONS WITHOUT NOTICE

10 PETITIONS

Nil

11 DEPUTATIONS

Nil

12 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RECOMMENDATION

That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

ATTACHMENTS

1. Information Briefing Session - Elected Members - Record of Proceedings - 25/11/2025 - Strategic Risk Review - Rating Review Update - Confidential Wulanda Update [**13.1.1** - 2 pages]
2. Information Briefing Session - Elected Members - Record of Proceedings - 09/12/2025 - By-Law Review - Confidential CBD Masterplan and Activation - Mount Gambier Historic Pine Plantation [**13.1.2** - 2 pages]



**INFORMATION / BRIEFING SESSION
5:00 PM TUESDAY 25 NOVEMBER 2025**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 25 November 2025
Conference Room, Level 1, 10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The session described at Item 1 and 2 were open to the public.

1. STRATEGIC RISK REVIEW

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Max Bruins
Cr Josh Lynagh
Cr Frank Morello
Cr Paul Jenner
Cr Jason Virgo
Cr Mark Lovett

Chief Executive Officer
General Manager Corporate and Regulatory Services
General Manager City Infrastructure
Manager Governance and Property
Revenue Co-ordinator

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Nil

Nil

2. RATING REVIEW UPDATE

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Max Bruins
Cr Josh Lynagh
Cr Frank Morello
Cr Paul Jenner
Cr Jason Virgo
Cr Mark Lovett

Chief Executive Officer
General Manager Corporate and Regulatory Services
General Manager City Infrastructure
Manager Financial Services
Revenue Co-ordinator

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Nil

Nil

The session described at Item 3 will not be open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

(h) legal advice

3. CONFIDENTIAL WULANDA PROJECT

MEMBERS PRESENT:- **STAFF PRESENT:-**

Mayor Lynette Martin	Chief Executive Officer
Cr Sonya Meziniec	General Manager Corporate and Regulatory Services
Cr Max Bruins	General Manager City Infrastructure
Cr Josh Lynagh	
Cr Frank Morello	
Cr Paul Jenner	
Cr Jason Virgo	
Cr Mark Lovett	

MEMBERS APOLOGIES:- **LEAVE OF ABSENCE:-**

Nil	Nil
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Discussion closed at 7.34 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM TUESDAY 9 DECEMBER 2025**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 9 December 2025
Conference Room, Level 1, 10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The sessions described at Items 1 will be open to the public.

1. BY-LAW REVIEW

MEMBERS PRESENT:- STAFF PRESENT:-

Mayor Lynette Martin	Chief Executive Officer
Cr Sonya Meziniec	General Manager Corporate and Regulatory Services
Cr Max Bruins	General Manager City Infrastructure
Cr Josh Lynagh	General Manager People Place and Liveability
Cr Paul Jenner	Manager Governance and Property
Cr Jason Virgo	Manager Economy Strategy and Engagement
Cr Mark Lovett	

MEMBERS APOLOGIES:- LEAVE OF ABSENCE:-

Cr Frank Morello Nil

The session described at Item 2 will not be open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

(b) *information the disclosure of which:*

(i) *could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and*

(ii) *would, on balance, be contrary to the public interest;*

2. CONFIDENTIAL - CBD MASTERPLAN AND ACTIVATION

MEMBERS PRESENT:- STAFF PRESENT:-

Mayor Lynette Martin	Chief Executive Officer
Cr Sonya Meziniec	General Manager Corporate and Regulatory Services
Cr Max Bruins	General Manager City Infrastructure
Cr Josh Lynagh	General Manager People Place and Liveability
Cr Paul Jenner	Manager Governance and Property
Cr Jason Virgo	Manager Economy Strategy and Engagement
Cr Mark Lovett	

MEMBERS APOLOGIES:- LEAVE OF ABSENCE:-

Cr Frank Morello Nil

The session described at Item 3 will be open to the public.

3. MOUNT GAMBIER HISTORIC PINE PLANTATION

GUESTS:-

Dianne Patzel, Forestry of Excellence, Uni SA
Ockert Le Roux

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Max Bruins
Cr Josh Lynagh
Cr Paul Jenner
Cr Jason Virgo
Cr Mark Lovett

STAFF PRESENT:-

Chief Executive Officer
General Manager Corporate and Regulatory Services
General Manager City Infrastructure
General Manager People Place and Liveability
Manager Governance and Property
Manager Economy Strategy and Engagement

MEMBERS APOLOGIES:-

Cr Frank Morello

LEAVE OF ABSENCE:-

Nil

Discussion closed at p.m.

14 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

15 AUDIT AND RISK COMMITTEE

15.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 3 DECEMBER 2025

That having considered the recommendations of the Audit and Risk Committee in regard to the agenda items:

- 5.1 STRATEGIC RISK REVIEW**
- 5.2 EXTERNAL AUDIT SERVICES ENGAGEMENT 2026/2027 TO 2030/2031**
- 5.3 EXTERNAL AUDIT MATTER – ASSET INDEXATION**
- 5.4 PROCUREMENT AND CONTRACT MANAGEMENT POLICY**
- 5.5 ANNUAL REVIEW INVESTMENTS AND BORROWINGS**
- 5.6 ANNUAL WORK PLAN AND MEETING SCHEDULE**
- 5.7 AUDIT AND RISK COMMITTEE MEETING REPORT**

RECOMMENDATION

Council receive and note the minutes of the Audit and Risk Committee meeting held on 3 December 2025.

[Audit and Risk Committee Minutes](#)

16 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

18 BUILDING FIRE SAFETY COMMITTEE

Nil



19 COUNCIL REPORTS

19.1 ANNUAL REVIEW INVESTMENTS AND BORROWINGS

Author: Kahli Rolton, Manager Financial Services

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That the Council report titled 'Annual Review Investments and Borrowings' as presented on Tuesday 16 December 2025 be noted.

PURPOSE

To provide an annual review of Council Borrowings and Investments as at 30 June 2025 with comparisons to the previous financial year.

AUDIT AND RISK COMMITTEE

The Audit and Risk Committee provides a value added role in the space of Treasury Management ensuring that the Policy allows for best practice management of Council debt and structuring and that the Policy is complied with.

This report was presented to the Audit and Risk Committee meeting held 3 December 2025, where the committee added the following recommendation:

"Commends and thanks Council staff on the disciplined financial management and mitigating interest rate risks."

RELEVANT LEGISLATION

Local Government Act 1999

In accordance with Section 140 of the Local Government Act, a council must, at least once in each year, review the performance (individually and as a whole) of its investments.

Section 134 of the Local Government Act broadly allows Council's to borrow and enter into financial arrangements.

Treasury Management Policy

At least once a year Council shall receive a specific report regarding treasury management performance relative to this policy document. The report shall highlight:

- For each Council borrowing and investment, the quantum of funds, its interest rate and maturity date, interest income/expense and changes in the quantum since the previous report; and,
- The proportion of fixed interest rate (split between interest-only borrowings and credit foncier borrowings) and variable interest rate borrowings at the end date of the reporting period and an estimate of the average of these proportions across the period along with key reasons for significant changes.



BACKGROUND / OPTIONS

Banking and Investments

Borrowings at 30 June 2025 totalled \$32,108,534, including \$10,400,000 in cash advance debentures and \$21,708,534 in credit foncier loans. This is a decrease of \$4,733,684 from the previous financial year that had total borrowings of \$36,842,219. The current long term financial plan models debt to peak in the 2024/2025 financial year, which is consistent with borrowings tracking lower in 2025/2026 in comparison to the same period.

The LGFA is administered by a Board of Trustees, and works for the benefit of Councils and other Local Government Bodies within South Australia. It is not part of the Crown, nor is it an agency or instrumentality of the Crown. All South Australian Councils are automatically members of the LGFA, but use of LGFA services for investments and loans is entirely voluntary. In accordance with Section 24 of the Local Government Finance Authority Act 1983, the Treasurer of South Australia guarantees all of the Authority's liabilities, including monies accepted on deposit from clients.

In maintaining good treasury management practices, funds held in transactional operating accounts were minimised and redirected to reduce debt levels and subsequent interest charges on a regular basis.

Any funds that are not immediately required for operational needs and cannot be applied to either reduce existing borrowings or avoid the raising of new borrowings, are invested with the LGFA. This excludes the Mount Gambier Mayor's Community Christmas Appeal which under the Accounting for Reserves Administrative Principle is a cash-backed reserve due to its Deductible Gift Recipient Status, with the cash-backed funds held with LGFA.

LGFA – No funds were held in the LGFA General Account at 30 June 2025, same as with previous year with no funds held at 30 June 2024. In future years funds will be held for the Mount Gambier Mayor's Community Christmas Appeal.

LGFA Special Distribution – The LGFA re-distribute a portion of their profits each year to member Councils. Council's may receive two Special Distributions, one calculated and paid on deposits held and the other on loans held. Council received a total \$77,757.12 in special distributions compared to \$52,507.62 from the previous year.

Operating Account – \$203,931.02 was held as at 30 June 2025 compared with \$259,329.43 as at 30 June 2024.

Council Administration met with the Local Government Financing Authority in November 2025 to generally discuss Council's financial position, covenants and options moving forward with loan refinancing.

Borrowings

Council Borrowings as at 30 June 2025 were \$32,108,534, including \$10,400,000 in cash advance debentures and \$21,708,534 in credit foncier loans. In comparison, Council Borrowings at 30 June 2024 were \$36,842,219.

Two Credit Foncier Loans (Loans 111 & 112) were taken out in 2022/2023 both with balloon options at their expiry. The purpose of this was to secure loan repayments equivalent to a longer period of time, eg 20 years and enable review of interest rates periodically. Credit Foncier Loan 111 matured 15 March 2025 with a significant balloon payment required of \$4.89m (including interest) which was majority rolled to an interest only loan, Credit Foncier 114. Credit Foncier 112 will require refinancing in May 2026. For noting that CAD 115 facility of \$1,500,000 maturing 15 January 2026 will not be refinanced.

Table 1: Borrowings as at 30 June 2025

Facility	Expiry Date	Interest Rate	Facility Limit \$	Drawn Down \$	Available \$
Fixed Loans					
Credit Foncier 109	16/05/2032	4.75%	3,737,847	3,737,847	-
Credit Foncier 110	16/05/2037	4.85%	8,530,322	8,530,322	-
Credit Foncier 112	15/05/2026	4.95%	4,690,365	4,690,365	-
Credit Foncier 114	17/03/2027	4.88%	4,750,000	4,750,000	-
Total Fixed Loans			21,708,534	21,708,534	-
Variable Loans					
Cash Advance Debenture 104	17/06/2028	5.50%	5,000,000	5,000,000	-
Cash Advance Debenture 106	15/04/2026	5.50%	5,000,000	5,000,000	-
Cash Advance Debenture 107	16/08/2026	5.50%	10,000,000	400,000	9,600,000
Cash Advance Debenture 115	15/01/2026	5.50%	1,500,000	-	1,500,000
Total Variable Loans			21,500,000	10,400,000	11,100,000
Total Loans			43,208,534	32,108,534	11,100,000
% Fixed Loans			50.24%	67.61%	
% Variable Loans			49.76%	32.39%	



Table 2: Borrowing Movement

Facility	Balance 30/06/2024	Balance 30/06/2025	Movement	Weighted Average interest rate
Fixed Loans				
Credit Foncier 109	4,178,462	3,737,847	(440,615)	
Credit Foncier 110	9,043,869	8,530,322	(513,547)	
Credit Foncier 111	4,850,920	-	(4,850,920)	
Credit Foncier 112	4,848,967	4,690,365	(158,602)	
Credit Foncier 114	-	4,750,000	4,750,000	
Total Fixed Loans	22,922,218	21,708,534	(1,213,684)	4.86%
Variable Loans				
Cash Advance Debenture 104	5,000,000	5,000,000	-	
Cash Advance Debenture 106	5,000,000	5,000,000	-	
Cash Advance Debenture 107	3,920,000	400,000	(3,520,000)	
Cash Advance Debenture 115	-	-	-	
Total Variable Loans	13,920,000	10,400,000	(3,520,000)	5.50%
Total Loans	36,842,218	32,108,534	(4,733,684)	



Table 3: Proportion of Debt between credit foncier (fixed) and CAD (variable) 30/06/2024

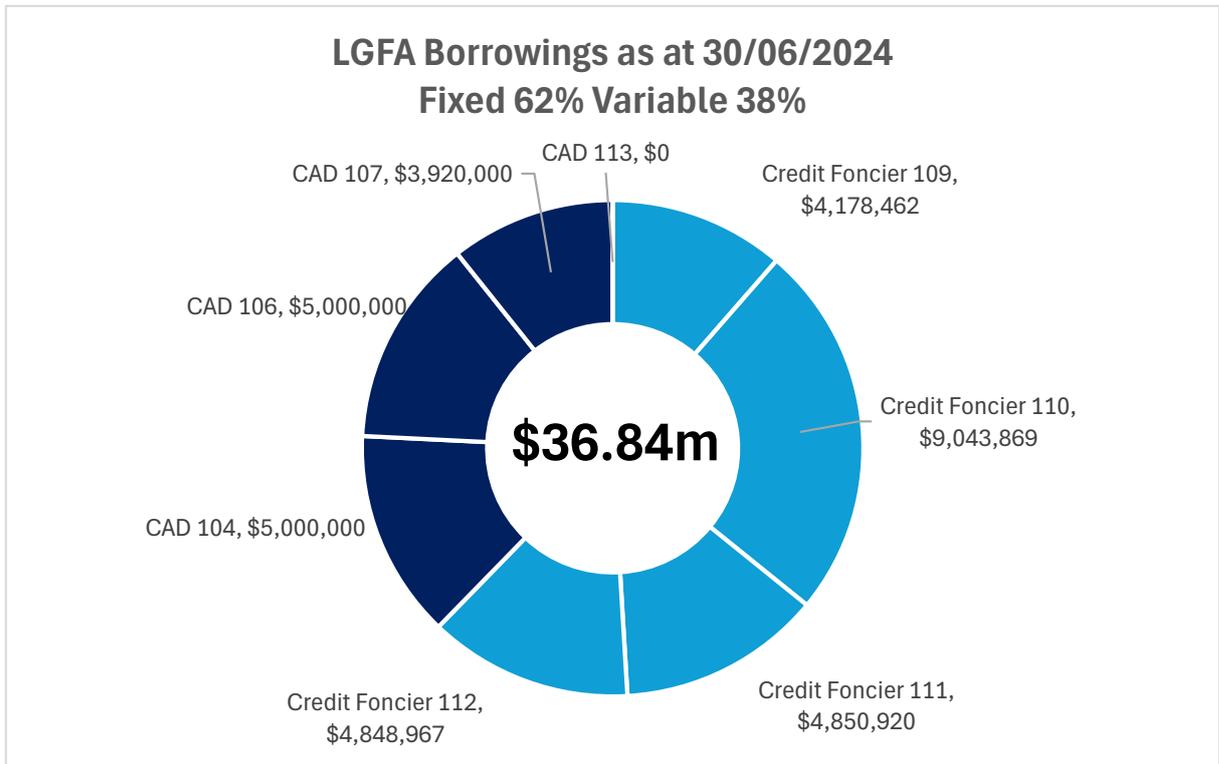
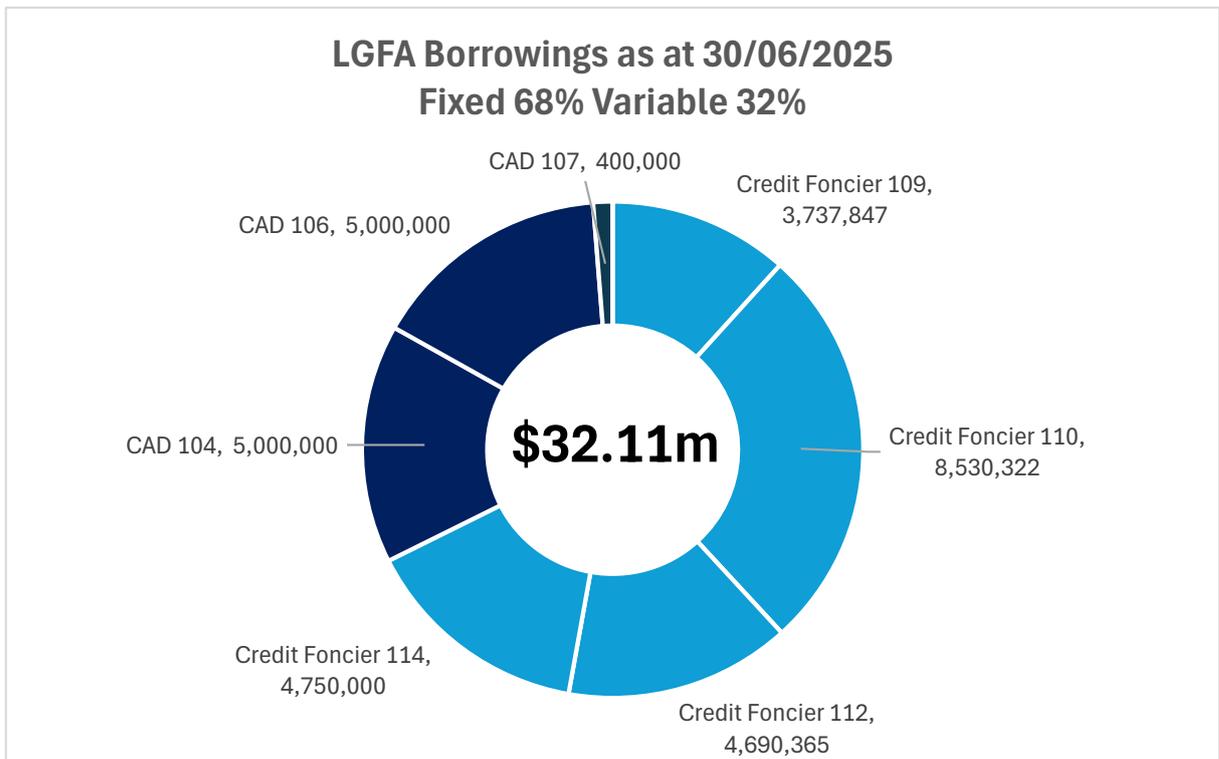


Table 4: Proportion of Debt between credit foncier (fixed) and CAD (variable) 30/06/2025

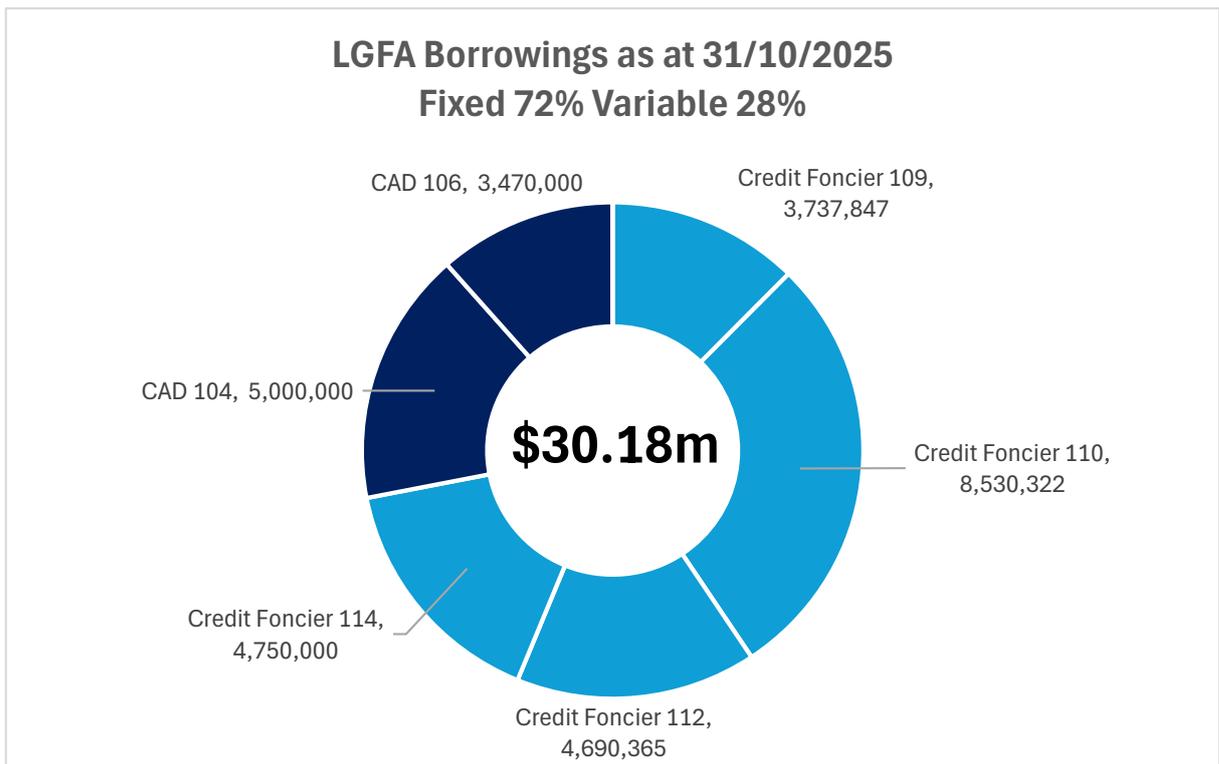


Interest rates on variable loans have decreased from 6.15% as at 30 June 2024 to 5.50% as at 30 June 2025. Interest paid on borrowings for the year ended 30 June 2025 was \$1,716,943 compared to \$1,706,374 the previous year.

Current Balances

As at 31 October 2025, borrowings totalled \$30.18m with 72% of borrowings in the form of fixed credit foncier loans and 28% drawn down in cash advance debentures as show in table 5 below.

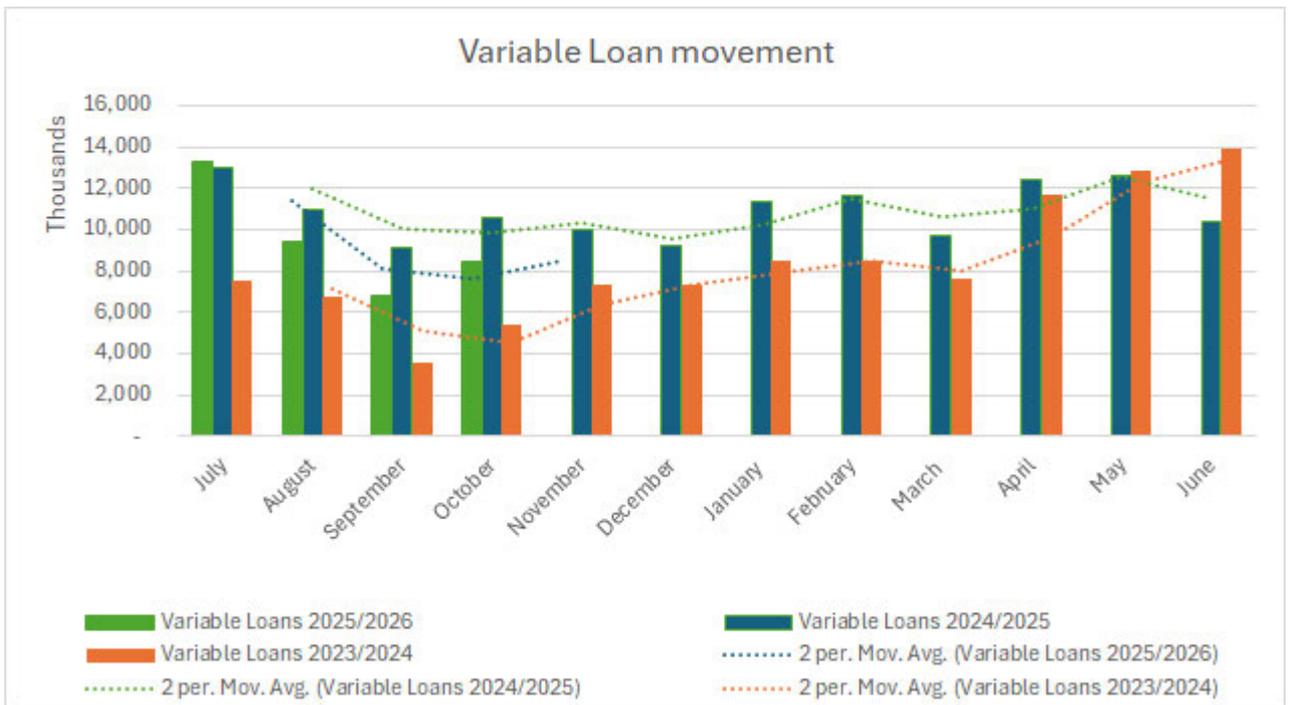
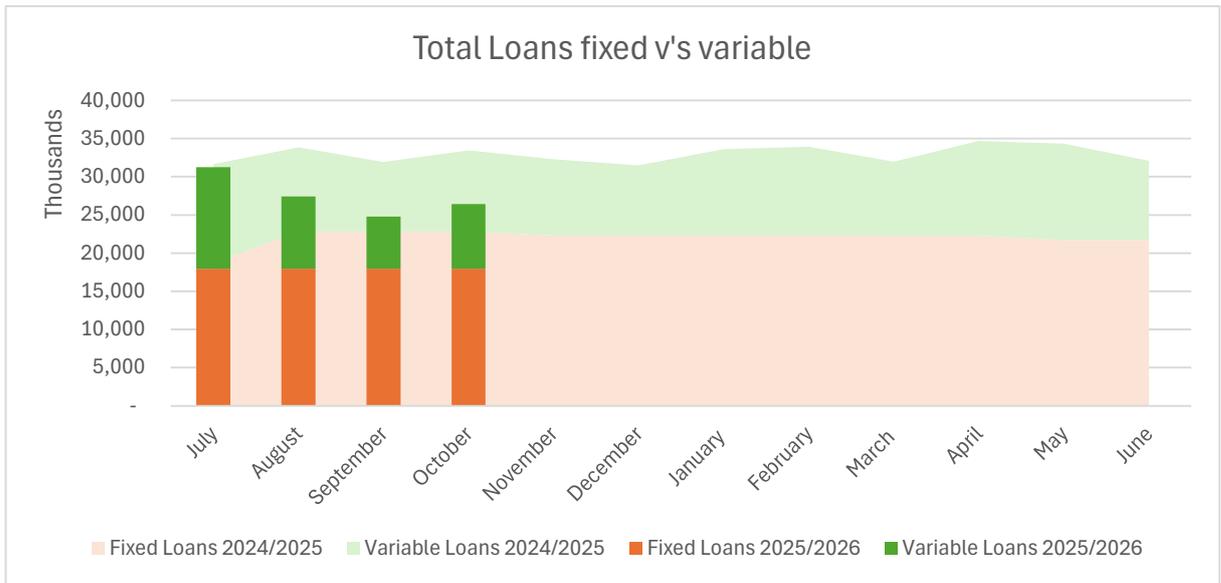
Table 5: Proportion of Debt between credit foncier (fixed) and CAD (variable) 31/10/2025



For noting that Council's cash requirements ebb and flow throughout the year with influxes of revenue received on a quarterly basis in line with rates instalment due dates. Certain expenses such as employment costs are relatively stable throughout the year, however fluctuations occur for large capital purchases.



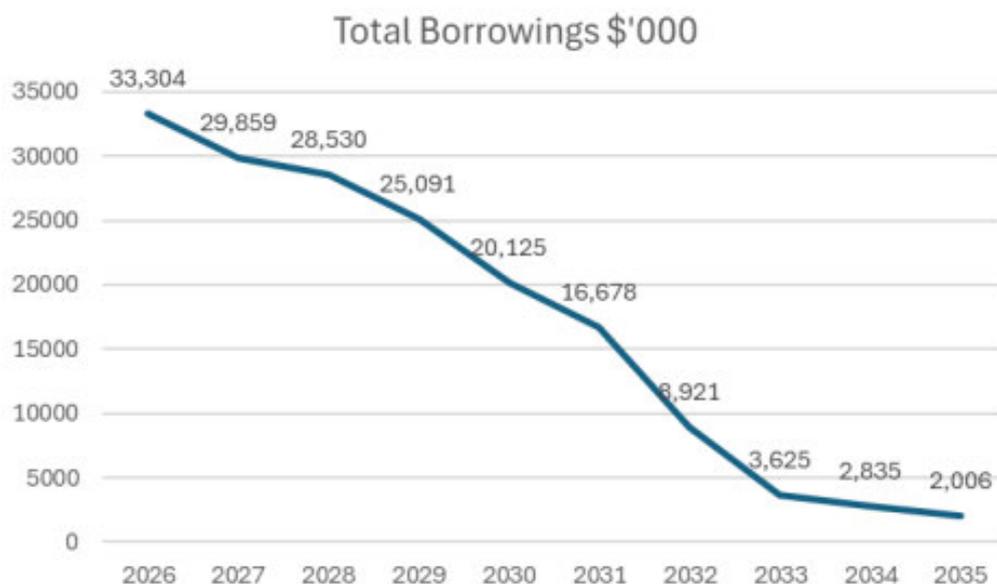
Tables 6 & 7: Monthly loan balance comparisons



Longer Term Debt Forecasts per the long term financial plan indicated that peak borrowings would occur in 2024/2025 and generally move in a declining trend over the remaining life of the plan. Debt levels are currently forecast to remain greater than \$25 million until 2028/2029.



Table 8: Forecast borrowings per Long Term Financial Plan 2026-2035



Current LGFA interest rate options

Considering the maturity of CF Loan 112 in May 2026, it is timely to review the LGFA interest rates and borrowing options available to Council. A report will be presented direct to Council. Table 9 below, provides some comments for consideration in the lead up to the discussion with LGFA. For noting that interest rates and terms are continually changing and may do so before any refinancing is able to be finalised.

Table 9: Comments for consideration regarding upcoming review of Council debt structures

LGFA Borrowing Options	Term	Rate	Comments for consideration
Fixed Interest Only Loan	1Y	< CAD interest	Council has a variable CAD loan of \$5m which it does not anticipate will make repayments on over the next year. Where a fixed interest loan for 12 months equates to less interest than a CAD facility, this option would provide lower interest. However, is subject to market rate risk and reduced flexibility.
Fixed Amortising Loan	1Y-15Y terms	various	Consideration needs to be given to cashflow for principal and interest fixed loans. Balloon terms may be negotiated to secure longer payment terms and only expose to shorter term interest rate risk. Council is forecasting debt to gradually decline in the LTFP and so increasing longer term fixed loans would not be suitable to meet these targets. However, ESCOSA has recommended to review longer borrowing terms as part of their recent review. For noting that 5 and 10 year term loans currently have higher interest rates than the CAD rate.



Cash Advance Debenture (CAD)	-	5.25% (current)	Offers flexibility to repay and draw-down when needed. No principal required for cashflow consideration. Where interest rate risk rises, can consider converting portions to fixed for shorter periods to allow flexibility.
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DETAILED IMPLICATIONS

Legal	Following completion of the 2024/2025 financial statements, LGFA will complete analysis on covenants and prepare a report advising their findings.
Financial and Budget	As at 30 September 2025 interest was favourable on budget by \$16k. Interest rate movement is out of control of Council and is regularly monitored. Assumptions are projected in the Long Term Financial Plan and updated as required.
Community Consultation and Engagement	n/a
Other Resources	n/a

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – That Council has inadequate facilities to meet its obligations and continue to operate effectively. Council's debt is not structured efficiently or effectively.	Insignificant (1)	Unlikely (2)	Low	Continue to report annually in line Audit and Risk Committee work plan. Continue to meet regularly with LGFA and review financing options.
Reputation – That the public perceive Council's financial management of debt is inadequate.	Minor (2)	Possible (3)	Moderate	Continue to report openly and transparently about Council's position.
Legal / Regulatory / Policy – That Council does not meet legislative or policy requirements.	Insignificant (1)	Unlikely (2)	Low	Continue to regularly review and report as per above.
Service Delivery – That Council is unable to deliver services due to inadequate cash resources.	Insignificant (1)	Unlikely (2)	Low	Continue to regularly review and report as per above.



<p>Infrastructure – That Council’s assets and infrastructure are not maintained or renewed due to inadequate cash resources.</p>	<p>Minor (2)</p>	<p>Unlikely (2)</p>	<p>Low</p>	<p>Continue to regularly review and report as per above. Ensure Asset Management Plans are incorporated to the LTFP and prioritised.</p>
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RELEVANT COUNCIL POLICY

[Treasury Management - T150](#)

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

Further modelling work will be undertaken with various loan options in the lead up to refinancing maturing loans and will be presented to Council for consideration.

CONCLUSION

This report provides an annual review of Council’s investments and borrowings from 2023/2024 financial year to the 2024/2025 financial year. Further to this, it tables an update on the composition of debt as at 31 October 2025 and foreshadows an upcoming review for refinancing options for loans reaching maturity within the financial year.

ATTACHMENTS

Nil



19.2 AUDIT AND RISK COMMITTEE MEMBERSHIP - EXPRESSIONS OF INTEREST

Author: Kahli Rolton, Manager Financial Services

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Audit and Risk Committee Membership - Expressions of Interest' as presented on Tuesday 16 December 2025 be noted.
2. Endorse the commencement of an Expression of Interest process via public advertisement for all Audit and Risk Committee Independent Member positions.
3. Approve public advertisement of the vacancies through the identified channels.
4. Note that a further report will be presented at Council meeting held in February 2026 to consider the evaluation panel's recommendation for Independent Member positions including appointment of the Presiding Member.

PURPOSE

To seek Council approval to commence an Expression of Interest (EOI) process for Independent Members and Presiding Member positions on the Audit and Risk Committee. The current terms of the Independent Members, Ms Belinda Johnson and Mr Alexander Brown, expire on 15 February 2026 and the current term of the Presiding Member, Mr Paul Duka, will expire on 15 March 2026.

BACKGROUND / OPTIONS

Council maintains an Audit and Risk Committee in accordance with Section 126 of the Local Government Act 1999 and Part 5 of the Local Government (Financial Management) Regulations 2011.

Terms of Reference – Audit and Risk Committee

The Committee operates under its Terms of Reference which can be viewed in full on Council's website [Terms-of-Reference-Audit-and-Risk-Committee.pdf](#). Key sections of the Terms of Reference state:

- 4.1 Membership** – *Members of the Audit & Risk Committee are appointed by Council. The size of the Committee be between three (3) and five (5) members (inclusive) consistent with any Regulations and shall consist of:*
 - *At least one (1) Councillor;*
 - *At least two (2) Independent members,**and shall be compliant with the requirements under section 126(2)© of the Local Government Act 1999.*
- 4.2 Appointment to Committee** – *Independent member appointments to the Committee shall be for a period of at least two years, reviewed at a common appointment date every two years, aligned to the Council term. Appointees may be reappointed by Council. Refer section 6 for Council Member appointment.*
- 5.1 Required Skills & Experience** - *Independent Members shall have senior business or financial management/reporting knowledge and expertise, and be*



conversant with the financial, risk management and governance issues, and have extensive accounting, auditing or legal skills and other reporting requirements of Local Government.

5.2 Appointment - *The appointment of external independent members shall be made by Council resolution following public advertisement in the local newspaper or appropriate website/online platform and Council website.*

5.3 Tenure - *Independent members shall be appointed for a term of two years, after which time Council can choose to exercise an option to renew the appointment for another term. Independent members can only serve for two consecutive terms without public advertisement, however, members may re-apply at the end of their term(s) and be re-appointed for further terms through the public advertisement process.*

7.1 Role – *The role of the Presiding Member is to:*

- **Meeting Conduct** – *Oversee the orderly conduct of meetings in accordance with the Local Government Act 1999, the Local Government (Procedures at Meetings) Regulations 2013 and the Council’s Code of Conduct for Meeting Procedures;*
- **Guiding Principles** – *Ensure that the Guiding Principles in Regulation 4 are observed and that all Committee Members have an opportunity to participate in discussions in an open and responsible manner.*

7.2 Appointment – *The Presiding Member of the Committee must be appointed by Council resolution and be an independent member. The Presiding Member will be appointed for two years and reviewed in alignment with item 4.2.*

Current Membership

Council’s Audit and Risk Committee currently comprises:

- Mayor Lynette Martin (Ex-Officio)
- Cr Paul Jenner (Council Member)
- Mr Paul Duka (Independent Member, Presiding Member)
- Mr Alexander Brown (Independent Member)
- Ms Belinda Johnson (Independent Member)

The current terms of Independent Members, Ms Belinda Johnson and Mr Alexander Brown, will conclude on 15 February 2026, with Ms Johnson advising she will not seek reappointment.

In addition, the term of the Presiding Member, Mr Paul Duka, will expire on 15 March 2026. Both positions will be included in the upcoming Expression of Interest process, in accordance with the Committee’s Terms of Reference.

Expression of Interest (EOI)

The EOI will be advertised during **December 2025 – January 2026** through:

- Council’s website
- LinkedIn
- South Australian Local Government Finance Managers Group (SALGFMG)
- Local newspaper.

A copy of the proposed EOI is attached for reference.



Evaluation Panel

An evaluation panel will be conveyed comprising Council appointed members of the Audit and Risk and Committee and Staff.

Assessment Matrix

The evaluation panel will review all expressions of interest using a standard matrix to determine the most appropriate candidate. Each candidate will be assessed against their skills and experience in the following areas:

- Risk Management and internal controls
- Senior Business and Finance Management
- Accounting/Auditing/Legal
- Local Government Knowledge
- Financial Reporting
- Public Disclosure Act
- Internal Audit
- External Audit
- Strategic Management and Planning

In addition to individual competencies, Council must also consider the overall mix of skills and experience that the group of appointed candidates will collectively provide to ensure a balanced and effective Audit and Risk Committee.

A further report will be presented to Council in **February 2026** to consider evaluation panel recommendation and appoint Independent Members and Presiding Member.

IMPLICATIONS TO CONSIDER

Legal	Council must maintain an Audit and Risk Committee in accordance with: <ul style="list-style-type: none"> • Local Government Act 1999 – Section 126 • Local Government (Financial Management) Regulations 2011 – Part 5 • Audit and Risk Committee Terms of Reference
Financial and Budget	Minor advertisement costs may be incurred.
Community Consultation and Engagement	Community consultation not required. Community Members with relevant qualifications and experience are encouraged to apply.
Other Resources	n/a

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - That the Audit and Risk Committee is unable to contribute to and review the financial sustainability of Council.	Minor (2)	Unlikely (2)	Low	Ensure the Audit and Risk Committee is adequately resourced with suitably qualified and experienced independent



				members and that the work plan is adhered to. Continue to hold regular meetings.
Reputation – Perception that Council has not adequately reviewed its Audit and Risk Committee Membership appropriately.	Insignificant (1)	Rare (1)	Low	As per above. Ensure membership reviewed in accordance with Terms of Reference.
Legal / Regulatory / Policy – Breach of Local Government Act 1999 as a result of not following due process in Audit and Risk Committee Terms of Reference.	Minor (2)	Rare (1)	Low	As per above.
Service Delivery - That the Audit and Risk Committee is not adequately resourced and unable to meet its workplan and add value to Council service delivery and sustainability.	Insignificant (1)	Unlikely (2)	Low	As per above.
People - That the Audit and Risk Committee is not adequately resourced with suitably qualified members in accordance with its Terms of Reference and Local Government Act.	Minor (2)	Unlikely (2)	Low	As per above.
Infrastructure - That the Audit and Risk Committee is not suitably qualified or experienced to review and add value to asset and financial sustainability.	Minor (2)	Unlikely (2)	Low	As per above.



<p>Environmental - That the Audit and Risk Committee is not suitably qualified or experience to add value to various risks across the organisation including environmental.</p>	<p>Minor (2)</p>	<p>Rare (1)</p>	<p>Low</p>	<p>As per above.</p>
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RELEVANT COUNCIL POLICY

- [Budget Policy - B300](#)
- [Fraud, Corruption, Misconduct and Maladministration Prevention - F225](#)
- [Prudential Management - P415](#)
- [Rates - Rating - R105](#)
- [Treasury Management - T150](#)

IMPLEMENTATION AND NEXT STEPS

1. Advertise expression of interest.
2. Prepare assessment matrix.
3. Correspondence (meeting if required) of the evaluation panel.
4. Council decision February 2026.

CONCLUSION

In line with the Terms of Reference of the Audit and Risk Committee the tenure of all independent members requires public advertisement following two terms of appointment. Independent members wishing to reapply can do so as part of this process.

The expiry of the current term in February 2026 and the requirement to appoint a Presiding Member in March 2026 require an expression of interest process to ensure compliance with legislative requirements and continuity of governance.

This process will provide Council with the opportunity to attract suitably qualified candidates and maintain the integrity and effectiveness of the Audit and Risk Committee.

ATTACHMENTS

1. Draft - Advertisement - Expressions of Interest - Independent Members - Audit and Risk ~ 2026 [19.2.1 - 1 page]





EXPRESSIONS OF INTEREST INDEPENDENT MEMBER AUDIT AND RISK COMMITTEE

City of Mount Gambier has a vacancy for the appointment of three (3) independent persons to its Audit and Risk Committee.

The Audit and Risk Committee performs an important role in the oversight of Council's annual financial statements, strategic management plans and annual business plan, internal/financial controls and internal audit and risk management processes and implementation.

Expressions of Interest (EOI) are invited from suitably qualified individuals with skills, knowledge and experience relevant to the functions of the committee, including financial management, risk management and governance. EOIs must be accompanied by a resume including relevant experience and qualifications.

For more information or to submit an EOI contact:

Kahli Rolton
Manager Financial Services
08 8721 2525
city@mountgambier.sa.gov.au

Further information about the vacancy is available from the City of Mount Gambier website www.mountgambier.sa.gov.au/council/careers/vacancies

EOIs close: **Friday 16 January 2026 at 5:00pm**

19.3 AUDIT AND RISK COMMITTEE MEETING REPORT DECEMBER 2025

Author: Kahli Rolton, Manager Financial Services

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Audit and Risk Committee Meeting Report December 2025' as presented on Tuesday 16 December 2025 be noted.
2. That Council note the report provided by the Audit and Risk Committee, summarises the work of the Committee:
 - (a) In the lead up to its meeting, held 3 December 2025
 - (b) The broad observations and discussions of the Committee during the meeting.

PURPOSE

A report to Council after the Audit and Risk Committee meeting, summarising the work of the committee preceding the meeting and the outcomes of the meeting.

BACKGROUND / OPTIONS

Period Preceding the December Meeting:

1. **Email to Committee 7 November 2025** – Audit and Risk Committee Meeting Summary Report was presented to Council Meeting on 18 November 2025. Members were requested to review the report and provide any feedback prior to the meeting.
2. **Email to Committee 20 November 2025 26** – Budget Review 1 2025/2026 Report as presented at the Council meeting on 18 November 2025, provided to Members to review.
3. **Email to Presiding Member 20 November 2025** – Independent Member Belinda Johnson informed Presiding Member Paul Duka that she will be unable to attend the Audit and Risk Committee meeting scheduled for 3 December 2025 and will be an apology. Belinda in addition advised that upon completion of her tenure in February 2026, she will not be seeking reappointment to the committee and will conclude her involvement from that time.
4. **Email to Committee 25 November 2025** – Council Report titled 'Annual Report' and supporting document Annual Report sent to Audit and Risk Committee as presented at the Council meeting held on 18 November 2025.
5. **Council Member Briefing** – Meeting held as required between the Council Member Audit and Risk Committee representative and General Manager Corporate and Regulatory Services, Manager Financial Services to provide a briefing on the reports included in the agenda prior to the meeting.
6. **Presiding Member Pre-Meeting** - Meeting held as required between the Manager Financial Services and the Presiding Member to discuss the agenda prior to the meeting.



Outcomes of the Meeting:

5.1 Strategic Risk Review

General Manager Corporate and Regulatory Services gave an overview of the process so far, which includes development and adoption of the Risk Management Policy, Risk Appetite Statements, Administrative Principle – Risk Management Framework and introduction of the new Strategic Risk Register and Strategic Risk Review process. Both Members and ELT participated in the strategic risk review, first reviewing the external and internal context (environmental scan) for City of Mount Gambier, reviewing the JLT top ten risks for the sector at Federal and State levels, and then reviewed Council's current strategic risks.

There is currently one risk sitting in the extreme rating zone, by Cyber Security & Artificial Intelligence. The reason for this rating is the volatility and sophistication of this space. Council is taking all requisite steps to ensure this risk is appropriately mitigated and will be accessing the LGRS uplift program for cyber security (3 funded programs available) and are working on quotations for the internal audit requirement for the current year.

The committee commented on:

- What services are being delivered where there is contact with children, noting the children and vulnerable people risk had been removed.
- Other councils have deemed cyber security as largely operational risk rather than strategic risk.
- Consideration of a standalone risk around services being fit for purpose for the community, noting that Strategic Risk 12 (Relationship, Connection & Engagement with Community) concentrates on relationship and connection.
- Discussion around Waste Management being an operational risk and not requiring its own standalone risk outside of Strategic Risk 7, Environmental Compliance. However, noted that the strategic element of the risk is ensuring continuation of service. It was suggested there may be a need for a separate discussion be held in the future to specifically consider whether or not to split these out. Noting, there were varied views from the Committee and the Chair was not in favour of including a separate risk for Waste Management.
- Risk ratings – the Committee noted that inherent risk ratings appeared reasonable, however questioning the residual ratings, in particular cyber security as an extreme residual risk. An improvement was suggested by the CEO to consider showing the increment within the risk level, e.g. High 1, High 2, High 3 ranking which would identify whether if the increment within the level had dropped.

Overall the Committee thought the report was a comprehensive description of the risk and encapsulates different aspects of risk.

The Audit and Risk Committee requested that a 6 monthly review of strategic risks remain on the Agenda while it is still developing and in implementation phase, noting there are three meetings on the current workplan. They also requested to see the risk consequence and likelihood tables and the associated controls.

The Committee passed on their thanks to Manager Governance and Property for the work undertaken and presentation of reports.



5.2 External Audit Services Engagement 2026/2027 to 2030/2031

The Committee provided the following feedback:

- Evaluation criteria – weighting for price disproportionate, focus on experience and resources, substance. Suggested the evaluation split be amended to: Price 30%, Methodology 30%, Experience/References 20%, Structure 20%.
- Placed emphasis on communication and making sure this is incorporated into the specification.
- Approach - Requested that administration shortlists and arranges presentations from shortlisted respondents at a future informal briefing of the Committee alongside a report that will enable the Committee to make the final recommendation to Council.

This feedback has been updated in the recommendation to the report.

5.3 External Audit Matter – Asset Indexation

The main topics of discussion by the Committee encompassed:

- Asset Accounting Policy – updating the Policy to be more descriptive on CPI, recommending use of the average of all capital cities as the benchmark. Requested that the amended Asset Accounting Policy be presented at the February 2026 Meeting.
 - The Committee noted that LGPI is considered more relevant; however, it is not released in a timely manner.
- Annual Indexation - advocated for annual indexation yearly based on the more descriptive CPI, noting there was differing opinions within the Committee regarding the need to index annually.
- Materiality threshold - 10% to be reasonable in this context.

5.4 Procurement and Contract Management Policy

The Committee complimented Administration on the comprehensive report.

Key discussion points included:

- Consideration of the alignment of procurement and contract management administration principles in terms of \$ sums and methodology eg. a quick ready reckoner and guides to avoid staff confusion.
- The requirement for ongoing training to ensure staff utilise documents and are compliant.
- Suggested a few minor amendments to the documents including but not limited to:
 - The words financial year to be specified in reference to cumulative spend;
 - Distinction between electricity and water utilities where for example there is no market option for water suppliers.
- The Committee discussed whether procurement thresholds remain appropriate and explored the possibility of increasing the upper threshold to \$1 million from \$750k. No formal recommendation was made at this stage.
- Recommending that the Request for Tender (RFT) threshold be reviewed, increasing it to \$200k, based on project nature and market conditions. This approach was supported by the CEO.

The Audit and Risk Committee amended their recommendation to Council as follows:

“Recommends to Council that the Procurement and Contract Management policy, 5.1 threshold table for RFQ (3) be altered to \$50,001 to \$200,000 and the RFT become \$200,001 to \$750,000.”

- A few minor amendments to the documents were proposed, including:
 - Clarifying that cumulative spend references relate to the financial year.
 - Differentiating between electricity and water utilities, noting that water supply typically has no market alternatives.



5.5 Annual Review Investments and Borrowings

The Committee acknowledged the effective management of interest rate risk within the parameters of the Treasury Management Policy and noted the positive trend of reducing balances. Members queried whether the report needed to be presented directly to Council. The recommendation was updated to include appreciation for the commitment and disciplined financial management demonstrated by staff in mitigating interest rate risk.

5.6 Annual Work Plan and Meeting Schedule

The Committee acknowledged the requirement for an annual review of the Fraud and Corruption Policy but considered that its primary role is as a guidance document, and therefore an annual review may not be necessary.

It was agreed that an internal update would be provided at the February 2026 meeting. Concerns were noted regarding the proximity of the November and December meetings; however, no changes were made to the work plan.

5.7 Audit and Risk Committee Meeting Report

The Committee noted the report and commended administration on the progression of key items including strategic risk and procurement and contract management and updated recommendation to reflect this.

The Committee Questioned whether this report needed to come to Audit and Risk, however it was agreed that it is good for the Committee to reflect on what has transpired since the last meeting.

6. Urgent Motions Without Notice

The Committee commended Belinda on her time on Audit and Risk Committee in light of her notice of not reappointing.

The Committee requested a letter of appreciation be sent to outgoing Independent Member Belinda Johnston on behalf of the Chair acknowledging and thanking her for her valued contributions.

CONCLUSION

The recommendation to Council is that they note the report which provides further context to the discussion and items raised by the Audit and Risk Committee as presented (in conjunction with the minutes of the meeting).

ATTACHMENTS

Nil



19.4 STRATEGIC RISK REVIEW

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That the Council report titled 'Strategic Risk Review' as presented on Tuesday 16 December 2025 be noted.

PURPOSE

To present the Strategic Risk Review process undertaken by the Executive Leadership Team (ELT) and Members of the City of Mount Gambier under the newly adopted Risk Management Framework in November 2025, along with feedback from the Audit and Risk Committee.

BACKGROUND / OPTIONS

The City of Mount Gambier (Council) is committed to an integrated approach to risk management to assist in setting appropriate strategies, achieving objectives and making informed decisions, in the best interests of our community.

Council recognises that managing risk is part of governance and leadership, is fundamental to how the organisation is managed at all levels and will contribute to continuous improvement of its management systems.

The City of Mount Gambier has articulated a vision for Mount Gambier as *Erupting with Potential: Embracing Our Past, Enhancing our Strengths and Shaping an Exciting Future*. To bring this vision to life Council has developed six strategic priorities that reflect our community aspirations.

The risk management process is not an isolated function and should be applied to all activities, including decision making, at all levels. Effective identification, analysis, evaluation and treatment of risks is critical to Council achieving its strategic objectives and meeting stakeholder expectations.

Strategic Risk Review Process

When conducting the Strategic Risk Review it was highlighted that a key lens to be applied by ELT and Members is whether any particular risk most appropriately fits under Council's strategic risks, or operational risks.

- **Strategic Risks** associated with high-level strategic objectives that are articulated in the Strategic Plan, Long Term Financial Plan and Asset Management Plans. They are key issues for the Elected Council and Executive Leadership Team and impact the whole organisation rather than a particular department or business unit. These risks can originate from within the organisation or externally. In other words, they may prevent the organisation from achieving its strategic objectives.



- **Operational Risks** associated with particular department or business unit functions and daily operations to deliver core services. Often the risks relate to cost overruns, supply chain logistic issues, employee issues, WHS, non-compliance to policies and procedures etc.

As a general rule of thumb, an organisation would not have more than ten (10) strategic risks as a guide. Strategic risks are generally broad, high level category types (similar to those articulated by JLT in the Public Sector Risk Reports).

In accordance with the newly adopted Risk Management Framework, Council's Executive Leadership Team (ELT) and Members conducted a strategic risk review on the 19th and 25th of November respectively. The process which was followed for each session generally included:

- High level refresher on Enterprise Risk Management (ERM) principles,
- Environmental scan (context setting) for the City of Mount Gambier, both internally and externally, at a point in time,
- Consideration of sector benchmarking for the State and Nation,
- Review of the strategic risk register, including relevant / appropriateness of risks, risk descriptors, risk ratings (inherent against residual), and consideration of emerging risks.

When contemplating the internal and external environment relevant to Council at this point in time, the following influencing factors were considered (noting that environmental factors are not necessarily positive or negative, they are just relevant).

Internal –

- Risk management culture – developing maturity, importance of clarity of expectations and buy-in / ownership.
- Organisational structure – capacity of organisation, new CEO, workforce planning project, LG elections, visitor servicing / Wulanda reviews.
- Strategy and objectives – 2035 and Strategic Management Plan, service review project, site master planning, advocacy planning.

External –

- Social – respectful community interactions project, affordable housing, SEFA discrepancy for our regions socio-economic profile, rating review, access to health services, anti-social behaviour, increasing homelessness.
- Cultural – First Nations of the South East Claim (Native Title), conservative regional community, Federal migrant policy impacts.
- Political – State elections, LG elections, vacant State member for Mount Gambier, environmental protection reforms, Financial Assistance Grants, LCLGA.
- Technological – volatility of cyber security, sophistication / use of AI, business systems upgrade project.
- Economic – RBA, CPI, cost shifting, cost of living, regional plan, DHUD (investment in region).
- Environment – water allocation / aquifer system, 2050 climate targets, increase in extreme weather events, sinkholes / Geotech, land contamination, 60% reduction in kerbside waste.
- Infrastructure – SA water, DIT roads, cost shifting, ageing third party infrastructure.



- Legislative and compliance – Crown land, Native Title, EPA, rate of legislative reform, increase in litigation culture.

Further to the environmental scan, sector benchmarking was specifically considered at the Federal and State level, revealing the following insights into risk in the Local Government (LG) sector for the financial year 2024/2025.

JLT Public Sector Risk Report SA 2024/2025 – top risks identified for LG in the State:

1. Financial Sustainability
2. Cyber Security
3. Assets & Infrastructure
4. People & Culture

JLT Public Sector Risk Report 2024/2025 – top risks identified for LG in Australia:

1. Financial Stability
2. Cyber Security
3. Assets & Infrastructure
4. Disaster & Catastrophe
5. People & Culture
6. Climate Change
7. Business Continuity Planning
8. Statutory & Regulation
9. Waste Management
10. Ineffective Governance
11. Reputation
12. Civil Liability Claims

ELT and Members reviewed the strategic risk register (refer extract below), to assess relevance / appropriateness of risks, risk descriptors, risk ratings (inherent against residual), and consideration of emerging risks. The City of Mount Gambier has currently identified twelve (12) strategic risks, however as part of this most recent review intends to remove SR3, Children & Vulnerable People (as highlighted in red).



Strategic Risks	Inherent Rating	Residual (Current) Rating
1. Cyber Security & Artificial Intelligence - failure to maintain relevant level of maturity in cyber security and/or generative artificial intelligence leaves the organisation exposed to ransom, loss of organisation and community data and reputational damage.	Extreme	Extreme
2. Financial Stability - Council does not maintain financial sustainability as a result of ineffective management of revenue, expenditure, debt, liabilities and assets and/or the communities ability to meet increasing rate demands within the current cost of living climate.	High	Medium
3. Children & Vulnerable People - failure to prevent harm to children, young people and vulnerable people, or inability to maintain Child Safe Organisational standard with Department of Human Services.	High	Medium
4. Climate Change Preparedness - lack of organisational preparedness for increased frequency and severity of climate change events, emergency management planning and capability within organisation, community and other councils within LCLGA.	Medium	Medium
5. People, Culture & Workforce Planning - failure to ensure strategic, planned and effective workforce planning, including recruitment and retention, and a positive culture where people have capacity to innovate and grow.	High	High
6. WHS Management & Compliance - failure to provide a safe and compliant environment and effective systems to manage WHS in the workplace, and keep people safe from injury and harm.	High	Medium
7. Environmental Compliance - inability to meet environmental targets and legislative requirements impacting Council's ability to deliver on core services such as waste management, cemetery operations, conservation and water management, and heritage requirements.	High	High
8. Appropriate & Stable Infrastructure - inability to achieve long-term infrastructure sustainability, understanding asset consumption, planning for growth, and ensuring infrastructure decisions are based on reliable data and lifecycle costing due to ineffective asset management planning and alignment with financial strategy, inadequate maintenance and renewal strategies, and misalignment with community service level expectations resulting in deteriorating infrastructure, increased future costs, and intergenerational equity issues.	High	High
9. Governance & Legislative Compliance - failure to operate in accordance with relevant legislation, policies, governance and business practice to ensure professional and ethical standards are upheld, resulting in integrity agency investigation, erosion of trust with stakeholders, fines and penalties, or exposure to litigation.	High	Medium
10. Political Stability - ineffective management of the political environment including relationships with Elected body, State, Federal and Regional Local Governments resulting in misalignment and friction internally and externally with relevant stakeholders.	Medium	Medium
11. Procurement & Contracting - failure to achieve value-for-money outcomes or meet legislative and strategic objectives due to ineffective procurement and contract management practices, including poor planning, inadequate market engagement, non-compliance with procurement policies, and weak contract oversight, or limited procurement options as a result of regional location, resulting in financial loss, reputational damage, service delivery disruptions, and reduced accountability in supplier relationships.	High	Medium
12. Relationship, Connection & Engagement with Community - inability to maintain connected relationship with community, build trust in Council, or meaningfully engage on key services or projects resulting in strategic targets and objectives not being aligned to community expectation, resource wastage, and reputational damage.	High	Medium

Key discussion centred around the following themes:

- Ensuring ratings were conducted with objective assessment against the consequences and likelihood descriptors, rather than 'catastrophised'.
- Simplifying risk descriptors to be direct and user-friendly.
- Matching controls against causes to most effectively mitigate risk.
- Acknowledging that even with controls in place which are effective, the overall risk rating may not be lowered sufficiently to shift it into a lower rating range.
- SR3 Children & Vulnerable People is likely an operational risk, rather than strategic. When considering which of the strategic goals the risk might derail, there was not a convincing argument. However, the risk is very important, and should be captured in the operational risk register once developed.
- Contemplation of whether waste management should be separated out into its own risk, rather than as a part of SR7 Environmental Compliance.

One (1) out of the twelve (12) strategic risks has a residual risk rating of extreme:

- SR1. Cyber Security & Artificial Intelligence - failure to maintain relevant level of maturity in cyber security and/or generative artificial intelligence leaves the organisation exposed to ransom, loss of organisation and community data and reputational damage.

Where this is the case, the Risk Management Framework requires Council administration to *"inform the next meeting of the Audit and Risk Committee of the risk issue, the actions taken to mitigate the risk and the outcome (or current status)"*.



The reason this strategic risk has a residual risk rating which is not materially lower than the inherent rating (and a rating which remains extreme) is because whilst the risk currently has nine (9) controls in place, and City of Mount Gambier has taken all protocols in place that would be expected of a Council our size, such as IT controls, cyber security incident response plan, staff training, insurance etc, the rate at which this space is evolving, and the level of speed and sophistication of attacks, results that the likelihood of an event remains high.

Eight (8) additional treatment options have been identified and, have and will be pursued and implemented towards further mitigating the risk, and bringing the residual risk rating down. Until such time, staff will continue to actively monitor the risk, and follow advice of (and utilise support resources available from) industry specialists, such as LGITSA and LGRS.

Audit and Risk Committee Commentary

The Audit and Risk Committee provided the following commentary upon consideration of the Strategic Risk Review at their meeting 3 December 2025:

- Identified the specific services which are being delivered where there is contact with children or vulnerable people, noting the children and vulnerable people risk had been removed from the strategic risks (shifted to operational risk).
- Noted that other councils have deemed cyber security as largely operational risk rather than strategic risk.
- Consideration of a standalone risk around services being fit for purpose for the community, noting that SR12 Relationship, Connection & Engagement with Community concentrates on specifically on relationships and consultation.
- Discussion around Waste Management being an operational risk and not requiring its own standalone risk outside of SR7 Environmental Compliance. However, noted that the strategic element of the risk is ensuring continuation of service. It was suggested there may be a need for a separate discussion to be held in the future to specifically consider whether or not to split these out (noting council can and does review its strategic risk register outside of the formal annual review process). Noting, there were varied views on this issue.
- Discussion around potential to broaden SR12 Relationships, Connection & Engagement with Community to be focused on alignment of Council services with community expectations and satisfaction, rather than engagement alone, noting that engagement is inherently a factor in satisfaction in any event.
- Risk ratings - noting that inherent risk ratings appeared reasonable, however questioning the residual ratings, in particular cyber security as an extreme residual risk. An improvement was suggested by the CEO to consider more accurately reflecting the increment within the risk level, e.g. High 1, High 2, High 3 ranking which would identify whether if the increment within the level had dropped from the inherent rating.

Overall, the Committee commentary was that the report was a comprehensive description of the risk and encapsulates different aspects of risk. The Committee has requested that a 6 monthly review of strategic risks remain as an item on the Agenda while the function is still developing and in the implementation phase. The resolution passed by the Committee is included below for Council's reference.



5.7 Audit and Risk Committee Meeting Report

COMMITTEE RESOLUTION ARC 2025/52

Moved: Paul Duka

Seconded: Alexander Brown

1. *That Audit and Risk Committee report titled 'Audit and Risk Committee Meeting Report' as presented on Wednesday 3 December 2025 be noted.*
2. *That the Audit and Risk Committee be provided with a summary of the outcomes of this meeting within 5 business days and will provide feedback prior to inclusion in the Council Meeting Agenda for 16 December 2025.*
3. *Commends Council administration on the progression of key items in relation to Strategic Risk and Procurement and Contract Management.*

Carried

IMPLICATIONS TO CONSIDER

Legal	<p>Whilst there is no prescriptive requirement under the legislation for Council to adopt a Risk Appetite Statement, the below provisions are achieved (or materially contributed to) by doing so:</p> <ul style="list-style-type: none"> • Section 99(1)(ia) of the Local Government Act 1999 ('LG Act') requires the CEO to ensure that effective policies, systems and processes are established and maintained for the identification, assessment, monitoring, management and annual review of strategic, financial and operational risks. • Section 125 of the Local Government Act 1999 ('LG Act') LG Act requires Council to ensure that appropriate policies practices and procedures of internal control are implemented and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner to achieve its objectives. • Section 132A of the LG Act requires Council to ensure that appropriate policies, practices and procedures are implemented and maintained in order to ensure compliance with statutory requirements and achieve and maintain standards of good public administration. • Section 134(4) (b) of the LG Act requires Council to adopt risk management policies, controls and systems.
Financial and Budget	N/A
Community Consultation and Engagement	N/A
Other Resources	<p>As noted in the report generated by LGRS, Council does not currently have any resources specifically dedicated to Enterprise Risk Management, and in order to achieve the desired maturity level, this is a relevant consideration of the efficiency and quality of work able to be achieved by the administration.</p> <p>The risk portfolio has recently been transferred to the Governance and Property portfolio, in acknowledgement of resourcing constraints, and subject matter expertise.</p>



RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Council is unable to apply a strategic risk lens to projects / business activities of significance, exposing Council to financial inefficiency or loss	Major (4)	Rare (1)	Moderate	Establishment of a mature risk culture, effective and embedded risk management activities which lead to risk-informed decision-making, supported by a contemporary Risk Management Framework
Reputation – Council is unable to clearly articulate its risk management culture / activities, eroding trust with the community	Moderate (3)	Possible (3)	Moderate	As above
Legal / Regulatory / Policy – Council is not taking a mature approach to cognoscente risk management, leaving is exposed to legislative breach or litigation	Major (4)	Rare (1)	Moderate	As above
Service Delivery - A lack of organisational risk maturity leaves the organisation exposed to business continuity disruption	Moderate (3)	Rare (1)	Low	As above
People – A lack of mature risk culture prevents staff from being able to take advantage of opportunities, or perform to their potential	Minor (2)	Unlikely (2)	Low	As above



<p>Infrastructure – Council does not have the necessary tools to make informed decisions as to resource allocation / asset management planning for infrastructure and assets, resulting in deterioration or loss of assets</p>	Moderate (3)	Possible (3)	Moderate	As above
<p>Environmental - Council does not have the necessary tools to make information decisions about the impact of projects and business activities on the environment, resulting in negative environmental impact or harm</p>	Moderate (3)	Rare (1)	Low	As above

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

6.2 Ensure compliance with legislative obligations and apply best-practice governance to strengthen risk management, accountability and transparency, fostering trust within the community.

This report contributes to delivery of the following key strategic project(s):

Priority 6: Excellence in Leadership and Governance

Deliver business systems and infrastructure improvements that support us to deliver our services more efficiently and effectively to the community.

RELEVANT COUNCIL POLICY

[Risk Management](#)

IMPLEMENTATION AND NEXT STEPS

Further work towards organisational integration and increased risk maturity is planned, including:

- Implementation and embedding of the Risk Management Administrative Principle (Framework),
- Staff education workshops,
- Review of the strategic risk reporting and review function,
- Establishment of and Operational Risk Register,



- Establishment of a standard Project Risk process,
- Implication of regular risk reporting processes at Executive Leadership level, and Elected Council level,
- Integration of a contemporary enterprise risk management software,
- Integration of risk management culture throughout the organisation.

It is intended that the focus for the next calendar year (2026) will be embedding the new risk processes and frameworks, staff training and sourcing appropriate software options for Enterprise Risk Management (ERM), as well as a specific focus on cyber risk planning and mitigation. This allows the risk culture of the organisation to grow at a rate which is not overwhelming prior to commencing the development of comprehensive departmental operational risk registers / processes in the following calendar year (2027).

CONCLUSION

The strategic risk review process will continue to be refined and improved in future years. It is intended that it occur annually (unless a higher frequency is required), including participation from ELT, Members and review by the Audit and Risk Committee to affirm the process is robust and meets sector expectations.

ATTACHMENTS

Nil



19.5 PROCUREMENT AND CONTRACT MANAGEMENT POLICY

Author: Kahli Rolton, Manager Financial Services
Authoriser: Paul Simpson, Chief Executive Officer
Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Procurement and Contract Management Policy' as presented on Tuesday 16 December 2025 be noted.
2. That the amended Procurement and Contract Management Policy, having been reviewed by the Audit and Risk Committee on 3 December 2025 be recommended to Council for adoption.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the policy arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

PURPOSE

To present the Procurement and Contract Management Policy which is recommended for amendment, information and adoption to Council following review and feedback from Audit and Risk Committee at their meeting held 3 December 2025.

AUDIT AND RISK COMMITTEE

Terms of Reference

Part 1.3 of the relevant Terms of Reference sets out the functions of the Committee, in particular:

"The functions of the Audit and Risk Committee include, per the Local Government Act 1999, Division 2, Section 26(4):

(h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis".

Section 12 of the relevant Terms of Reference sets out the Role of the Audit and Risk Committee, in particular:

"12.1.2 Review and challenge where necessary:

The consistency of, and/or any changes to accounting policies".

Any policies or procedures falling within the ambit of the above provision, or as otherwise required, are presented to the Committee for endorsement and information prior to being presented to Council for adoption.



Meeting, 3 December 2025

For noting by Council, the Procurement and Contract Management Policy (refer attachment to this report) has been amended in line with comments/suggestions made by the Audit and Risk Committee, namely procurement thresholds, emergency management and related policies and documents. The Audit and Risk Committee amended their resolution recommending changes to Council regarding increasing the request for tender (RFT) procurement threshold as follows:

“Recommends to Council that the Procurement and Contract Management policy, 5.1 threshold table for RFQ (3) be altered to \$50,001 to \$200,000 and the RFT become \$200,001 to \$750,000.”

A summary of all amendments is included later in this report.

During the meeting, the Audit and Risk Committee commended administration on the progression of key items including strategic risk and procurement and contract management and updated their recommendations to Council to reflect this.

BACKGROUND / OPTIONS

Council periodically reviews its policies and procedures during each Council term, unless legislative provisions or administration execution require otherwise, to ensure they remain up to date with legislative, administrative or civic requirements, Council and community expectation and emerging practices in the sector.

Prior Reviews of Policy

In December 2023, a major review was undertaken of the existing *P420 Procurement and Disposal of Land and Assets Policy*. This review resulted in the two policy functions being separated and as such, the current *Procurement Policy* was adopted.

Summary of Amendments to Policy

The main aim of this policy review was to:

- remove operational processes/information from the policy and develop two administrative principles which can be continuously improved to provide all staff with a formal framework when undertaking procurement activities;
- incorporate contract management principles and processes (as recommended by the Auditor-General’s Report 4 of 2025 *“Contract management in local government”*); and
- provide clarification around areas such as approval of spend and purchase of second-hand goods.

Due to the significant amount of formatting changes which have occurred, a high-level summary comparison of the old and new policy is provided below (rather than a version showing tracked changes).

Procurement Policy	Procurement and Contract Management Policy	Amendments
Clause Number		
1. Introduction 2. Purpose	1. Introduction (combined)	Introduction and purpose combined into one clause with minor amendments
3. Scope	3. Scope	Includes reference to committees of Council which was previously under 12. Delegations.



		Reference to the “Art Curatorial and Preservation Policy” has been removed (this is now covered under administrative principle).
4. Definitions	2. Definitions	Amended as required
5. Roles and Responsibilities	8. Roles and Responsibilities	<ul style="list-style-type: none"> • Roles and responsibilities amended to combine CEO/General Managers (now ELT) with Management Team, Finance Team and WHS and Risk Management Team added in. • Additional dot point relating to management of private interests included for Council and Council Staff.
6. Policy Statements	6. Legislative Requirements	Change in heading and format. Previous clause 13. Records now included in this section.
7. Procurement Objectives	4. Principles	<ul style="list-style-type: none"> • Change to headings to make reference to principles rather than objectives (in line with what other Councils have done and consistent with our language). • “Social Inclusion” removed from Principle 8 (Local Economic Benefit and Social Inclusion) and included in Principle 9 (Social Impact) to create a combined Social Inclusion/Social Impact principle. • Purchasing of used goods has been included under Principle 7 (Environmental Sustainability).
	5. Policy	Clause added to separate policy requirements for Procurement and Contract Management.
8. Procurement Thresholds	5.1 Thresholds	<ul style="list-style-type: none"> • Footnotes are now covered under administrative principle. • A note has been included in the policy to provide Council staff with direction when a formal procurement process is undertaken and the preferred tender/quote exceeds the amount approved in the Annual Business Plan and Budget. • The value of procurement requiring request for Tender (RFT) has been increased from \$100,000 to \$200,000. • The value of procurement requiring a Council resolution has been increased from \$500,000 to \$750,000.
	5.2 Value of Procurement	No changes to wording.
9. Cumulative Spend	5.3 Cumulative Spend	No changes to wording intent. Clarification regarding financial year.
10. Procurement Methods	5.4 Procurement Methods	Methods are listed, however details of each method have been moved to the administrative principle.
11. Exemptions from this Policy	5.6 Exemption from Competitive Process	<ul style="list-style-type: none"> • General information remains in policy, however reasons for exemption are all now included in the administrative principle. • Addition of requirement for Council to be notified where delegation is exercised in an Emergency Situation.
12. Delegations	3. Scope and 5.5 Delegations	Information relating to committees of Council is now covered under Scope.
13. Records	6. Legislative Requirements	Information relates to States Records Act so have been included in legislative requirements.
14. Prudential Requirements	6. Legislative Requirements	<ul style="list-style-type: none"> • Information relates to Section 48 so has been included in legislative requirements.



		<ul style="list-style-type: none"> Conflict of Interest requirements from Section 73-75D ad 120 of the Act now included.
15. Training/Education	7. Training/Education	No changes to wording.
16. Review of Policy	9. Review of Policy	No changes to wording.
17. Further Information	10. Further Information	<ul style="list-style-type: none"> Reference to "Petty Cash Administrative Procedure" removed as it no longer exist. Related policies and procedures updated.
18. Document Details	11. Document Details	No changes to wording.

IMPLICATIONS TO CONSIDER

Legal	Section 49 of the Local Government Act 1999 requires Council to develop and maintain procurement policies, practices and procedures directed towards: (a) obtaining value in the expenditure of public money; and (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability and transparency in procurement operations.
Financial and Budget	There are no immediate financial implications arising from the amendments.
Community Consultation and Engagement	n/a
Other Resources	n/a

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Policies are not reviewed regularly and result in increased financial impact. Council does not obtain value for money from procurement activities	Insignificant (1)	Rare (1)	Low	Audit & Risk Committee oversight of policies/ procedures relating to governance, finance and risk. Segregation of procurement facilitation, value for money evaluations including whole of life costing.
Reputation – Loss in trust and transparency from community if good governance over policies is not prioritised and maintained.	Minor (2)	Unlikely (2)	Low	Regular reporting on policy review schedule to maintain accountability and transparency for the community.



Legal / Regulatory / Policy – Policies are not reviewed regularly and do not reflect changes in legislation or organisational practices.	Major (4)	Rare (1)	Moderate	Audit & Risk Committee oversight of policies/ procedures relating to governance, finance and risk.
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APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

- 6.5 Achieve value-for-money procurement and contract management that consistently aligns with Council’s policies and delivers economic, social and environmental outcomes.

This report contributes to delivery of the following key strategic project(s):

N/A

RELEVANT COUNCIL POLICY

[Procurement](#)

IMPLEMENTATION AND NEXT STEPS

The updated policy is intended to be managed in accordance with the review schedule framework already in place.

Following adoption by Council, an updated version of the policy will be made publicly available on Council’s website.

CONCLUSION

That having been reviewed by the Audit and Risk Committee on 3 December 2025, the reviewed and amended Procurement and Contract Management Policy be adopted by Council.

ATTACHMENTS

- 1. Council Policy - Procurement and Contract Management (Draft) [19.5.1 - 12 pages]



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1. Introduction

City of Mount Gambier (Council) is committed to implementing fair, transparent and competitive purchasing and contracting practices achieving value for money outcomes aligned to the Council's strategic objectives, community expectations and the requirements of any special funding sources.

This Policy seeks to:

- define the methods by which Council can acquire goods and services;
- demonstrate Probity, accountability, and responsibility of Council to all stakeholders;
- be fair and equitable to all parties involved;
- enable consistency of approach in the application of procurement processes; and
- ensure that parties to a contract meet their respective obligations as efficiently and effectively as possible to ensure that the best possible outcome is achieved.

Procurement and contract management administrative principles are maintained to support the application of this policy.

2. Definitions

The Act - means the Local Government Act 1999.

Contract Manager – means the Council officer responsible for the management and administration of a contract.

Conflict of Interest – means a situation where the private interests of a Council officer or member could improperly influence, or be seen to improperly influence, their duties.

Cumulative Spend – means the total amount of money spent on goods and services from the same supplier over a period of time.

Delegated Authority – means powers or duties delegated from Council to a Council officer. Expenditure sub-delegations, detailing authorised purchases, purchasing limits and the ability to enter an agreement are prescribed in Council's delegations register.

Direct Purchase – means a procurement process undertaken by directly approaching and negotiating with one supplier or contractor without testing the market. This method is generally only appropriate for low value and low risk goods and services.

Emergency Situation – means a situation where Council is required to remedy or make good damage incurred to Council property from a natural or man-made incident. The Chief Executive Officer has the authority to act in an Emergency Situation: goods and services in these instances may be purchased from a supplier or contractor without reference to the financial limitations provided in this Policy.

Expression of Interest (EOI) – means a process used to identify suppliers and contractors interested in, and capable of, delivering the required goods or services. Potential suppliers and contractors are asked to provide information on their capability and capacity to do the work. It is usually the first stage of a multi-stage procurement process.

Evaluation Criteria – means the criteria used to evaluate the compliance of suppliers' offers. The Evaluation Criteria, either mandatory, weighted or non-weighted, provide a standard against which Council will evaluate the quantitative (financial) and qualitative (non-financial) elements of suppliers' offers to identify the best fit-for-purpose, value for money solution.

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Exemption from Competitive Process – means the deviation from policy to pursue a method of procurement that will provide the best outcome for the Council.

Key Performance Indicator (KPI) – means a measurable value that demonstrates how effectively a supplier or contractor is achieving the objectives of a contract.

Market Approach – means the process undertaken to inform the market of your requirements to obtain offers to meet your requirements.

Probity – means uprightness, honesty, proper and ethical conduct and propriety in dealings. It is often also used in government in a general sense to mean good process.

3. Scope

This Policy applies to all procurement and contract management activities undertaken in the acquisition of goods or services on behalf of Council, whether solicited by Council, or the result of an unsolicited proposal from the private or not-for-profit sectors, and whether transacted via a trading account or Council expense card.

The procurement of goods and services must:

- only relate to business of the Council and must not be of a personal nature;
- be approved in accordance with Council's delegations and any relevant Council policies; and
- be aligned to Council's strategies, annual business plan and budget.

This Policy does not cover:

- non-procurement expenditures such as sponsorships, grants, funding arrangements, donations and employment agreements;
- real property acquisitions of land, buildings or structures;
- the disposal of land and other assets; and
- procurement processes during the Council caretaker period (these will be conducted under the requirements of the Council Election Caretaker Policy, however where the policy is silent, the requirements of this Policy will prevail).

Council's normal budgetary process will consider these and determine authorisation as part of this process.

This Policy also applies to any Committee of Council, or other delegated bodies with specific Delegated Authority to procure goods or services under its Terms of Reference. Where there is a conflict between the Terms of Reference and this Policy for the procurement of goods or services, this Policy will prevail.

4. Principles

This Policy is established based on the following key principles, which underpin Council's position and activities relating to procurement and contract management:

Principle 1 – Open and Fair Competition

Open and fair competition will be fostered and maintained by providing suppliers and contractors with appropriate access to Council's procurement opportunities. Council will ensure, where reasonably practicable, that:

- there is reasonable access for all suitable and competitive suppliers and contractors to the Council's business;

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- where market circumstances limit competition, procurement activities recognise this, and associated methodology takes account of it; and
- adequate, identical and timely information is provided to all suppliers and contractors to enable them to submit a Quote or tender.

Principle 2 – Value for Money

Value for money outcomes can be achieved through balanced consideration of financial and non-financial factors relevant to the procurement.

The following factors should be considered:

- the contribution to Council's long-term plan and strategic direction;
- any relevant direct and indirect benefits to Council, both tangible and intangible;
- efficiency and effectiveness of the proposed procurement activity;
- the performance history, quality and scope of services, and support of each prospective supplier and contractor;
- fit for purpose of the proposed goods or service;
- whole of life costs including acquiring, using, maintaining and disposal;
- Council's internal administration costs;
- technical compliance issues and costs;
- risk exposure and WHS considerations;
- prevailing market forces and trends;
- the value of any associated environmental benefits;
- local economic development and social inclusion;
- trade-in values; and
- other relevant matters identified in specific procurement process documentation.

Principle 3 – Probity, Accountability and Transparency

All procurement shall be undertaken in a manner that ensures:

- clearly established roles and responsibilities;
- appropriate record keeping and documentation;
- integrity through transparency of process and documentation of decisions made;
- adherence to relevant legislation, policy and procedure;
- identification and management of actual or potential Conflicts of Interest; and
- confidentiality of all commercial information.

Principle 4 – Ethical Behaviour and Fair Dealing

All staff involved in procurement activities are to:

- behave with impartiality, fairness, openness, integrity, and professionalism
- provide all suppliers and contractors with equal opportunity to supply to Council;
- establish clear and easy to understand documentation requirements, Evaluation Criteria and methodology;
- provide consistent processes and constructive feedback on decisions upon request from suppliers and contractors; and
- ensure effective communication and provision of information to all suppliers and contractors.

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Principle 5 – Risk Management

The risk assessment process should consider financial, supply, business, legal, management, reputations, Probity, work health and safety, environmental, public safety, political and sensitive risks.

Risks relating to the procurement process may include:

- procurement of unsuitable product or service;
- funding (e.g. internal & external, impact on long term financial plan);
- Probity failure;
- inappropriate or inadequate specification;
- negotiation of agreement terms/failure to agree to terms;
- actual or perceived breach of Probity/confidentiality;
- lack of responses/limited supplier participation; and
- evaluation processes.

Risks relating to contract management may include:

- supplier capability/capacity/availability/performance;
- agreement management/supervision;
- price variations;
- agreement disputes; and
- unauthorised change in scope of work.

Council personnel will ensure that appropriate practices and procedures of internal control and risk management are in place for its procurement and contract management activities, including risk identification, assessment, and implementation of controls.

Risk assessments will focus on assessing a potential supplier's and contractor's capacity and capability to meet Council's requirements and identify any other factors which might result in goods or services not being successfully delivered.

Council's approach to market will be influenced by procurement risk assessments, with high-risk and high-value acquisitions requiring more formal procurement planning methodologies and higher levels of management oversight.

Principle 6 – Work Health and Safety

Council is committed to protecting health, safety, and welfare. Council personnel will ensure that its procurement activities protect the health, safety and welfare of its workers, elected members, customers, and community.

If the procurement of services, goods, materials or plant and equipment involves implications for work, health or safety, Council's Work Health & Safety & Risk Management Team should also be consulted prior to such procurement.

Where appropriate, procurement evaluation must ensure an appropriately skilled person confirms all WHS requirements.

Principle 7 – Environmental Sustainability

Council promotes environmental sustainability through its procurement activities and will consider the purchase of environmentally sustainable goods and services that satisfy the value for money criteria when all other financial and commercial considerations are equal.

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This can be by:

- purchasing recycled and environmentally preferred products where possible;
- purchasing used goods where safety, value for money and risk management requirements have been met;
- adopting purchasing practices which conserve natural resources;
- aligning the Council's procurement activities with principles of ecological sustainability;
- selecting products and services which have lower environmental impacts across their life cycle compared with competing products and services;
- integrating relevant principles of waste minimisation and conservation of energy.
- providing leadership to business, industry, and the community in promoting the use of environmentally sensitive goods and services; and
- fostering the development of products and services which have a low environmental impact.

Principle 8 – Local Economic Benefit

Council recognises the significant impact that its operations play in the local economy yet is mindful of its requirement to provide optimum value for money outcomes through its procurement activities and achieve budget expectations.

Council will endeavour to, at its discretion and to the full extent permitted by law, support local businesses by:

- promoting opportunities to supply to the Council to local and regional businesses;
- giving preference to local and regional businesses when all other commercial conditions are equal;
- considering economic elements such as employment creation and training opportunities specifically within the Council area; and
- reporting on local and regional direct economic participation.

Principle 9 – Social Inclusion

Council will endeavour to, at its discretion and to the full extent permitted by law, support our indigenous businesses by:

- encouraging indigenous suppliers and contractors to quote and tender; and
- giving preference to indigenous businesses when all other commercial conditions are equal to ensure local employment opportunities and economic stability and/or growth.

Where possible, Council will pursue procurement activities which generate social value through direct or indirect approaches, including but not limited to:

- people with a disability;
- women in business; and
- small to medium business.

Principle 10 – Effective Management of the End to End Procurement Lifecycle

The procurement lifecycle includes all of the steps and tasks within the procurement process, from needs identification and data gathering to contract management, delivery of goods or services and relationships with suppliers and contractors.

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Council personnel will determine appropriate methodology within the various steps of the procurement lifecycle including planning, risk management, tendering, purchasing, contracting and financial control with regard to the scale, complexity and importance of the goods or services being acquired.

5. Policy

The objective of this policy is to ensure procurement and contract management activities:

- represent value for money in the expenditure of public money;
- achieve the best possible outcome for the Council and community;
- encourage healthy competition between participants;
- result in the engagement of suppliers with safe, ethical, socially inclusive and environmentally responsible goods, works and services;
- comply with legislative requirements; and
- minimise contract risks and disputes.

Procurement

5.1 Thresholds

Procurements are to be in accordance with Council's financial thresholds outlined below:

Value of Procurement (\$)	Procurement Method	Minimum No. of Quotes	Approval to Spend	
			Within Budget Amount*	Over Budget Amount*
Up to \$2,000	Direct Purchase	0	As per Council's Delegations Register**	As per Council's Delegations Register**
\$2,001 to \$10,000	Direct Purchase	1		Refer Note Below
\$10,001 to \$50,000	Request for Quotation (RFQ)	2		
\$50,001 to \$200,000	Request for Quotation (RFQ)	3		
\$200,001 to \$750,000	Request for Tender (RFT)	3		
Over \$750,000	Request for Tender (RFT)	3	Council Resolution	

* This refers to the amount approved in the Annual Business Plan and Budget.

** Refer clause 5.5 Delegations.

Note:

1. (a) Where a formal procurement process (ie. RFQ or RFT) is undertaken and the preferred quote/tender does not result in an increase to the overall endorsed budget, the procurement will proceed and the budget review process will be used to alert Council.
- (b) Where a formal procurement process (ie. RFQ or RFT) is undertaken and the preferred quote/tender results in an increase to the overall endorsed budget, the procurement will not proceed without the approval of Council.

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5.2 Value of Procurement

The value of the procurement is calculated as follows:

- **Single one-off procurement** (e.g. purchase of a mower) – the total amount, or estimated amount, of the procurement (excluding GST);
- **Multiple procurements with the same supplier or contractor** (e.g. purchase of two new mowers at the same time) – the combined gross value, or the estimated gross value, of the procurements (excluding GST); or
- **Ongoing procurements over time** – the total is calculated across all elements of the procurement process including any agreement options, extensions, renewals and contingencies (excluding GST) and should be considered in the planning phase of the project (e.g. the provision of a building maintenance service that costs \$25,000 per year on a two year contract that has an option to extend for a further two years, would have a procurement value of \$100,000).

Splitting the value of the purchase into individual components to meet with lower value of Purchase Thresholds is **not** permitted.

5.3 Cumulative Spend

Cumulative Spend is identified as the estimated value of the total proposed purchase(s), including any agreement options, extensions and renewals (exclusive of GST), and potential cumulative value of the goods or services supplied over a period of time (ie financial year) against a supplier and contractor.

Cumulative Spend shall be monitored annually by Council to determine whether the appropriate procurement process has been undertaken and/or an alternative procurement method is required to be undertaken to comply with this policy.

5.4 Procurement Methods

The method of procurement will be determined in accordance with the requirements of clause 5.1 Thresholds, with reference to a number of factors including procurement complexity, value, risks, characteristics of the supply market and Council's strategic objectives.

Procurement methods include:

- Direct Purchase;
- Request for Quotations (RFQ);
- Expression of Interest (EOI);
- Request for Proposal (RFP);
- Request for Tender (RFT);
- Panel Contracts; and
- Strategic Alliances.

5.5 Delegations

Expenditure sub-delegations, detailing authorised purchases, purchasing limits and the ability enter into an agreement are prescribed in Council's Delegations Register (available from Council's website).

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5.6 Exemption from Competitive Process

There may be Emergency Situations, or procurements in which a particular process will not necessarily deliver best value for money outcome for the Council, and other Market Approaches may be more appropriate. Where delegation is exercised in an Emergency Situation, Council will be notified at the next Council meeting.

The authority to provide an exemption from using the required method of procurement will be delegated to the Chief Executive Officer or the relevant General Manager in accordance with expenditure sub-delegations as prescribed in Council's Delegations Register.

A request for waiver of a competitive process should not be viewed as a mechanism to remove the need for rigorous procurement planning and an appropriately completed exemption request form must detail the reasons why the exemption is necessary and the planning/investigation which has been undertaken. In approving an exemption, the approver will consider the scale, scope and relative risk of the purchase, including the principles defined in this Policy.

Circumstances where it may be appropriate to waive application of this policy can be found in the Procurement Administrative Principle.

In addition to the above, goods and services which are deemed integral to the day to day running of Council (for example utilities and government statutory charges) are not subject to the requirements of this policy. Although market engagement is not required for these goods and services, Council Officers must exercise due diligence to ensure value for money for Council. A list of these goods and services can be found in the Procurement Administrative Principle.

Contract Management

5.7 General Principles

Good contract management ensures goods, services and works are delivered to the required standards of quality and quantity as intended by the contract through:

- establishing a system monitoring and achieving the responsibilities and obligations of all parties under the contract;
- providing a means for the early recognition of issues and performance problems and the identification of solutions; and
- adhering to the Council's risk management framework and relevant Work Health and Safety and sustainability requirements.

5.8 Contract Establishment

- Council may select from the following methods of executing a contract and these may be executed through the use of electronic signatures:
 - Purchase order
 - Letter of Award
 - Works Agreement
 - Services Agreement
 - Goods Agreement
 - Panel Header Agreement
 - Memorandum of Understanding
- Contracts must be signed or executed only by Council Officers with the required level of financial delegation, or where delegation has been provided for a specific procurement by Council resolution.

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5.9 Contract Management

- Contracts are to be proactively managed by an appropriately skilled and trained member of Council staff responsible for the delivery of the contracted goods, services or works to ensure the Council and therefore the community, receives Value for Money.
- Contract management requirements are to be commensurate with the complexity and risk of the procurement. For significant contracts that are strategically critical and of relatively high value, Council will provide additional senior oversight to the management.

5.10 Contract Performance

- Council will proactively reinforce the performance of obligations and responsibilities under a contract.
- Contract Mangers should inform suppliers of their contract deliverables and Key Performance Indicators in order to provide feedback on a regular basis. A reporting process, appropriate for the contract based on its value and risk should be established and regular contract performance reviews conducted and shared with the contractor/supplier. This should include an opportunity for the contractor/supplier to provide feedback on internal issues impacting their performance.
- Where a dispute concerning the contract arises, the Contract Manager is to take a leadership role in dispute resolution.

5.11 Contract Variations

- Variations should not be used to mask poor performance or serious underlying problems, including poor project scoping and/or omissions from specifications. The effect on the original timeframe, deliverables and value for money should be assessed. If the effects are significant,
- A variation to a contract may be proposed by either party to the contract and may refer to addition, removing or amending an existing contract provision and may include a change to the scope and/or value of the contract.
- Any contract variations must be approved by the Delegated Authority.
- Variations resulting in an increase to the overall value of the contract must be approved in accordance with Clause 5.1 Thresholds.

5.12 Contract Completion

A contract is considered complete when all activity associated with the contract has ceased and all accounts have been paid. Tasks that may be required by the Contract Manager at the completion of a contract include:

- ensuring the contract deliverables have been met in accordance with the contract requirements;
- ensuring that permits and approval conditions have been satisfied;
- confirming that contract records are complete and accurate;
- acquitting and reporting any funding grants;
- ensuring any defects, omissions or outstanding services have been rectified, completed or delivered; and
- issuing of contract documentation ie. certificate of practical completion and final certificate and returning any security held.

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		Issued:	xxx
		Next Review:	xxx

6. Legislative Requirements

6.1 Local Government Act 1999 (Section 48 – Prudential Requirements for Certain Activities)

This policy is to be administered with regard to and consistent with Council's Prudential Management Policy, practices and procedures and s48 of the Local Government Act 1999.

6.2 Local Government Act 1999 (Section 49 – Contracts and Tender Policies)

In compliance with Section 49 of the Local Government Act 1999 (Act), Council should refer to this policy (Policy) when acquiring goods or services.

Section 49 of the Act requires Council to prepare and adopt policies on contracts and tenders on:

- the contracting out of services;
- competitive tendering and the use of other measures to ensure that services are delivered cost effectively; and
- the use of local goods and services.

Furthermore, Section 49 (a1) of the Act requires Council to develop and maintain policies, practices and procedures directed towards:

- obtaining value in the expenditure of public money;
- providing for ethical and fair treatment of participants; and
- ensuring Probity, accountability and transparency in all operations.

6.3 Local Government Act 1999 (Sections 73-75D and Section 120 – Conflict of Interest)

Sections 73-75D and 120 of the Local Government Act 1999 (Act), sets out the requirements for disclosure and management of conflicts of interest for members and employees of a Council respectively.

6.4 State Records Act 1997

The Council must maintain records of procurement activities in accordance with the State Records Act 1997 and Council's records management policies and procedures. At a minimum, documentation which details the procurement method, risk, evaluation plan and evaluation result, must be prepared and maintained for each relevant procurement. The preferred method of capturing procurement activity records is through use of established templates available to Council officers.

7. Training/Education

Training will be provided to key members of staff, the Executive Leadership Team and Elected Members as required.

8. Roles and Responsibilities

Council:

Council is responsible for:

- approving an appropriate procurement and contract management policy; and
- ensuring their private interests do not improperly influence, or be seen to improperly influence, their duties.

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Executive Leadership Team:

The Executive Leadership Team ensures that:

- there are appropriate resources to fulfil the effective outcomes of this policy; and
- that they comply with this policy; and
- they review the processes and value of this policy.

Management Team:

The Management Team ensures that:

- they comply with this policy;
- there are appropriate resources to fulfil the effective outcomes of this policy;
- they actively participate in procurement processes;
- they show leadership in ensuring Value for Money procurement; and
- they give due consideration to timelines and budget implications.

Finance Team:

The Finance Team ensures that:

- they provide advice and guidance on best practice and adherence to this policy in all procurement undertakings; and
- they raise concerns to management where best practice may not have been adhered to.

Work Health & Safety and Risk Management Teams:

The Work Health & Safety and Risk Management Teams provide advice and guidance on best practice and adherence to this policy in all procurement undertakings.

Council Staff:

Council staff who undertake procurement activities are responsible for ensuring:

- appropriate procurement practices and procedures, including the identification of risk, are observed; and
- their private interests do not improperly influence, or be seen to improperly influence, their duties.

9. Review of Policy

This Policy will be reviewed:

- every four years; or
- the frequency dictated in legislation; or
- earlier in the event of changes to legislation or related policies and procedures; or
- if deemed necessary by the General Manager Corporate and Regulatory Services.

10. Further Information

This Policy will be published on the Council's website and will be available for inspection at the principal office of the Council.

A copy of this Policy will be provided to any person upon request following payment of a fee as prescribed in Council's Schedule of Fees and Charges.

File Reference:	AF18/48
Applicable Legislation:	Industry Advocate Act 2017 Local Government Act 1999 Local Government (Elections) Act 1999 State Records Act 1997
Strategic Reference:	Priority 6: Excellence in Leadership and Governance

 City of Mount Gambier	COUNCIL POLICY	Version No:	2
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Related Policies:	<u>Council Policies:</u> Behavioural Management Policy Budget Policy (B300) Council Election Caretaker Policy Disposal of Land and Assets Policy Emergency Management Policy Fraud, Corruption, Misconduct and Maladministration Public Interest Disclosure (P900) Prevention Policy (F225) Prudential Management (P415) Records Management (R180) Risk Management Unsolicited Proposals (U900) <u>Administrative Principles:</u> Contract Management Procurement Risk Management
Related Procedures:	Procure to Pay Administrative Procedures Corporate Card Administrative Procedure
Related Documents:	Code of Conduct – Employee Conflict of Interest Guidelines (LGA, October 2016) Delegations Register Procurement and Contract Management Templates

11. Document Details

Responsibility:	General Manager Corporate and Regulatory Services
Version:	2.0
Last revised date:	12 December 2023
Effective date:	xxx
Minute reference:	xxx
Next review date:	xxx
<u>Document History</u>	
First Adopted By Council:	12 December 2023
Reviewed/Amended:	xxx

19.6 BY-LAW REVIEW

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'By-Law Review' as presented on Tuesday 16 December 2025 be noted.
2. The Council resolves that for the purposes of clause 7.2 of By-law No. 2 – Local Government Land 2025 a fee as described in the Council's Schedule of Fees & Charges from time to time will apply to the portion of Local Government land located at 26 Chute Street, Mount Gambier which comprises the fenced area of Engelbrecht Cave.
3. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999 and for the purposes of clause 9.11.2.1 of By-law No. 2 – Local Government Land 2025, the Council resolves that a boat may be launched and retrieved without permission from the Council from or on to the boat ramps located at Section 591, Hundred of Blanche (Valley Lake, Lot 100, Bay Road, Mount Gambier) in accordance with any conditions specified on a sign displayed on or in the vicinity of the boat ramp.
4. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999 and for the purposes of clause 9.15.2.2 of By-law No. 2 – Local Government Land 2025, the Council resolves that the following areas are designated camping areas where camping may occur without the permission of the Council in accordance with any conditions specified on a sign displayed on or in the vicinity of the area:
 - (a) those portions of the Blue Lake Caravan Park identified in the plan contained in **Annexure A**.
5. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999 and for the purposes of clause 9.26.5 of By-law No. 2 – Local Government Land 2025, the Council resolves that golf may be played or practised without permission of the Council on the Local Government land comprising the portions of The Blue Lake Golf Club identified in the plan contained in **Annexure A** in accordance with any conditions specified on a sign displayed on or in the vicinity of the land.
6. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999 the Council resolves to apply clause 9.1 of By-law No. 5 – Dogs 2025 to the Local Government land or public places listed below and as shown on the maps identified in **Annexure A**, so that dogs are required to be on-leash at all times in these locations:
 - (a) Mount Gambier Rail Trail;
 - (b) Engelbrecht Cave, located at 26 Chute Street, Mount Gambier;
 - (c) Vansittart Park, located at 104 Commercial Street West, Mount Gambier (and not extending to the playground areas where dogs are prohibited under clause 10.1 of the By-Law);
 - (d) Lady Nelson Reserve, located at 35 Jubilee Highway East, Mount Gambier;



- (e) Valley Lake / Ketla Malpi, located at Allotment 100 Bay Road, Mount Gambier, (and not extending to the playground areas where dogs are prohibited under clause 10.1 of the By-Law);
 - (f) Olympic Park, located at 7 Margaret Street, Mount Gambier;
 - (g) Cave Gardens / Thugi, located at 38 Commercial Street East, Mount Gambier; and
 - (h) Umpherston Sinkhole / Balumbul, located at 160 Jubilee Highway East, Mount Gambier.
7. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves to apply clause 10.2 of By-law No. 5 – Dogs 2025 will apply to prohibit a person from taking a dog into, or allowing a dog to remain, at the following locations:
 - (a) all playing surfaces at Blue Lake Sports Park, located at 200 Jubilee Highway East, Mount Gambier and as shown on the maps identified in **Annexure A**; and
 - (b) the inside of all buildings owned by or containing facilities operated by the Council.
8. Pursuant to clause 7.1 of By-law No. 6 – Cats 2025 the Council hereby grants permission to all residents of the City of Mount Gambier to keep, cause, or suffer or permit to be kept, up to three (3) cats on any premises.
9. Pursuant to the power contained in clause 10 of By-law No. 6 – Cats 2025, the Council resolves to:
 - (a) adopt, pursuant to clause 10.1, a registration scheme for cats effective from 1 July 2026, from which date a person who keeps a cat in the Council's area for more than 14 days must ensure the cat is registered in accordance with clause 10 of By-law No. 6 – Cats 2025; and
 - (b) apply a registration fee for the keeping of a cat as described in Council's Schedule of Fees & Charges from time to time.
10. That the Council authorises the Chief Executive Officer (including the CEO's delegate) to take all steps necessary to give effect to the Council's 2025 By-laws and the above resolutions made in accordance with or to apply provisions of these By-laws.

PURPOSE

To present the proposed By-Law applications as reviewed for resolution, having had regard to the submissions received from the public consultation, by the majority of Council, in the presence of at least two thirds of its members in accordance with section 249 of the Local Government Act 1999 (the Act).

BACKGROUND / OPTIONS

One of the avenues Council has available to regulate activity within our area is by the adoption of By-Laws. Section 246 of the Act conveys councils with the power to adopt By-Laws which establishes which activities are permitted, which activities require permission (or are conditional) and which activities are prohibited within their council area/s. By-Laws are used, along with a range of other compliance and enforcement mechanisms, to ensure that residents and visitors of our Council can enjoy a clean, safe and enjoyable city.

By-Law Review

By-Laws must be reviewed once in every seven (7) years, with the last review occurring in 2017 / 2018. Council's current By-Laws will expire on 1 January 2026, and therefore this report formally progresses the current review process. The review includes consideration of changes in relevant legislation, changes in the compliance requirements or activities of council and issues of particular significance to the community which may be reasonably regulated by a By-Law.

There are prescriptive requirements for the form, content and review process for By-Laws. Importantly, By-Laws cannot encroach onto subject matter which is already covered by Federal or State legislation. Council undertook a competitive request for quote process in September 2024, and appointed Kelledy Jones Lawyers (KJL) to facilitate the review process and ensure all legislative requirements were met, to achieve legal and operational By-Laws.

Members have attended information and briefing sessions on 11 February, 24 June and 9 December 2025, as well as previous Council meetings in April, June and July 2025. Council ultimately determined to adopt six (6) By-Laws, in accordance with section 249 of the Act:

- By-Law No. 1 Permits and Penalties
- By-Law No 2. Local Government Land
- By-Law No 3. Roads
- By-Law No. 4 Moveable Signs
- By-Law No. 5 Dogs
- By-Law No. 6 Cats – NEW

The newly adopted By-Laws are largely based on the Council's previously existing By-Laws, however several amendments have been made, including to address legislative reform occurring since the existing By-Laws were adopted.

By-Law Application (Resolutions)

By-Laws operate in two parts:

- The By-Law documents – these set out the powers Council has to regulate certain activities (e.g. the ability to require dogs to be on a leash).
- Council decisions – these apply the powers in specific ways (e.g. requiring dogs to be on a leash at Blue Lake Sports Park and the Railway Lands).

Council can only apply rules to activities that are already included in the By-Laws. However, not every activity listed in the By-Laws will necessarily be regulated.

Aligning to the way that By-Laws work, Council has approached community consultation in two separate phases:

- Phase 1 (conducted earlier this year): we asked for feedback on the powers in the By-Law documents (e.g. should Council be able to regulate dogs?).
- Phase 2 (the most recent consultation): We asked for feedback on how those powers should be applied (e.g. where should dogs be allowed off-leash?).

The application (resolutions) of the current By-Laws consulted on are set out in the below table.



By-Law Provision	Proposed Application	What does this do?
By-Law No. 2 Local Government Land		
7.2 Entry to Land – Englebrecht Cave	Council will continue to charge entry fees to the land within the fence line surrounding Englebrecht Cave, in accordance with Council's Fees & Charges schedule, available on Council's website.	Whilst the reserve itself is free to access, there is a fee to be taken on a guided tour / have access to the cave. The application of this provision creates a suitable framework for this to continue.
9.11 Boat Ramps – Valley Lake / Ketla Malpi	Council will continue to allow a general permission to launch and retrieve vessels from the designated boat ramp at the Valley Lake / Ketla Malpi.	This ensures that boat / vessel launching can only be made via the boat ramp at Valley Lake / Ketla Malpi (not from any of the surrounding foreshore). The application of this provision creates a suitable framework for this to continue.
9.14 Burials and Memorials	Any person wishing to erect a memorial on Council land must make an application in accordance with Council's Memorials Policy, available on Council's website. No burial, internment or spreading of ashes is permitted on Council land outside of the designated cemetery at Carinya Gardens Cemetery.	This ensures that no burials, internment or spreading of ashes are occurring on Council land outside of the cemetery, and memorials are compliant with the policy conditions (relating to location, construction etc).
9.15 Camping and Tents	Restricts camping on Council land to only be permitted at designated caravan parks or camping areas, and specifically the Blue Lake Holiday Park.	This ensures that there is no camping occurring on Council land without permission. Council land is land which owned by Council, and does not include privately owned land. The Blue Lake Holiday Park is the only designated caravan park or camping area in Mount Gambier which operates on Council land, hence is specifically named.
9.20 Encroachments	A person must not construct a fixture or asset on Council land (or road reserve) without Council permission (i.e. this provision covers fencing, ramps, stairs, permanent garden beds etc).	The application of this provision ensures that fixtures or assets can not be added on Council land without permission. This provides a framework to ensure Council permission is sought, and Council can directly influence, any construction of a fixture or asset on Council land.



9.26 Games and Sport	Restricts the game of golf to be played only at designated golf courses on Council land, and specifically Blue Lake Golf Club.	This ensures that the game of golf is not played on Council land outside of designated courses (noting there are both safety and destruction of property implications). This provision applies to Council owned land only and does not include privately owned land. It also does not apply to variations to the sport, such as disc golf. The application of this provision specifically names Blue Lake Golf Club as this is the only designated golf course on Council land. The Mount Gambier Golf Club is on privately owned land.
9.28 Model Aircraft, Boats and Cars	A person must not fly or operate a drone without Council permission, and subject to all applicable CASA regulations.	This ensures that where drones are flown, it is on the condition that CASA regulations, privacy laws and intellectual property laws are complied with. This also ensures Council has a framework to assess, monitor and manage the use of drones within the city.
By-Law No. 5 Dogs		
8. Dog Exercise Areas	Council will maintain the current dog off leash areas: <ul style="list-style-type: none"> • Corriedale Park, • Hastings Cunningham Reserve, • Northumberland Reserve (behind the Blue Lake/Warwar), • Frew Park, • Don McDonnell Reserve, • Blue Lake Sports Park (excluding sporting fields and ovals), • Botanic Park, and • Marist Park. 	These are areas where owners can allow dogs off-leash, so long as they have effective control via voice command. A map of these areas can be found here
9. Dog On-Leash Areas	Whilst owners must ensure they have effective control of their dogs always, Council specifically requires dogs to remain on-leash in the following areas: <ul style="list-style-type: none"> • Mount Gambier Rail Trail, • Englebrecht Cave, • Vansittart Park, • Lady Nelson Reserve, • Valley Lake / Ketla Malpi, • Olympic Park, • Cave Gardens / Thugi, and • Umpherston Sinkhole / Balumbul. 	These are areas where dogs must be kept on-leash at all times, even if the owner is confident that would have effective control with voice command. A map of these areas can be found here



10. Dog Prohibited Areas	Dogs are prohibited from playing surfaces at Blue Lake Sports Park, within all playgrounds with the City of Mount Gambier and inside all Council buildings or facilities.	Dogs are not permitted to be within these areas at any time. A map of these areas can be found here								
Note: dog access and conditions to tenanted sites are at the sole discretion of the lease holder.										
By-Law No. 6 Cats										
7.1 Limits on Cat Numbers	The number of cats per household is currently set at two (2) cats, commencing from 1 January 2026. However, it is important to note that the cat limit only applies to cats born after the commencement date, and households who require exemptions to this provision are permitted to apply to Council to have more than two (2) cats. Following consultation feedback at Phase One (1), Council also proposes to provide a general exemption to a class of persons, being all residents of the City of Mount Gambier, to have three (3) cats per household under the exemption at provision 11.1.	This means that all households are permitted to have three (3) cats. For households with more than three (3) cats as at 1 January 2026, this simply means they will not be permitted to bring home any new cats until after they have dropped below the household limit, or if they have applied and been granted an exemption to have more cats by Council.								
10. Registration of Cats	Council will commence a registration scheme for cats, the same as is the case for dogs, via DACO – Dogs and Cats Online. This will mean that, from 1 January 2026, all cats must be registered after three months of age or within 14 days of taking ownership. Registration will be free for a period of six (6) months, from 1 January – 30 June 2026, and then from 1 July 2026 cat registration fees are proposed to be as follows (indicative for the 2024/2025 year): <table border="1" data-bbox="592 1592 991 1805"> <tr> <td>Standard Cat – microchipped and desexed (50% fee for concession card holders)</td> <td>\$21.25</td> </tr> <tr> <td>Non-Standard Cat</td> <td>\$42.50</td> </tr> </table>	Standard Cat – microchipped and desexed (50% fee for concession card holders)	\$21.25	Non-Standard Cat	\$42.50	This means that all cat owners will have to register their cats by 14 January 2026. This initial registration will be free, however from the next financial year commencing on 1 July 2026 cat registration will cost (indicative for the 2024/2025 year): <table border="1" data-bbox="1023 1346 1422 1536"> <tr> <td>Standard Cat – microchipped and desexed (50% fee for concession card holders)</td> <td>\$21.25</td> </tr> <tr> <td>Non-Standard Cat</td> <td>\$42.50</td> </tr> </table>	Standard Cat – microchipped and desexed (50% fee for concession card holders)	\$21.25	Non-Standard Cat	\$42.50
Standard Cat – microchipped and desexed (50% fee for concession card holders)	\$21.25									
Non-Standard Cat	\$42.50									
Standard Cat – microchipped and desexed (50% fee for concession card holders)	\$21.25									
Non-Standard Cat	\$42.50									



IMPLICATIONS TO CONSIDER

Legal	<p>By-Laws are, in effect, legislation set by Local Government Agencies (Councils) which apply to their Council area. Chapter 12, Part 1 of the <i>Local Government Act 1999</i> (the Act) is extremely prescriptive as to the content, form and review process requirements for By-Laws, such to appropriately recognise the degree of power the ability to adopt By-Laws represents.</p> <p>In the event any of the legislative requirements are not robustly met, the Council may run the risk of adopting ultra vires By-Laws, which are ultimately unenforceable and expose Council to potential litigation.</p>
Financial and Budget	<p>A budget allocation of \$10,000 has been made, informed by a comprehensive quote and scope of works process, which accounts for professional fees, publication requirements, consultation costs etc.</p>
Community Consultation and Engagement	<p>Council is required to undertake community consultation, as well as referral to specified agencies, in accordance with section 249 of the Act prior to adopting By-Laws. A robust, two-phase community consultation has been planned to address the requirements under both Council's Community Consultation and Engagement Policy, and the Act.</p>
Other Resources	<p>The introduction of a Cats By-Law has potential to have substantial resourcing impact, particularly if in future the Council determines to pursue containment provisions.</p> <p>Based on the current resolutions, it is anticipated that Council will be capable of absorbing the resourcing requirement for mandatory cat registration. However, the nuisance offence may require additional resourcing. For the first 12 months following the commencement of the By-Law provisions Council will not undertake enforcement activity, but will encourage the community to still report nuisance offences, with a view to inform a service review after the initial period. This can then inform financial modelling under the Long-Term Financial Plan.</p> <p>Importantly, if containment provisions were to be contemplated in future, this has potential to have substantial resourcing implications, including both capital upgrades to establish appropriate impounding facilities, as well as staffing levels to accommodate enforcement activity, and budget to account for partnerships with rehoming and veterinarian services.</p>

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
<p>Finance - Council is exposed to litigation as a result of ultra vires By-Law enforcement activities</p>	<p>Minor (2)</p>	<p>Rare (1)</p>	<p>Low</p>	<p>By-Law Review Project Plan to consider Council's By-Law activities holistically, budget allocation for this process to account for external</p>



				consultants / engagement requirements.
Reputation – Ultra vires enforcement activity, or failure to educate and consult the community, erodes trust in Council as a local government authority	Moderate (3)	Possible (3)	Moderate	Robust and considered community engagement strategy, with key stakeholders, broader community and internally. Input from key subject-matter experts as required.
Legal / Regulatory / Policy - Council is exposed to litigation as a result of ultra vires By-Law enforcement activities	Major (4)	Rare (1)	Moderate	By-Law Review Project Plan with oversight from project team / lead, engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc). Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams.
Service Delivery - Business continuity is impacted as a result of inefficient or ineffective By-Law administration and enforcement	Minor (2)	Rare (1)	Low	Robust and considered community engagement strategy, with key stakeholders, broader community and internally. Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams.
People – Burden on resourcing as a result of inefficient or ineffective By-Law administration and enforcement	Minor (2)	Unlikely (2)	Low	Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams, engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc). Cat bylaw will ultimately result



				in resourcing impacts to be determined.
Infrastructure - Damage or loss to infrastructure as a result of inefficient or ineffective By-Law administration and enforcement	Minor (2)	Rare (1)	Low	Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams, engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc), budget allocation for this process to account for external consultants / engagement requirements.
Environmental - Damage to natural environment as a result of inefficient or ineffective By-Law administration and enforcement	Moderate (3)	Rare (1)	Low	Engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc), strategic planning to inform desired outcomes / enforcement activities for natural environments.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

- 6.1 Ensure Elected Council Members are meeting their civic obligations and making informed, strategic decisions in the best interests of the community.
- 6.2 Ensure compliance with legislative obligations and apply best-practice governance to strengthen risk management, accountability and transparency, fostering trust within the community.
- 6.3 Ensure decisions and activities of Council are communicated in a timely, clear and proactive manner.

This report contributes to delivery of the following key strategic project(s):

Priority 3: Infrastructure and Services

Review and implement renewed by-laws which respond to community needs by 2025.

RELEVANT COUNCIL POLICY

[Community Consultation and Engagement - P195](#)



IMPLEMENTATION AND NEXT STEPS

Consultation Outcomes

The By-Law review consultation has been conducted in two (2) phases, aligned to how the By-Laws operate in practice:

1. Feedback on the By-Law documents themselves – during this phase we sought feedback on the **powers** contained in By-Law documents, and
2. Feedback on the **application** of the By-Law documents within Council's area.

The **attached** consultation results are for phase one (2), where we sought feedback on the application of the By-Laws within Council's area.

A public consultation strategy, compliant with the requirements of section 249 of the Act and Council's Community Consultation and Engagement Policy P195, was undertaken, including the following elements.

"Consult - Two-way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making – Council will listen and acknowledge concerns and aspirations and provide feedback."

The community consultation strategy included the following elements:

- Information available and submissions received via the dedicated Your Say page,
- Media release which resulted in the following articles:
 - The Border Watch – 31/10
 - SE Voice – 30/10
- Social media posts / campaign
 - Facebook post – 11/11
 - Facebook and IG story – 11/11
 - Facebook and IG story – 9/11
 - Facebook post – 27/10
- Documents available for review at Principal Office,
- Consultation open for a minimum of 21 days,
- Submissions to be considered at a subsequent Council meeting and taken into account when making a determination as to final By-Law resolutions.

Community consultation was open for the period 22 October – 12 November 2025, and during that time 4 online surveys were received, along with 2 further written submissions.

The following **attachments** are presented for Council's consideration:

- Survey feedback (4), and
- Written feedback (2).

Requirements to Pass By-Law Resolutions

It is a requirement that the Council meeting must be attended by at least two thirds of all elected members and the resolution supported by an absolute majority. This means that since Council currently comprises 8 members (including the Mayor), at least 6 members must be present and the resolution must be supported by at least 5 members. It is recommended that the minutes reflect the number of members who voted in favour of the resolution to evidence that the resolution was supported by an absolute majority of the members of Council.



Once passed, the By-Law resolutions must be:

1. Published as soon as practicable in the Government Gazette*, whereby they will commence on the same date as the By-Laws themselves, being 1 January 2026.
2. A notice confirming the resolutions must be published in a local Newspaper advising of the date of commencement and their availability to the public.
3. A register of resolutions passed applying provisions in a certain way, certified by the Mayor and CEO, to be published on Council's website along with the By-Law documents.

*Kelledy Jones Lawyers make available to Councils an additional formatting service, to reduce the number of pages required to be published in the Gazette. Whilst this service is not provided in the scope of the current retainer, given the Gazette fee is substantially higher for unformatted notices, this service is estimated to save Council a material sum. It is Administration's intention to utilise this service.

CONCLUSION

Council is now required to determine (by way of resolution) the application of certain clauses. The resolutions specify which clauses apply to certain areas or situations, for example dog on-leash or off-leash areas.

Following consideration of submissions, the consultation summary report, along with all feedback received has been referred to KJL to draft the requisite resolutions and By-Law delegations in support. The recommendations (resolutions) are now presented to Council, to be resolved by an absolute majority, not less than two thirds of Members being present in accordance with section 249(3) of the Act. The relevant delegations are included by way of separate report to Council.

Once carried, the newly resolved By-Law provisions must be published in the Government Gazette and a certified register published on Council's website, along with the By-Laws themselves.

ATTACHMENTS

1. Email Correspondence 1 [19.6.1 - 2 pages]
2. Email Correspondence 2 [19.6.2 - 3 pages]
3. 2025 By- Law Feedback - Phase 2 - Survey Responses Redacted [19.6.3 - 10 pages]
4. 2025 By- Law Feedback - Phase 2 - Raw Survey Responses [19.6.4 - 3 pages]
5. By- Law Maps [19.6.5 - 10 pages]



Brittany Shelton

From: [REDACTED]
Sent: Thursday, 13 November 2025 9:00 AM
To: Property - City of Mount Gambier; Brittany Shelton
Subject: FW: Comments on 2025 By-Law Review: Phase 2

Kind regards,

[REDACTED]
Governance and Property Officer
City of Mount Gambier
Civic Centre 10 Watson Terrace Mount Gambier
[REDACTED] / P 08 8721 2555
PO Box 56 Mount Gambier SA 5290
www.mountgambier.sa.gov.au



We acknowledge the Boandik Peoples as the traditional custodians of the land Mount Gambier/Berrin sits upon today. We pay our respects to Elders past, present and emerging.

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From: [REDACTED]
Sent: Wednesday, 12 November 2025 11:00 AM
To: City of Mount Gambier <city@mountgambier.sa.gov.au>
Subject: Comments on 2025 By-Law Review: Phase 2

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I am writing to provide comment on the City of Mount Gambier's By-Law No. 6 Cats.

7.1 Limits on Cat Numbers

I do not agree on the limit of 2-3 cats per household. Whilst I also don't agree that owning, for example, 20 cats is sustainable, I think we need to find a happy medium. Perhaps increase the limit to 5 cats? There are many residents who bring strays into their homes, microchipping & desexing them, restricting them to their own properties and giving them a safe, secure and loving home. I strongly feel that imposing a limit of 2-3 cats will lead to **increased abandonment and animal**

welfare issues, placing even more pressure on organisations such as SEAWL, Wet Noses and Cat & Kitten Rescue.

10. Registration of Cats

I do not oppose the registration of cats, however I do feel the cost should start at a nominal amount, perhaps \$15 per cat. And it needs to be **clearly communicated to the public where this registration money is going**. If it is used for offering free/discounted cat desexing & microchipping to owners with low incomes then I'm sure it would be widely accepted by the community.

I hope these comments will be taken into consideration.

Yours Sincerely,

[Redacted signature]

[Redacted contact information]

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Brittany Shelton

From: [REDACTED]
Sent: Thursday, 13 November 2025 11:12 AM
To: Brittany Shelton
Cc: Property - City of Mount Gambier
Subject: FW: Phase 2 - feedback on cat proposal - please forward to appropriate people before 5pm

Kind regards,

[REDACTED]
Governance and Property Officer
City of Mount Gambier
Civic Centre 10 Watson Terrace Mount Gambier
[REDACTED] / P 08 8721 2555
PO Box 56 Mount Gambier SA 5290
www.mountgambier.sa.gov.au



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From: [REDACTED]
Sent: Wednesday, 12 November 2025 2:45 PM
To: City of Mount Gambier <city@mountgambier.sa.gov.au>
Subject: Phase 2 - feedback on cat proposal - please forward to appropriate people before 5pm

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Caution: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender.

Hello, I had trouble getting registered to send in my feedback on the proposed by-laws, could you please send this to the right area before close of submissions?

See below

Feedback and Questions Regarding Cat Registration

Registration for existing cats

Will current cat owners have to pay new registration fees even though there were no such costs when they adopted their pets?

Many owners did not budget for this expense when considering if they could afford the expenses related with cat ownership.

Determination and purpose of fees

How were the registration fee amounts decided?

What council services or benefits will cat owners receive in return for these fees? Example: Dog owners pay registration but also have access to council-provided dog parks and related facilities.

Definition of cat categories

What is considered a standard cat versus a non-standard cat?

Equity for responsible cat owners

Many cats, including mine, are strictly indoor pets.

Could council offer reduced fees or incentives for responsible owners who keep their cats contained, rather than charging the same as those who allow roaming?

Would council consider incentives or rebates for homeowners who install outdoor cat enclosures or runs, keeping cats safe while protecting wildlife?

Impact on vulnerable community members

Have the financial impacts on elderly people, low-income earners, and people with disabilities been considered?

For many, pets are close companions and vital for wellbeing.

Additional costs, even small ones, can be significant and may exclude these groups further from everyday joys others take for granted.

Effectiveness of registration schemes

Has any research been done to show that cat registration actually reduces stray numbers, promotes responsible ownership, or benefits the community beyond generating revenue?

Impact on rescue organisations

Has council considered how added costs might affect animal rescue groups that rely on foster carers and already enforce responsible adoption conditions?

Broader cost-of-living concerns

Many residents are struggling with rising living costs.

As a homeowner with a disability caring for my wife, who also has a disability, we already face higher costs of living than average. Additional costs without clear benefits place further strain on people in similar situations.

Willingness to engage

Although my disability limits my ability to participate fully, I'm open to discussing my perspective further.

I hope my feedback is considered and helps shape fair, constructive policy.

Thank you,



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Survey Responses
22 October 2025 - 12 November 2025

2025 By-Law Feedback - Application of Provisions

Have Your Say Mount Gambier

Project: 2025 By-Law Review: Phase 2





	Respondent No: 1	Responded At: Oct 23, 2025 14:44:17 pm
	Login: [REDACTED]	Last Seen: Oct 23, 2025 04:05:44 am
	Email: [REDACTED]	IP Address: [REDACTED]

- Q1. What is your name? [REDACTED]
-
- Q2. I am providing feedback: On my own behalf
-
- Q3. What is the name of the organisation that you represent? not answered
-
- Q4. Do you support the proposed application of provisions as presented? To some degree
-
- Q5. Council has proposed the application of provisions under the 3 By-Laws listed below. Of these, are there specific By-Laws that that you would like to provide feedback on? (select all that apply) No. 6 - Cats
-
- Q6. Please select the particular provisions that you'd like to provide feedback on under No.2 - Local Government Land (select all that apply). not answered
-
- Q7. Please share your feedback about 7.2 Entry to Land - Engelbrecht Cave
not answered
-
- Q8. Please share your feedback about 9.11 Boat Ramps - Valley Lake/Ketla Malpi
not answered
-
- Q9. Please share your feedback about 9.14 Burials and Memorials
not answered
-
- Q10. Please share your feedback about 9.15 Camping and Tents
not answered
-
- Q11. Please share your feedback about 9.20 Encroachments
not answered
-
- Q12. Please share your feedback about 9.26 Games and Sport
not answered
-
- Q13. Please share your feedback on 9.28 Model Aircraft, Boats and Cars
not answered
-

Q14. Please select the particular provision(s) that you'd like to provide feedback on under No.5 - Dogs. not answered

Q15. Please share your feedback on 8. Dog Exercise Areas
not answered

Q16. Please share your feedback on 9. Dog On-Leash Areas
not answered

Q17. Please share your feedback on 10. Dog Prohibited Areas
not answered

Q18. Please select the particular provisions that you'd like to provide feedback on under No. 6 - Cats 7.1 Limits on Cat Numbers
10. Registration of Cats

Q19. Please share your feedback on 7.1 Limits on Cat Numbers

1.5 billion native animals are killed by cats each year in Australia. Cats need to be effectively managed. Feral cats need to be controlled/culled because they are going completely unregulated and are in such large numbers due to inaction. Limiting the number of pets and enforcing neutering is one step to keeping our native birds and small mammals and marsupials alive.

Q20. Please share your feedback on 10. Registration of Cats

Cats should not be allowed to roam outside especially at night. Registrations and fines for non-compliance are essential if we are going to be serious about this. Dogs aren't allowed to roam the streets as they please and neither should cats. They need to be registered, microchipped, neutered and de-clawed at the minimum.

Q21. Is there any further feedback you would like to provide regarding the proposed Application of Provisions?

not answered

	Respondent No: 2	Responded At: Nov 05, 2025 12:28:35 pm
	Login: [REDACTED]	Last Seen: Nov 05, 2025 01:48:24 am
	Email: [REDACTED]	IP Address: [REDACTED]

- Q1. What is your name? [REDACTED]
-
- Q2. I am providing feedback: On my own behalf
-
- Q3. What is the name of the organisation that you represent? not answered
-
- Q4. Do you support the proposed application of provisions as presented? To some degree
-
- Q5. Council has proposed the application of provisions under the 3 By-Laws listed below. Of these, are there specific By-Laws that that you would like to provide feedback on? (select all that apply) No. 6 - Cats
-
- Q6. Please select the particular provisions that you'd like to provide feedback on under No.2 - Local Government Land (select all that apply). not answered
-
- Q7. Please share your feedback about 7.2 Entry to Land - Engelbrecht Cave
not answered
-
- Q8. Please share your feedback about 9.11 Boat Ramps - Valley Lake/Ketla Malpi
not answered
-
- Q9. Please share your feedback about 9.14 Burials and Memorials
not answered
-
- Q10. Please share your feedback about 9.15 Camping and Tents
not answered
-
- Q11. Please share your feedback about 9.20 Encroachments
not answered
-
- Q12. Please share your feedback about 9.26 Games and Sport
not answered
-
- Q13. Please share your feedback on 9.28 Model Aircraft, Boats and Cars
not answered
-

Q14. Please select the particular provision(s) that you'd like to provide feedback on under No.5 - Dogs. not answered

Q15. Please share your feedback on 8. Dog Exercise Areas
not answered

Q16. Please share your feedback on 9. Dog On-Leash Areas
not answered

Q17. Please share your feedback on 10. Dog Prohibited Areas
not answered

Q18. Please select the particular provisions that you'd like to provide feedback on under No. 6 - Cats 7.1 Limits on Cat Numbers
10. Registration of Cats

Q19. Please share your feedback on 7.1 Limits on Cat Numbers

I query why it appears that 3 cats will be the new benchmark for cat numbers for a typical household. It mentions 2 is "the maximum", and should someone wish to seek additional, that they can contact Council to go to a maximum of 3, is how I understand this (??) The rule of having 2 cats, should suffice. When you compare to dogs, most people dont have 3 dogs. They have 1 or 2. Why should Council allow 3 cats? Furthermore, I know it is not in this piece of community feedback, but if 3 cats are allowed, is that 3 more cats wandering the streets, killing native birds and being a general nuisance. I am looking forward to hearing how Mount Gambier Council are going to control cats, given other SA Council areas have begun this, why cant we?!

Q20. Please share your feedback on 10. Registration of Cats

Is there registration of cats to be completed by January 2026 and then on a yearly basis or is this a one off? This is not clearly mentioned for non cat owners, querying the system of how cats are going to be controlled in this Council district moving forward. It also mentions "exemption at provision 11.1." I can not find what or where this is referencing.

Q21. Is there any further feedback you would like to provide regarding the proposed Application of Provisions?

-

	Respondent No: 3	Responded At: Nov 07, 2025 14:51:45 pm
	Login: [REDACTED]	Last Seen: Nov 07, 2025 04:07:41 am
	Email: [REDACTED]	IP Address: [REDACTED]

- Q1. What is your name? [REDACTED]
-
- Q2. I am providing feedback: On my own behalf
-
- Q3. What is the name of the organisation that you represent? not answered
-
- Q4. Do you support the proposed application of provisions as presented? No
-
- Q5. Council has proposed the application of provisions under the 3 By-Laws listed below. Of these, are there specific By-Laws that that you would like to provide feedback on? (select all that apply) No. 6 - Cats
-
- Q6. Please select the particular provisions that you'd like to provide feedback on under No.2 - Local Government Land (select all that apply). not answered
-
- Q7. Please share your feedback about 7.2 Entry to Land - Engelbrecht Cave
not answered
-
- Q8. Please share your feedback about 9.11 Boat Ramps - Valley Lake/Ketla Malpi
not answered
-
- Q9. Please share your feedback about 9.14 Burials and Memorials
not answered
-
- Q10. Please share your feedback about 9.15 Camping and Tents
not answered
-
- Q11. Please share your feedback about 9.20 Encroachments
not answered
-
- Q12. Please share your feedback about 9.26 Games and Sport
not answered
-
- Q13. Please share your feedback on 9.28 Model Aircraft, Boats and Cars
not answered
-

Q14. Please select the particular provision(s) that you'd like to provide feedback on under No.5 - Dogs. not answered

Q15. Please share your feedback on 8. Dog Exercise Areas
not answered

Q16. Please share your feedback on 9. Dog On-Leash Areas
not answered

Q17. Please share your feedback on 10. Dog Prohibited Areas
not answered

Q18. Please select the particular provisions that you'd like to provide feedback on under No. 6 - Cats 7.1 Limits on Cat Numbers
10. Registration of Cats

Q19. Please share your feedback on 7.1 Limits on Cat Numbers

I think it is unfair for people who register & desex their animals to be limited to numbers when many of them (including me) are being penalized for doing "the right thing" by caring for & homing cats who were dumped or were strays (IE as a result of people doing the WRONG thing & escaping any consequence) I would feel SLIGHTLY more comfortable about cat management in the town (and pay a higher registration fee) if registration fees for animals was demonstrated in council budget to pay for both speying of strays and employment of a person who was actively responding to and impounding stray / escapee dogs who cause more nuisance. It would be exceptional to think as much effort went into considering dog numbers per property & size of dogs in relation to property, property & fence condition. My neighbourhood is full of dogs of all sizes, with several particularly large ones in tiny yards, never exercised. They bark all night and also escape & roam. Good luck catching cats - at least you have a chance with dogs!

Q20. Please share your feedback on 10. Registration of Cats

As per above. Would pay a higher registration fee willingly if funds were specifically spent on managing the stray problems

Q21. Is there any further feedback you would like to provide regarding the proposed Application of Provisions?

not answered

	Respondent No: 4	Responded At: Nov 11, 2025 10:10:50 am
	Login: [REDACTED]	Last Seen: Nov 10, 2025 23:34:01 pm
	Email: [REDACTED]	IP Address: [REDACTED]

- Q1. What is your name? [REDACTED]
-
- Q2. I am providing feedback: On my own behalf
-
- Q3. What is the name of the organisation that you represent? not answered
-
- Q4. Do you support the proposed application of provisions as presented? To some degree
-
- Q5. Council has proposed the application of provisions under the 3 By-Laws listed below. Of these, are there specific By-Laws that that you would like to provide feedback on? (select all that apply)
- No. 2 - Local Government Land
No. 6 - Cats
-
- Q6. Please select the particular provisions that you'd like to provide feedback on under No.2 - Local Government Land (select all that apply).
- 9.15 Camping and Tents
-
- Q7. Please share your feedback about 7.2 Entry to Land - Engelbrecht Cave
- not answered
-
- Q8. Please share your feedback about 9.11 Boat Ramps - Valley Lake/Ketla Malpi
- not answered
-
- Q9. Please share your feedback about 9.14 Burials and Memorials
- not answered
-
- Q10. Please share your feedback about 9.15 Camping and Tents
- What about homeless people? With the housing crisis we are facing there are going to be homeless people who need somewhere to sleep. Until the housing crisis can be fixed it is unethical and cruel to fine the most vulnerable members of our community. Talk about kicking someone when they are down, that is not what us country folk are about, we help each other.
-
- Q11. Please share your feedback about 9.20 Encroachments
- not answered
-
- Q12. Please share your feedback about 9.26 Games and Sport
- not answered
-
- Q13. Please share your feedback on 9.28 Model Aircraft, Boats and Cars
- not answered
-

Q14. Please select the particular provision(s) that you'd like to provide feedback on under No.5 - Dogs. not answered

Q15. Please share your feedback on 8. Dog Exercise Areas
not answered

Q16. Please share your feedback on 9. Dog On-Leash Areas
not answered

Q17. Please share your feedback on 10. Dog Prohibited Areas
not answered

Q18. Please select the particular provisions that you'd like to provide feedback on under No. 6 - Cats 10. Registration of Cats

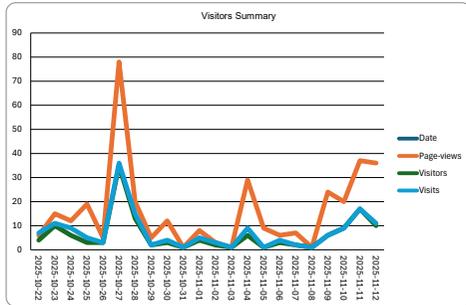
Q19. Please share your feedback on 7.1 Limits on Cat Numbers
not answered

Q20. Please share your feedback on 10. Registration of Cats

What about making it so cats have to be indoors at night and confined to the owners property during the day? We need to stop roaming cats. Also, the cost for a cat that is not desexed should be higher, to force desexing. Can you confiscate any that aren't desexed within a reasonable time period (or not give them back after being caught roaming unless they are desexed)?

Q21. Is there any further feedback you would like to provide regarding the proposed Application of Provisions?
not answered

Project Report: 2025 By-Law Review: Phase 2 22 October 2025 to 12 November 2025



Project Highlights

Total Visits	162
New Registrations	3
Video views	0
Photo Views	0
Document Downloads	74

Admin Notes

ENGAGED PARTICIPANTS				INFORMED PARTICIPANTS		AWARE PARTICIPANTS	
4				63		136	
Engaged Actions Performed	Registered	Unverified	Anonymous	Informed Actions Performed	Participants	Aware Actions Performed	Participants
Contributed on Forums	0	0	0	Viewed a video	0	Visited at least one Page	136
Participated in Surveys	4	0	0	Viewed a photo	0		
Contributed to Newsfeeds	0	0	0	Downloaded a document	57		
Participated in Quick Polls	0	0	0	Visited the Key Dates page	0		
Posted on Guestbooks	0	0	0	Visited an FAQ list Page	0		
Contributed to Stories	0	0	0	Visited Instagram Page	0		
Asked Questions	0	0	0	Visited Multiple Project Pages	46		
Placed Pins on Places	0	0	0	Contributed to a tool (engaged)	4		
Contributed to Ideas	0	0	0				

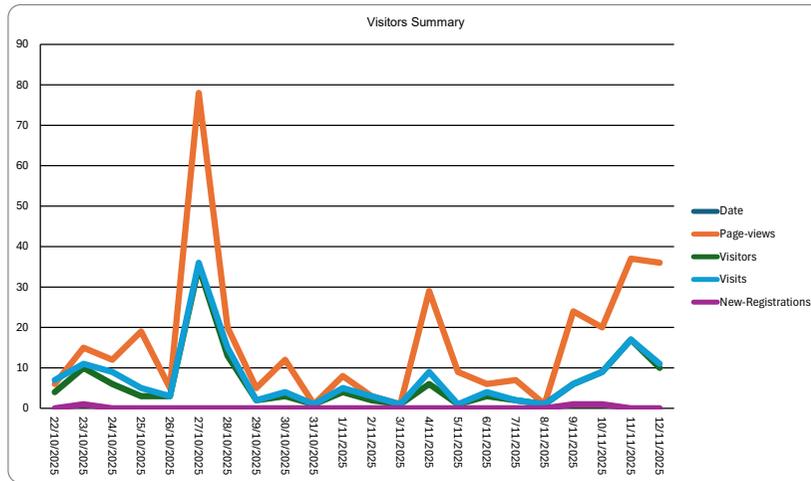
ENGAGEMENT TOOLS SUMMARY							
Forum Topics	0	Guestbooks	0	Places	0	News Feeds	0
QandAs	0	Quick Polls	0	Stories	0	Survey Tools	1
						Ideas	0

Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
SurveyTools	2025 By-Law Feedback - Application of Provisions	Archived	17	4	0	0

INFORMATION WIDGET SUMMARY							
DOCUMENTS	2	PHOTOS	0	VIDEOS	0	FAQS	0
						KEY DATES	0

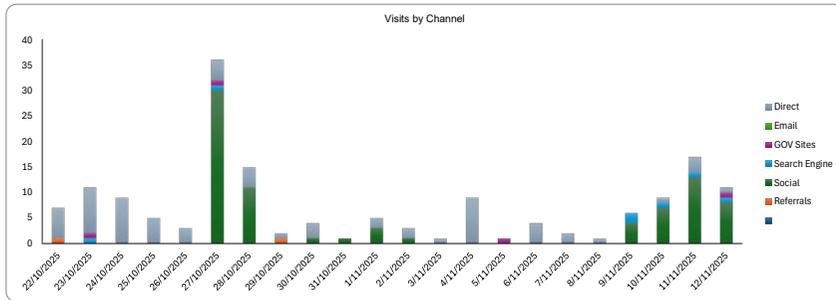
Widget Type	Engagement Tool Name	Visitors	Downloads/Views
Document	By-Law Consultation Phase 2 - Reference Document	54	67
Document	Dog Area Map - Mount Gambier.pdf	5	7

Visitors Summary	2025 By-Law Review: Phase 2	Date	Page-views	Visitors	Visits	New-Registrations
22 October	to	12 November				



22/10/2025	6	4	7	0
23/10/2025	15	10	11	1
24/10/2025	12	6	9	0
25/10/2025	19	3	5	0
26/10/2025	5	3	3	0
27/10/2025	78	35	36	0
28/10/2025	20	13	15	0
29/10/2025	5	2	2	0
30/10/2025	12	3	4	0
31/10/2025	1	1	1	0
1/11/2025	8	4	5	0
2/11/2025	3	2	3	0
3/11/2025	1	1	1	0
4/11/2025	29	6	9	0
5/11/2025	9	1	1	0
6/11/2025	6	3	4	0
7/11/2025	7	2	2	0
8/11/2025	1	1	1	0
9/11/2025	24	6	6	1
10/11/2025	20	9	9	1
11/11/2025	37	17	17	0
12/11/2025	36	10	11	0

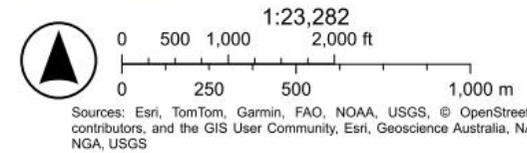
Sources of Traffic Summary		2025 By-Law Review: Phase 2		Traffic-Channel	Source	Aware-Visits	Informed-Visits	Engaged-Visits
22 October 2025	to	12 November 2025						



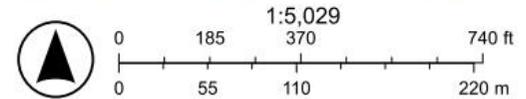
Direct	-	70	41	2
Search Engine	duckduckgo	1	1	0
Search Engine	google	6	5	0
Social	facebook	79	29	0
.GOV sites	gov	4	3	2
Referrals	us7.campaign-archive.co	2	0	0

Date	Direct	Email	GOV Sites	Search Engine	Social	Referrals
22/10/2025	6	0	0	0	0	1
23/10/2025	9	0	1	1	0	0
24/10/2025	9	0	0	0	0	0
25/10/2025	5	0	0	0	0	0
26/10/2025	3	0	0	0	0	0
27/10/2025	4	0	1	1	30	0
28/10/2025	4	0	0	0	11	0
29/10/2025	1	0	0	0	0	1
30/10/2025	3	0	0	0	1	0
31/10/2025	0	0	0	0	1	0
1/11/2025	2	0	0	0	3	0
2/11/2025	2	0	0	0	1	0
3/11/2025	1	0	0	0	0	0
4/11/2025	9	0	0	0	0	0
5/11/2025	0	0	1	0	0	0
6/11/2025	4	0	0	0	0	0
7/11/2025	2	0	0	0	0	0
8/11/2025	1	0	0	0	0	0
9/11/2025	0	0	0	2	4	0
10/11/2025	1	0	0	1	7	0
11/11/2025	3	0	0	1	13	0
12/11/2025	1	0	1	1	8	0

Valley Lake / Ketla Malpi

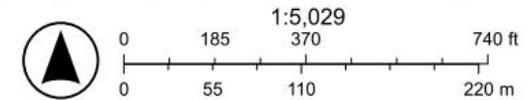


Umpherston Sinkhole/Balumbul



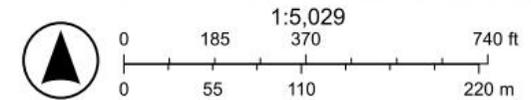
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Vansittart Park



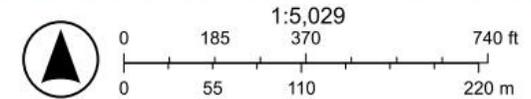
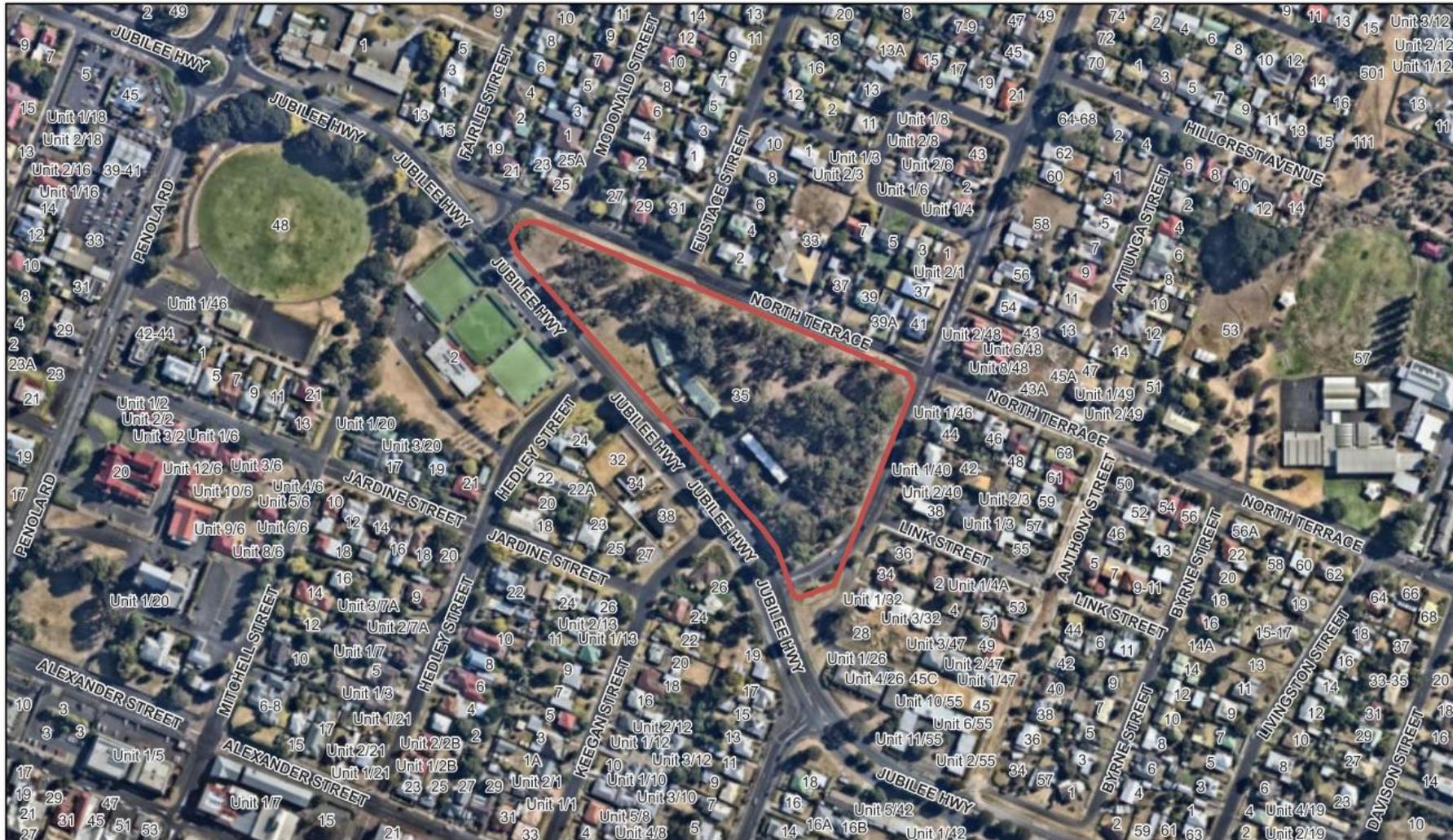
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Olympic Park



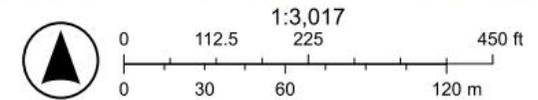
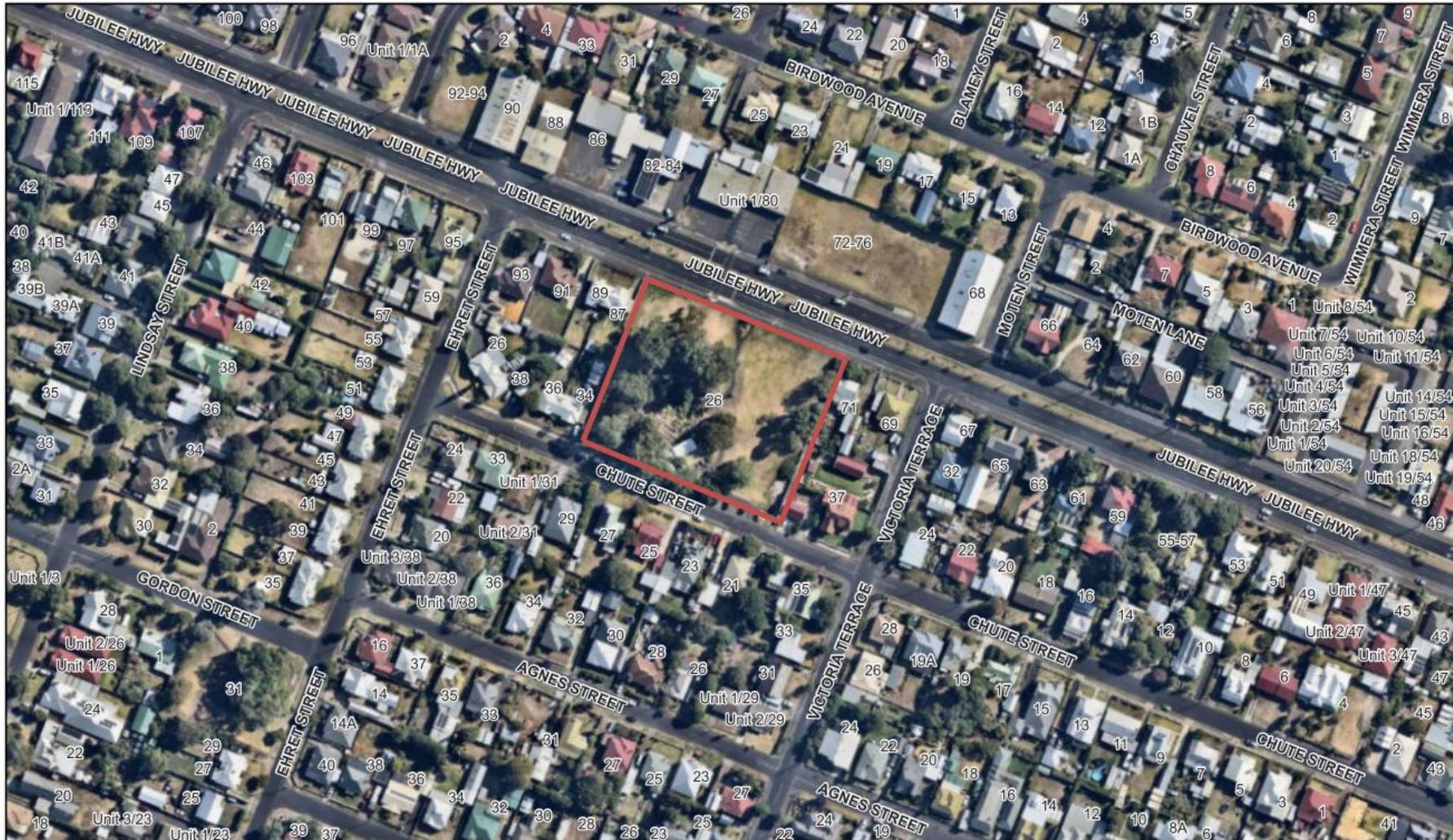
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the

Lady Nelson Reserve



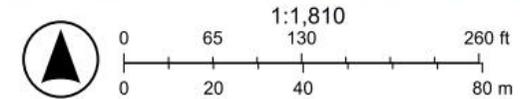
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Engelbrecht Cave



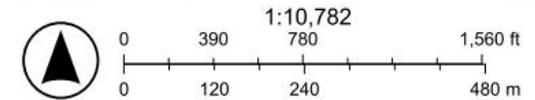
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Cave Gardens / Thugi



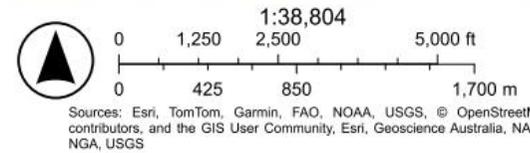
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Blue Lake Holiday Park



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, Geoscience Australia, NASA, NGA, USGS

Mount Gambier Rail Trail



19.7 DELEGATIONS UPDATE - DECEMBER 2025

Author: Elisa Solly, Governance and Property Officer

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Delegations Update - December 2025' as presented on Tuesday 16 December 2025 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables at **Attachment 1**, to the person occupying or acting in the office of Chief Executive Officer of the Council pursuant to section 44 of the Local Government Act 1999.
3. The delegations granted in resolution (2) above pursuant to the Local Government Act 1999 to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act may, unless indicated by resolution or in the tables accompanying the within council report, be further sub-delegated by the Chief Executive Officer or delegate.
4. Planning, Development and Infrastructure Act 2016 Delegations:
 5. 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 Instrument of Delegation (**Attachment 1** accompanying report titled 'Delegations update December 2025') are hereby delegated 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.
 - a) Such powers and functions delegated in resolution 4 (a) may be further subdelegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and 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 relevant Instrument of Delegation.
6. General: The delegations granted in resolution 2 above are subject to the following conditions and limitations:
 - a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
 - b) the delegate must exercise a delegated function or power in accordance with and due regard to:
 - (i) applicable legislative and other legal requirements; and
 - (ii) relevant policies and guidelines adopted by the Council.
 - c) in regard to the following delegations under the Local Government Act:



- (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act
 - (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council and the financial sub-delegation limitations set by the Chief Executive Officer;
 - (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$5,000;
 - (iv) section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);
- d) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
 - e) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
7. These delegations will come into operation on Wednesday 17 December 2025 and remain in force until varied or revoked by resolution of the Council.
 8. Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 17 December 2025.

PURPOSE

To periodically update delegations based on changes to LGA template instruments for the abovementioned legislation as provided via tables in the **Attachment 1** in accordance with sections 44 and 101 of the Local Government Act 1999 and other relevant legislation.

BACKGROUND / OPTIONS

Delegations are the way in which Council enables other people/bodies (usually Council Officers) to undertake the many functions required for the day to day administrative activities of Council.

Section 44 of the Local Government Act 1999 (the Act) provides that the Council may delegate a power or function vested or conferred under this or another Act to a Council committee, a subsidiary, an employee, an employee occupying a particular office or position, or an authorised person. Other Acts also contain specific powers of delegation.

Council may review its delegations at any time and must review all delegations within 12 months of each periodic election. Council last conducted a comprehensive review of delegations in June 2023, based upon the Local Government Association of SA (LGA) delegations framework.

This report presents updates based upon changes made to the LGA template delegations since previous delegation reports presented in:

- June 2023,
- January 2024,



- May 2024,
- August 2024,
- October 2024,
- February 2025, and
- May 2025.

Delegations are subject to some restrictions and limitations. In particular, it should be noted that Council is prohibited under section 44(3) of the *Local Government Act 1999* from delegating:

- a) power to make a by-law or to determine that a by-law applies only within a part or parts of the area of the council,
- 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 of the council,
- (da) power to adopt or revise an annual business 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 adopted by the council,
- 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),
- (ja) the power to revoke the classification of land as community land under section 194, and
- k) a power or function excluded from delegation by the regulations.

Further, Council must not delegate:

- a) the power to enter into, or to vary or terminate, a building upgrade agreement on behalf of the council, or
- b) the power to declare and levy a building upgrade charge under a building upgrade agreement,

except to the chief executive officer and, despite subsection (4)(b), the chief executive officer cannot subdelegate these powers.

The LGA template delegations are updated periodically in accordance with reform to relevant legislation, with the support of their partners Norman Waterhouse Lawyers. Instruments with new or changed provisions are presented to Council for delegation, however instruments with deleted provisions only are merely included for information and require no further decision of Council.

The updates are summarised in the following table:

<u>Legislative Instrument</u>	<u>Amendments</u>
<ul style="list-style-type: none"> • Disability Inclusion Act 2018 	2 changed provisions



• Dog and Cat Management Act 1995	3 new provisions
• Expiation of Offences Act 1996	1 new provision
• Graffiti Control Act 2001	7 new provisions
• 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; a Designated Authority; a Designated Entity	15 new provisions 54 changed provisions 8 deleted provisions
• 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	2 new provisions 1 changed provision
• Local Government Act 1999	1 new provision 3 changed provisions
• Local Government (General) Regulations 2013	1 deleted provision
• Powers under Council’s By-Laws 2025	26 new provisions 4 changed provisions

IMPLICATIONS TO CONSIDER

Legal	<p>As the authority under which the Chief Executive Officer (and in turn other Council Officers) are empowered to make decisions on behalf of Council, it is imperative that valid delegations are made in accordance with relevant legislation.</p> <p>Council uses the template delegations and processes as provided and updated by the Local Government Association, as amended to suit the specific circumstances applicable to the City of Mount Gambier, to ensure appropriate delegations are in place to support the activities of Council in a compliant manner.</p>
Financial and Budget	<p>An absence of appropriate delegations (and sub-delegations) would not enable the Council, Chief Executive Officer and other Council officers to direct decision making to an appropriate (sub)delegate to enable efficient and effective administration of the many, varied and routine functions of Council.</p>
Community Consultation and Engagement	<p>There is no legislative requirement to actively engage the community on the making of delegations. A person is however entitled to inspect the record of delegations and in support of this a full extract of the delegation register is published on the Council website here.</p>
Other Resources	<p>The making of delegations (and sub-delegations) enables the Council to give effect to the strategic and policy objectives of Council through the many and diverse transactions and activities undertaken by the administration on a daily basis.</p> <p>An absence of appropriate delegations would necessitate presentation to a formal meeting of Council for decision, which would</p>



	be a resource intensive, inefficient and untimely decision-making process for routine administrative matters.
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RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Improperly controlled or ultra vires delegated powers results in financial expenditure outside of appropriate process, or legal action against Council.	Minor (2)	Unlikely (2)	Low	Residual risk falls within tolerance, no requirement for additional / further treatments.
Reputation – Failure to make appropriate delegations impacts service delivery or erodes trust in Council.	Moderate (3)	Unlikely (2)	Moderate	Residual risk falls within tolerance, no requirement for additional / further treatments
Legal / Regulatory / Policy – Ultra vires delegations of power results in legal action against Council.	Major (4)	Rare (1)	Moderate	This is where the risk would remain higher but for the use of the LGA template. Given that use, there is no requirement for additional / further treatments
Service Delivery - Failure to make appropriate delegations impacts service delivery by reducing operational efficiency.	Major (4)	Rare (1)	Moderate	Given that delegations are designed to ensure effective service delivery, the use of the template and the regularity of updates, means no additional mitigations are required.
People - Failure to make appropriate delegations exposes staff to legal consequences and erodes organisation trust in Executive	Minor (2)	Unlikely (2)	Low	Residual risk falls within tolerance, no requirement for additional / further treatments.



Leadership / Elected Council.				
Infrastructure – There are limited implications for infrastructure and therefore is N/A	Insignificant (1)	Rare (1)	Low	N/A
Environmental – There are limited implications for environmental impacts and therefore is N/A	Insignificant (1)	Rare (1)	Low	N/A

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

6.2 Ensure compliance with legislative obligations and apply best-practice governance to strengthen risk management, accountability and transparency, fostering trust within the community.

This report contributes to delivery of the following key strategic project(s):

N/A

RELEVANT COUNCIL POLICY

N/A

IMPLEMENTATION AND NEXT STEPS

If the Council resolves to grant the delegations, then the updated delegations will come into operation on the day following the Council meeting together with updated sub-delegations made by the Chief Executive Officer, and previous delegations for these legislative instruments are contemporaneously revoked.

The implementation of updated delegations (and sub-delegations) is proposed to follow the existing process as utilised for recent reviews and updates using a delegations software, RelianSys.

Once delegations are made by Council, the Chief Executive Officer will re-make sub-delegations to other officers with all (sub)delegations recorded in the delegation (software) register, electronic records management system, published on the Council website, and notified to sub-delegates.

CONCLUSION

This report recommends that Council endorse updated delegations to the Chief Executive Officer for the legislation listed in the report background as contained in the tables attached to this report at **Attachment 1**.

The recommendations contain conditions associated with the grant of delegations and include the revocation of pre-existing delegations and sub-delegations associated with the relevant instruments.

ATTACHMENTS

- Attachment 1 [19.7.1 - 169 pages]





Delegation of Powers under Council's By-Laws 2025

By-Law No. 1 - Permits & Penalties 2025	
Clause	Power and Functions Delegated
7.2	The power pursuant to clause 7.2 to grant or refuse an application for permission to undertake any activity or engage in any conduct regulated by a Council By-law or, to otherwise grant permission under a Council By-law.
8.1	The power pursuant to clause 8.1 to determine the form of an application for a grant of permission under a Council By-law.
8.2	The power pursuant to clause 8.2 to attach any conditions that the delegate sees fit to a grant of permission issued under any Council By-law and to vary or revoke such conditions or impose new conditions by notice in writing to the person to whom permission was granted.
8.4	The power pursuant to clause 8.4 to revoke or suspend a grant of permission that has been issued under a Council By-law by notice in writing to the person to whom permission was granted.
9	The power pursuant to clause 9 to commence proceedings to prosecute an offence under a Council By-law.



Delegation of Powers under Council's By-Laws 2025

By-law No. 2 – Local Government Land By-law 2025	
Clause	Power and Functions Delegated
7	The power pursuant to clause 7 to close, or regulate or restrict access to, any part of Local Government land to the public, including (but not limited to) by way of erecting fences or gates to enclose the closed land or, by erecting signage notifying the land is closed.
9.10.5	The power pursuant to clause 9.10.5 to determine conditions pursuant to which a boat may be moored to Local Government land, and which are displayed on signage on or in the vicinity of the land.
9.11.2.2	The power pursuant to clause 9.11.2.2 to determine conditions pursuant to which a boat may be launched or retrieved from or to any boat ramp on the foreshore or on Local Government land, and which are displayed on signage on or in the vicinity of the boat ramp.
9.15.2.2	The power pursuant to clause 9.15.2.2 to determine conditions pursuant to which certain Local Government land, foreshore or road may be used for camping, sleeping overnight or other camping activities, and which are displayed on signage on or in the vicinity of the land.
9.26.4	The power pursuant to clause 9.26.4 to determine times at which a game or sport may be played or practised on certain Local Government land.
9.33.2	The power pursuant to clause 9.33.2 to determine conditions pursuant to which a share transport device may be left on Local Government land.
14.3 and 14.4.3	The power pursuant to clauses 14.3 and 14.4.3, by notice in writing and either on application or on the delegate's own initiative, exempt a person (or a class of persons) from the operation of a specified provision of the By-law, including subject to any conditions the delegate sees fit to impose.



Delegation of Powers under Council's By-Laws 2025

By-law No. 2 – Local Government Land By-law 2025	
Clause	Power and Functions Delegated
14.4 and 14.5	The power pursuant to clauses 14.4 and 14.5 to vary or revoke or add a condition of an exemption or to revoke an exemption under the By-law.

By-law No. 3 – Roads By-law 2025	
Clause	Power and Functions Delegated
7.7.2	The power pursuant to clause 7.7.2 to determine conditions pursuant to which a share transport device may be left on a road.
7.11.2	The power pursuant to clause 7.11.2 to issue a direction in relation to the position where a waste container is placed on a road.
11.2 and 11.3.3	The power pursuant to clauses 11.2 and 11.3.3, by notice in writing and either on application or on the delegate's own initiative, exempt a person (or a class of persons) from the operation of a specified provision of the By-law, including subject to any conditions the delegate sees fit to impose.



Delegation of Powers under Council's By-Laws 2025

By-law No. 3 – Roads By-law 2025	
Clause	Power and Functions Delegated
11.4 and 11.5	The power pursuant to clauses 11.4 and 11.5 to vary or revoke or add a condition of an exemption or to revoke an exemption under the By-law.

By-law No. 4 – Moveable Signs By-law 2025	
Clause	Power and Functions Delegated
10.4	The power pursuant to clause 10.4 to prohibit or restrict, on such conditions as the delegate sees fit, the display of a moveable sign on a footpath area where the delegate reasonably considers that the footpath area is unsafe for a moveable sign to be displayed.



Delegation of Powers under Council's By-Laws 2025

By-law No. 5 – Dogs By-law 2025	
Clause	Power and Functions Delegated
7.4	The power pursuant to clause 7.4 to determine the form of an application for permission to keep additional dogs.
7.4	The power pursuant to clause 7.4 to require that premises which are the subject of an application for permission to keep additional dogs, are inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs.
12.1 and 12.2	The power pursuant to clause 12.1 and 12.2 by notice in writing and either on application or on the delegate's own initiative, exempt a person (or a class of persons) from the operation of a specified provision of the By-law, including subject to any conditions the delegate sees fit to impose.
12.3	The power pursuant to clause 12.3 to, by notice in writing, vary, revoke or add a condition to exemption granted under the By-law.
12.4	The power pursuant to clause 12.4 to revoke an exemption under the By-law for a contravention of a condition of the exemption, or for any other reason the delegate thinks fit.

Delegation of Powers under Council's By-Laws 2025

By-law No. 6 – Cats By-law 2025	
Clause	Power and Functions Delegated
7.2.2.1	The power pursuant to clause 7.2.2.1 to determine the details that are required to be provided to the Council relating to cats kept by a person pursuant to this clause.
7.3	The power pursuant to clause 7.3 to determine the form of an application for permission to keep additional cats.
7.3	The power pursuant to clause 7.3 to require that premises which are the subject of an application for permission to keep additional cats, are inspected by an authorised person for the purpose of assessing the suitability of the premises for housing cats.
10.3	The power pursuant to clause 10.3 to determine the form of an application for registration of a cat and the information to be provided with the application
11.1 and 11.2	The power pursuant to clause 11.1 and 11.2 by notice in writing and either on application or on the delegate's own initiative, exempt a person (or a class of persons) from the operation of a specified provision of the By-law, including subject to any conditions the delegate sees fit to impose.
11.3	The power pursuant to clause 11.3 to, by notice in writing, vary, revoke or add a condition to exemption granted under the By-law.
11.4	The power pursuant to clause 11.4 to revoke an exemption under the By-law for a contravention of a condition of the exemption, or for any other reason the delegate thinks fit.



Disability Inclusion Act 2018

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409485	Disability Inclusion Act 2018	section 16(2)	Prepare a disability access and inclusion plan	State authority
409486	Disability Inclusion Act 2018	section 16(4)(b)	Consult with people with disability and person or bodies representing the interests of people with disability and other persons or bodies in preparing a disability access and inclusion plan	State authority
409487	Disability Inclusion Act 2018	section 16(4)(c)	Call for submissions from members of the public	State authority
409488	Disability Inclusion Act 2018	section 16(5)	Seek the approval of the Minister to prepare a single disability access and inclusion plan for the council and one or more other councils	council
409489	Disability Inclusion Act 2018	section 16(6)	Vary a disability access and inclusion plan	State authority
409490	Disability Inclusion Act 2018	section 16(7)	Publish a disability access and inclusion plan, and any variation to a plan, on a website	State authority
409491	Disability Inclusion Act 2018	section 17(1)	Report annually to the Chief Executive Officer on the operation of the disability access and inclusion plan	State authority
409492	Disability Inclusion Act 2018	section 18(1)	Review the disability access and inclusion plan at least once in every 4 year period and prepare a report of the review	State authority
409493	Disability Inclusion Act 2018	section 18(2)	Provide a copy of the report prepared under section 18(1) of the Disability Inclusion Act to the Minister	State authority
804397	Disability Inclusion Act 2018	section 18(3)(a)	Review disability access and inclusion plan to ensure it is consistent with the State Disability Inclusion Plan	State authority
804398	Disability Inclusion Act 2018	section 18(3)(b)(i)	Vary the disability access and inclusion plan as necessary to ensure consistency with the State Disability Inclusion Plan	State authority



Disability Inclusion Act 2018

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
804399	Disability Inclusion Act 2018	section 18(3)(b)(ii)	Publish the varied disability access and inclusion plan	State authority
624087	Disability Inclusion Act 2018	section 23Q(1)	Provide to the Senior Authorising Officer such information relating to a specified person that the Senior Authorising Officer reasonably requires	State authority
624088	Disability Inclusion Act 2018	section 23Q(2)	Provide the information to the Senior Authorising Officer in the manner and within the period specified in the notice	State authority
624089	Disability Inclusion Act 2018	section 23Q(3)	Participate in consultation with the Senior Authorising Officer regarding a refusal or failure to comply with a notice	State authority
409494	Disability Inclusion Act 2018	section 26(1)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	State authority
409495	Disability Inclusion Act 2018	section 26(2)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	State authority
409496	Disability Inclusion Act 2018	section 27(2)	Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body	State authority



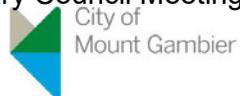
Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409504	Dog and Cat Management Act 1995	section 25A(1)	Appoint authorised persons	council
409505	Dog and Cat Management Act 1995	section 25A(2)	Impose conditions on appointment of an authorised person	council
409506	Dog and Cat Management Act 1995	section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	council
409507	Dog and Cat Management Act 1995	section 25B(1)	Issue identity card to an authorised person	council
409508	Dog and Cat Management Act 1995	section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	council
409509	Dog and Cat Management Act 1995	section 26(1)(a)	Maintain a register of dogs	council
409510	Dog and Cat Management Act 1995	section 26(1)(ab)	Provide information to the Dog and Cat Management Board	council
409511	Dog and Cat Management Act 1995	section 26(1)(ac)	Maintain other registers	council
409512	Dog and Cat Management Act 1995	section 26(1)(ad)	Make registers publicly available	council
409513	Dog and Cat Management Act 1995	section 26(1)(ae)	Limit inspection of register	council
409514	Dog and Cat Management Act 1995	section 26(1)(b)	Appoint a Registrar	council
409515	Dog and Cat Management Act 1995	section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	council
409516	Dog and Cat Management Act 1995	section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	council
409517	Dog and Cat Management Act 1995	section 26(1)(e)	Make arrangements for the detention of dogs and cats	council
409518	Dog and Cat Management Act 1995	section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	council



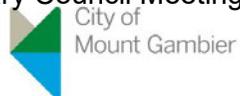
Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409519	Dog and Cat Management Act 1995	section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	council
409520	Dog and Cat Management Act 1995	section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	council
409521	Dog and Cat Management Act 1995	section 26(5)	Pay moneys into the Dog and Cat Management Fund	council
409522	Dog and Cat Management Act 1995	section 26(6)(a)	Charge fees for the provision of register extracts	council
409523	Dog and Cat Management Act 1995	section 26(6)(ab)	Charge fees for receipt and management of information	council
409524	Dog and Cat Management Act 1995	section 26(6)(b)(i)	Charge fees for registration of dogs or businesses	council
409525	Dog and Cat Management Act 1995	section 26(6)(b)(ii)	Charge fees for late payment of registration	council
409526	Dog and Cat Management Act 1995	section 26(6)(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	council
409527	Dog and Cat Management Act 1995	section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	council
409528	Dog and Cat Management Act 1995	section 26A(1)	Prepare a dog and cat management plan	council
409529	Dog and Cat Management Act 1995	section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	council
409530	Dog and Cat Management Act 1995	section 26A(5)	Amend dog and cat management plan	council
409531	Dog and Cat Management Act 1995	section 33(4)(c)	Approve boarding kennel	council
409532	Dog and Cat Management Act 1995	section 39	Rectify the register	council
409533	Dog and Cat Management Act 1995	section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	council
409534	Dog and Cat Management Act 1995	section 47(5)	Recover cost of giving effect to order if an order has	council



Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			been contravened and authorised person takes steps to effect the order	
409535	Dog and Cat Management Act 1995	section 50(1)(a)	Make a Destruction Order	council
409536	Dog and Cat Management Act 1995	section 50(1)(b)	Make a Control (Dangerous Dog) Order	council
409537	Dog and Cat Management Act 1995	section 50(1)(c)	Make a Control (Menacing Dog) Order	council
409538	Dog and Cat Management Act 1995	section 50(1)(d)	Make a Control (Nuisance Dog) Order	council
409539	Dog and Cat Management Act 1995	section 50(1)(e)	Make a Control (Barking Dog) Order	council
409540	Dog and Cat Management Act 1995	section 50(2)(b)	Approve a place to detain dogs	council
409541	Dog and Cat Management Act 1995	section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	council
409542	Dog and Cat Management Act 1995	section 52(1)(a)	Ascertain owners or persons responsible for a dog	council
409543	Dog and Cat Management Act 1995	section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	council
409544	Dog and Cat Management Act 1995	section 52(2)(b)	Note order in register	council
409545	Dog and Cat Management Act 1995	section 52(3)	Provide notice of order to each owner or person responsible for a dog	council
409546	Dog and Cat Management Act 1995	section 52(4)	Revoke order	council
409547	Dog and Cat Management Act 1995	section 52(5)	Note revocation of order in register	council
409548	Dog and Cat Management Act 1995	section 52(6)	Note order made by Dog and Cat Management Board in register	council
409549	Dog and Cat Management Act 1995	section 53(1)	Issue directions to each owner or person responsible for	council



Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			a dog regarding complying with order	
409550	Dog and Cat Management Act 1995	section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	council
409551	Dog and Cat Management Act 1995	section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area	council
409552	Dog and Cat Management Act 1995	section 59A(1)	Make a Prohibition Order	council
409553	Dog and Cat Management Act 1995	section 59A(2)	Approve place to detain dog	council
409554	Dog and Cat Management Act 1995	section 59A(5)(b)	Record a Prohibition Order	council
409555	Dog and Cat Management Act 1995	section 59A(6)	Revoke a Prohibition Order	council
409556	Dog and Cat Management Act 1995	section 59A(7)	Note revocation of a Prohibition Order in register	council
409557	Dog and Cat Management Act 1995	section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	council
409558	Dog and Cat Management Act 1995	section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	council
409559	Dog and Cat Management Act 1995	section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	council
409560	Dog and Cat Management Act 1995	section 61(6)	Recover cost of microchipping or desexing dog	council
409561	Dog and Cat Management Act 1995	section 64(2)(c)	Nominate facility for the detention of cats	council
409562	Dog and Cat Management Act 1995	section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	council



Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409563	Dog and Cat Management Act 1995	section 64B(2)	Recover cost of microchipping or desexing a dog or cat	council
409564	Dog and Cat Management Act 1995	section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	council
409565	Dog and Cat Management Act 1995	section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision	council
409566	Dog and Cat Management Act 1995	section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiation of Offences Act 1996	council
409567	Dog and Cat Management Act 1995	section 89	Lay a complaint regarding offence under Dog and Cat Management Act	council



Expiation of Offences Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409680	Expiation of Offences Act 1996	section 5(1)	Give an expiation notice to an alleged offender	issuing authority
409681	Expiation of Offences Act 1996	section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	issuing authority
409682	Expiation of Offences Act 1996	section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	issuing authority
409683	Expiation of Offences Act 1996	section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	issuing authority
804534	Expiation of Offences Act 1996	section 6(3)(b)(ii)	Authorise a person in writing to give expiation notices	issuing authority
409684	Expiation of Offences Act 1996	section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that the offence is trifling	issuing authority
409685	Expiation of Offences Act 1996	section 8A(2)	Require applicant to provide further information	issuing authority
409686	Expiation of Offences Act 1996	section 8A(3)	Require application to be verified by a statutory declaration	issuing authority
409687	Expiation of Offences Act 1996	section 8A(4)	Determine application	issuing authority
409688	Expiation of Offences Act 1996	section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	issuing authority
409689	Expiation of Offences Act 1996	section 11(1)	Issue an expiation reminder notice to alleged offender	issuing authority
409690	Expiation of Offences Act 1996	section 11A(1)	Issue an expiation enforcement warning notice	issuing authority
682838	Expiation of Offences Act 1996	section 11A(2)	Assess acceptability of nomination, statutory declaration or other document provided by alleged offender	issuing authority
409691	Expiation of Offences Act 1996	section 12	Accept a later payment of amount due under an expiation notice	issuing authority
409692	Expiation of Offences Act 1996	section 16(1)	Withdraw an expiation notice in prescribed circumstances	issuing authority



Expiation of Offences Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409693	Expiation of Offences Act 1996	section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	issuing authority
409694	Expiation of Offences Act 1996	section 16(5)	Prosecute offence following withdrawal of expiation notice	issuing authority
409695	Expiation of Offences Act 1996	section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	issuing authority
409696	Expiation of Offences Act 1996	section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	issuing authority
409697	Expiation of Offences Act 1996	section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	issuing authority
409698	Expiation of Offences Act 1996	section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	issuing authority



Graffiti Control act 2001

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
798586	Graffiti Control Act 2001	section 7(1)	Appoint an authorised person	council
798587	Graffiti Control Act 2001	section 7(2)	Impose conditions	council
798588	Graffiti Control Act 2001	section 9(3)	Issue reasonable directions	council
798589	Graffiti Control Act 2001	section 12(1)	Enter private property and take any action necessary to remove or obliterate graffiti if: <ul style="list-style-type: none"> • notice was served on the owner or occupier; and • the owner or occupier has not objected 	council
798590	Graffiti Control Act 2001	section 12(3)(a)	Take reasonable steps to consult with the owner or occupier of the property	council
798591	Graffiti Control Act 2001	section 12(3)(b)	Ensure as far as practicable the work is carried out: <ul style="list-style-type: none"> • expeditiously and in such a way as to avoid unnecessary inconvenience or disruption to the owner or occupier; and • with reasonable care and to a reasonable standard 	council
798592	Graffiti Control Act 2001	section 12(4)	Authorise a person to take action on behalf of the council	council



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ID	Delegation Source	Provision	Item Delegated
802971	State Planning Commission Practice Direction - (Council Swimming Pool Safety Inspections) 2025	clause 1(2)	104. The power pursuant to clause 1(2) of Part 3 of the State Planning Commission Practice Direction (Council Swimming Pool Safety Inspections) 2025 (PD8) to ensure that an inspection under clause 2(1) of Part 2 of PD8 is carried out by a person who has the appropriate qualification, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.
622783	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)	s5(5)(b)	1. Planning Regions and Greater Adelaide 1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.
622784	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)	s6(3)(b)	2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.
312115	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)	s7(5)(b)	3. Environment and Food Production Areas – Greater Adelaide 3.1 The power pursuant to Section 7(5)(b) of the 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 in an environment and food production area, to concur in the granting of the development authorisation to the development.
312116	Instrument of Delegation under the Planning, Development and Infrastructure	s22(4)(a)(i)	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is



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ID	Delegation Source	Provision	Item Delegated
	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)		conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.
312117	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)	s35(1)(a)	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.
312118	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)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and
312119	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)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.2 the constitution of a joint planning board including, in relation to such a board: 5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and 5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and 5.2.2.3 the procedures to be followed with respect to the appointment of members;



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			and 5.2.2.4 the terms of office of members; and 5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 5.2.2.6 the appointment of deputy members; and 5.2.2.7 the procedures of the board; and
312120	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)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and
312121	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)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and
312122	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)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.5 financial and resource issues associated with the operations of the joint planning board, including: 5.2.5.1 the formulation and implementation of budgets; and



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			5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and
312123	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)	s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.6 such other matters as the delegate thinks fit.
312124	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)	s35(5)(a)	5. Planning Agreements 5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).
312125	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)	s35(5)(b)	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.
622785	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)	s41(2)(a)	6. Appointment of Administrator 6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.



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312127	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)	s44(6)(a)	7. Community Engagement Charter 7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).
312128	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)	s44(9)(b)	7. Community Engagement Charter 7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.
312129	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)	s44(10)	7. Community Engagement Charter 7.3 The power pursuant to Section 44(10) of the PDI Act to: 7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.
312130	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)	s45(2)(c)	8. Preparation and Amendment of Charter 8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.
622786	Instrument of Delegation under the Planning, Development and Infrastructure	s73(2)(b)(iv)	9. Preparation and Amendment 9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:



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	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)		9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and 9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.
312132	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)	s73(6)	9. Preparation and Amendment 9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied: 9.2.1 to prepare a draft of the relevant proposal; and 9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 9.2.3 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 9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give: 9.2.4.1 an owner or occupier of the land; and 9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and 9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and 9.2.6 to carry out such investigations and obtain such information specified by the Commission; and 9.2.7 to comply with any requirement prescribed by the regulations.



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ID	Delegation Source	Provision	Item Delegated
622787	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)	s73(7)	9. Preparation and Amendment 9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.
312134	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)	s73(8)	9. Preparation and Amendment 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.
312135	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)	s73(9)	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).
312136	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)	s74(8)(c)	10. Parliamentary Scrutiny 10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.
622788	Instrument of Delegation under the Planning, Development and Infrastructure	s75(1)	11. Complying Changes – Planning and Design Code 11.1 The power pursuant to Section 75(1) of the PDI Act to submit to the



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ID	Delegation Source	Provision	Item Delegated
	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)		Minister a proposal to agree to an amendment to the Planning and Design Code under Section 75 of the PDI Act if: 11.1.1 the amendment comprises a change to: 11.1.1.1 the boundary of a zone or subzone; or 11.1.1.2 the application of an overlay; and 11.1.2 the amendment is consistent with a recommendation in the relevant regional plan that, through the use of: 11.1.2.1 specific maps or other spatial information; and 11.1.2.2 specific information about the changes that are being proposed, clearly and specifically identifies (in the opinion of the Minister) the changes that are considered to be appropriate.
385340	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)	s75(3)	11. Complying Changes – Planning and Design Code 11.2 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).
312137	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)	s82(d)	12. Entities Constituting Relevant Authorities 12.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.



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312138	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)	s83(1)	<p>13. Panels Established by Joint Planning Boards or Councils</p> <p>13.1 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>13.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;</p> <p>13.1.2 determine:</p> <p>13.1.2.1 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>13.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>13.1.2.3 the terms of office of members; and</p> <p>13.1.2.4 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>13.1.2.5 the appointment of deputy members; and</p> <p>13.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.</p>
312139	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)	s83(1)(h)	<p>13. Panels Established by Joint Planning Boards or Councils</p> <p>13.2 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>



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312140	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)	s83(1)(i)	13. Panels Established by Joint Planning Boards or Councils 13.3 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.
312141	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)	s83(2)	13. Panels Established by Joint Planning Boards or Councils 13.4 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.
622789	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)	s84(1)(c)(ii)(A)	14. Panels Established by Minister 14.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other Councils.
622790	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)	s84(1)(c)(ii)(B)	14. Panels Established by Minister 14.2 The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas).
312144	Instrument of Delegation under the Planning, Development and Infrastructure	s86(2)(a)	15. Substitution of Local Panels 15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make



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	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)		submissions to the Commission in relation to an inquiry.
312145	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)	s89(b)	16. Notification of Acting 16.1 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.
622791	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)	s94(1)(g)	17. Relevant Authority - Commission 17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.
312147	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)	s102(1)(c)(iv)	18. Matters Against which Development Must be Assessed 18.1 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.
312148	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)	s102(1)(d)(iv)	18. Matters Against which Development Must be Assessed 18.2 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.



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

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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312149	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)	s102(11)(b)	18. Matters Against which Development Must be Assessed 18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.
312150	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)	s110(2)(b)	19. Restricted Development 19.1 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.
312151	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)	s110(c)(ii)	19. Restricted Development 19.2 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.
312152	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)	s110(7)	19. Restricted Development 19.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.



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312153	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)	s112(b)	20. Level of Detail 20.1 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.
622792	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)	s113(5)(a)(iii)	21. EIS Process 21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.
622793	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)	s114(2)(b)	22. Amendment of EIS 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.
312156	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)	s130(6)	23. Essential Infrastructure – Alternative Assessment Process 23.1 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.
312157	Instrument of Delegation under the Planning, Development and Infrastructure	s130(14)	23. Essential Infrastructure – Alternative Assessment Process 23.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council



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	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)		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.
312158	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)	s131(7)	24. Development Assessment – Crown Development 24.1 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.
312159	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)	s131(15)	24. Development Assessment – Crown Development 24.2 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.
312160	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)	s138(1)	25. Land Division Certificate 25.1 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.
312161	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)	s138(2)	25. Land Division Certificate 25.2 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.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312162	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)	s141(1)	26. Action if Development Not Completed 26.1 The power pursuant to Section 141(1) of the PDI Act, if: 26.1.1 an approval is granted under the PDI Act; but 26.1.2 - 26.1.2.1 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 26.1.2.2 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.
312163	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)	s141(5)	26. Action if Development Not Completed 26.1.3 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.
312164	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)	s141(6)	26. Action if Development Not Completed 26.1.4 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: 26.1.4.1 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.
312165	Instrument of Delegation under the	s142(1)	27. Completion of Work



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	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)		27.1 The power pursuant to Section 142(1) of the PDI Act, if: 27.1.1 an approval is granted under the PDI Act; but 27.1.2 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.
312166	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)	s142(2)	27. Completion of Work 27.2 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.
312167	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)	s142(3)	27. Completion of Work 27.3 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.
312168	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)	s142(4)	27. Completion of Work 27.4 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: 27.4.1 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.
312169	Instrument of Delegation under the	s146(3)	28. Notification During Building



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	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)		28.1 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.
312170	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)	s151(2)	29. Classification of Buildings 29.1 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.
312171	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)	s151(3)	29. Classification of Buildings 29.2 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.
312172	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)	s152(2)	30. Certificates of Occupancy 30.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.
312173	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)	s152(3)(a)	30. Certificates of Occupancy 30.2 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



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	Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		delegate.
312175	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)	s152(5)	30. Certificates of Occupancy 30.3 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.
312176	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)	s152(6)	30. Certificates of Occupancy 30.4 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.
312177	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)	s152(10)	30. Certificates of Occupancy 30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 30.5.1 the refusal; and 30.5.2 the reasons for the refusal; and 30.5.3 the applicant's right of appeal under the PDI Act.
312178	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	s152(12)	30. Certificates of Occupancy 30.6 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.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312179	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)	s152(13)	30. Certificates of Occupancy 30.7 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.
312180	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)	s153(1)	31. Temporary Occupation 31.1 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.
312181	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)	s153(2)	31. Temporary Occupation 31.2 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.
312182	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)	s153(3)	31. Temporary Occupation 31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 31.3.1 the refusal; and 31.3.2 the reasons for the refusal; and 31.3.3 the applicant's right of appeal under the PDI Act.



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312183	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)	s155(5)	32. Emergency Orders 32.1 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.
312184	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)	s155(6)	32. Emergency Orders 32.2 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.
312185	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)	s155(7)	32. Emergency Orders 32.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312186	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)	s157(16)	33. Fire Safety 33.1 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.
312187	Instrument of Delegation under the Planning, Development and Infrastructure	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to:



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	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)		33.2.1 appoint to the appropriate authority: 33.2.1.1 a person who holds prescribed qualifications in building surveying; and 33.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and 33.2.1.3 a person with expertise in the area of fire safety; and 33.2.1.4 if so determined by the delegate, a person selected by the delegate;
312188	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)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.2 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;
312189	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)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.3 remove a member of the appropriate authority from office for any reasonable cause;
312190	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	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.4 appoint deputy members;



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	Authority; a Designated Entity (Instrument A)		
312191	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)	s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.5 determine the appropriate authority's procedures (including as to quorum).
622794	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)	s163(3)(b)	34. Initiation of Scheme 34.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.
622795	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)	s163(10)	34. Initiation of Scheme 34.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.
622796	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)	s164(3)	35. Initiation of Scheme 35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.



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

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622797	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)	s164(12)	35. Initiation of Scheme 35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.
312196	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)	s166(1)(c)	36. Consideration of Proposed Scheme 36.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.
622798	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)	s167(7)	37. Adoption of Scheme 37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.
312198	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)	s169(2)(b)	38. Funding Arrangements 38.1 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.
312199	Instrument of Delegation under the Planning, Development and Infrastructure	s169(9)	38. Funding Arrangements 38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions



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	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)		to the Commission in relation to a funding arrangement that is specifically relevant to the Council.
622799	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)	s177(4)	39. Contributions by Constituent Councils 39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.
622800	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)	s177(5)	39. Contributions by Constituent Councils 39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.
312202	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)	s180(7)	40. Imposition of Charge by Councils 40.1 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.
312203	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	s187(1)	41. Authorised Works 41.1 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.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312204	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)	s187(5)	41. Authorised Works 41.2 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: 41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and 41.2.3 ensure that proper consideration is given to the views of the road maintenance authority.
312205	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)	s187(5)(b)	41. Authorised Works 41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.
312206	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)	s187(6)	41. Authorised Works 41.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.
312207	Instrument of Delegation under the	s188(1)	42. Entry onto Land



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	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)		42.1 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: <ul style="list-style-type: none"> 42.1.1 enter and pass over any land; and 42.1.2 bring onto any land any vehicles, plant or equipment; and 42.1.3 temporarily occupy land; and 42.1.4 do anything else reasonably required in connection with the exercise of the power.
312208	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)	s188(4)	42. Entry onto Land <ul style="list-style-type: none"> 42.2 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.
622801	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)	s189(1)	43. Acquisition of Land <ul style="list-style-type: none"> 43.1 The power pursuant to Section 189(1) of the PDI Act, to: <ul style="list-style-type: none"> 43.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and 43.1.2 with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969.
312210	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)	s192(1)	44. Land Management Agreements <ul style="list-style-type: none"> 44.1 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.



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312211	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)	s192(2)	44. Land Management Agreements 44.2 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.
312212	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)	s192(4)	44. Land Management Agreements 44.3 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: 44.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and 44.3.2 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.
312213	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)	s192(5)	44. Land Management Agreements 44.4 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.
312214	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	s192(8)	44. Land Management Agreements 44.5 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.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312215	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)	s192(9)	44. Land Management Agreements 44.6 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.
312216	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)	s192(10)	44. Land Management Agreements 44.7 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.
312217	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)	s192(11)	44. Land Management Agreements 44.8 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.
312218	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)	s192(12)	44. Land Management Agreements 44.9 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.



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312219	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)	s192(15)	44. Land Management Agreements 44.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
312220	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)	s192(16)	44. Land Management Agreements 44.11 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.
622802	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)	s192(17)	44. Land Management Agreements 44.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.
312222	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)	s192(17)	44. Land Management Agreements 44.13 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.
312223	Instrument of Delegation under the Planning, Development and Infrastructure	s192(18)	44. Land Management Agreements 44.14 The power pursuant to Section 192(18) of the PDI Act to take into account



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	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)		the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.
312224	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)	s193(1)	45. Land Management Agreements – Development Applications 45.1 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: 45.1.1 the person; and 45.1.2 any other person who has the benefit of the development authorisation; and 45.1.3 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).
312225	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)	s193(2)	45. Land Management Agreements – Development Applications 45.2 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).
312226	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	s193(3)	45. Land Management Agreements – Development Applications 45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 45.3.1 the provisions of the Planning and Design Code; and 45.3.2 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



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	Authority; a Designated Entity (Instrument A)		an amendment to the Planning and Design Code under the PDI Act.
312227	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)	s193(5)	45. Land Management Agreements – Development Applications 45.4 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.
312228	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)	s193(10)	45. Land Management Agreements – Development Applications 45.5 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.
312229	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)	s193(11)	45. Land Management Agreements – Development Applications 45.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.
312230	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)	s193(13)	45. Land Management Agreements – Development Applications 45.7 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.



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312231	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)	s193(15)	45. Land Management Agreements – Development Applications 45.8 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.
312232	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)	s193(16)	45. Land Management Agreements – Development Applications 45.9 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.
622803	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)	s197(1)(b)	46. Off-setting Contributions 46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.
312234	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)	s197(2)	46. Off-setting Contributions 46.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate: 46.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or 46.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or



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			46.2.3 any other initiative or policy: 46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act; 46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.
312235	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)	s197(3)	46. Off-setting Contributions 46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 46.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 46.3.1.1 to make a contribution to a fund established as part of the scheme; or 46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or 34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 46.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 46.3.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.
312236	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	s197(4)	46. Off-setting Contributions 46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.



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	Authority; a Designated Entity (Instrument A)		
312237	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)	s197(4)(c)	46. Off-setting Contributions 46.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.
622804	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)	s197(7)	46. Off-setting Contributions 46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.
312239	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)	s198(1)	47. Open Space Contribution Scheme 47.1 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: 47.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 47.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or 47.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act, according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates



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ID	Delegation Source	Provision	Item Delegated
			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.
312240	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)	s198(3)	47. Open Space Contribution Scheme 47.2 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.
312241	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)	s198(4)(a)	47. Open Space Contribution Scheme 47.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.
312242	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)	s198(11)	47. Open Space Contribution Scheme 47.4 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.
312243	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)	s198(12)	47. Open Space Contribution Scheme 47.5 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.



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

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622805	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)	s200(1)	48. Urban Trees Fund 48.1 The power pursuant to Section 200(1) of the PDI Act to, 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designated by the delegate (a designated area).
312245	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)	s200(2)	48. Urban Trees Fund 48.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.
312246	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)	s200(3)	48. Urban Trees Fund 48.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.
312247	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)	s200(5)	48. Urban Trees Fund 48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.
312248	Instrument of Delegation under the Planning, Development and Infrastructure	s200(6)	48. Urban Trees Fund 48.5 The power pursuant to Section 200(6) of the PDI Act to apply money



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	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)		standing to the credit of an urban trees fund: 48.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 48.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.
312249	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)	s200(7)	48. Urban Trees Fund 48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).
312250	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)	s210(1)	49. Appointment of Authorised Officers 49.1 The power pursuant to Section 210(1) of the PDI Act to: 49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 49.1.2 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.
312251	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)	s210(2)	49. Appointment of Authorised Officers 49.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.



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312252	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)	s210(3)	49. Appointment of Authorised Officers 49.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 49.3.1 containing a photograph of the authorised officer; and 49.3.2 stating any conditions of appointment limiting the authorised officer's appointment.
312253	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)	s210(5)	49. Appointment of Authorised Officers 49.4 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.
312254	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)	s213(1)	50. Enforcement Notices 50.1 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: 50.1.1 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; 50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate; 50.1.3 take such urgent action as is required because of any situation resulting from the breach
312255	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	s213(2)	50. Enforcement Notices 50.2 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.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312256	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)	s213(5)	50. Enforcement Notices 50.3 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.
312257	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)	s213(6)	50. Enforcement Notices 50.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action
312258	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)	s213(7)	50. Enforcement Notices 50.5 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.
312259	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)	s214(1)	51. Applications to Court 51.1 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.



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312260	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)	s214(2)	51. Applications to Court 51.2 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.
312261	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)	s214(4)	51. Applications to Court 51.3 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.
312262	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)	s214(6)	51. Applications to Court 51.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.
312263	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)	s214(9)	51. Applications to Court 51.5 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.
312264	Instrument of Delegation under the Planning, Development and Infrastructure	s214(10)	51. Applications to Court 51.6 The power pursuant to Section 214(10) of the PDI Act to make an



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ID	Delegation Source	Provision	Item Delegated
	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)		application to the Court to make an interim order under Section 214 of the PDI Act.
312265	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)	s214(11)	51. Applications to Court 51.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.
312266	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)	s214(12)	51. Applications to Court 51.8 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
312267	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)	s214(13)	51. Applications to Court 51.9 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.
312268	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	s214(17)	51. Applications to Court 51.10 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.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
312269	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)	s219(1)	52. Proceedings for Offences 52.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.
312270	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)	s223(2)	53. Adverse Publicity Orders 53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.
312271	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)	s223(4)	53. Adverse Publicity Orders 53.2 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: 53.2.1 take the PDI Action or actions specified in the order; and 53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.
312272	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	s223(5)	53. Adverse Publicity Orders 53.3 The power pursuant to Section 223(5) of the PDI Act, if: 53.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 53.3.2 despite the evidence, the delegate is not satisfied that the offender has



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	Authority; a Designated Entity (Instrument A)		taken the PDI Action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.
312273	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)	s223(6)	53. Adverse Publicity Orders 53.4 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.
312274	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)	s225(1)	54. Civil Penalties 54.1 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.
312275	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)	s225(2)	54. Civil Penalties 54.2 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.
312276	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design	s225(3)	54. Civil Penalties 54.3 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



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ID	Delegation Source	Provision	Item Delegated
	Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		written notice to the Council, elect to be prosecuted for the contravention.
312277	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)	s225(13)	54. Civil Penalties 54.4 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.
312278	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)	s225(17)	54. Civil Penalties 54.5 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.
312279	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)	s228(7)	55. Make Good Order 55.1 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.
312280	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	s229(5)	56. Recovery of Economic Benefit 56.1 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.



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	Authority; a Designated Entity (Instrument A)		
312281	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)	s230(1)	57. Enforceable Voluntary Undertakings 57.1 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.
312282	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)	s230(4)	57. Enforceable Voluntary Undertakings 57.2 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.
312283	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)	s230(7)	57. Enforceable Voluntary Undertakings 57.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 57.3.1 vary the undertaking; or 57.3.2 withdraw the undertaking.
312284	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)	s230(11)	57. Enforceable Voluntary Undertakings 57.4 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.



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312285	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)	s230(12)	57. Enforceable Voluntary Undertakings 57.5 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.
312286	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)	s230(14)	57. Enforceable Voluntary Undertakings 57.6 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.
312287	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)	s231(1)	58. Advertisements 58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding: 58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or 58.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).



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312288	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)	s231(3)	58. Advertisements 58.2 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.
312289	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)	s235(1)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.1 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.
312290	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)	s235(2)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.2 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.
312291	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)	s239(1)	60. Charges on Land 60.1 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.
312292	Instrument of Delegation under the Planning, Development and Infrastructure	s239(6)	60. Charges on Land 60.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the



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ID	Delegation Source	Provision	Item Delegated
	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)		Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.
312293	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)	s240(1)	61. Registering Authorities to Note Transfer 61.1 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.
312294	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)	cl13(3)(b) sch2	62. Reporting 62.1 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.
622806	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)	cl3(3)	63. Review of Performance 63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.
622807	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design	cl3(14)	63. Review of Performance 63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by



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	Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.
622808	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)	cl3(15)	63. Review of Performance 63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.
312298	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)	cl3(16) sch4	63. Review of Performance 63.4 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.
622809	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)	cl9(6)(a)	64. Planning and Design Code 64.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.
622810	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a	cl30(3)	65. General Schemes 65.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.



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	Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		
385341	Planning, Development and Infrastructure (General) Regulations 2017	r11B(1)	<p>67. Mutual Liability Scheme – Rights of Indemnity</p> <p>67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:</p> <p>67.1.1 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>67.1.2 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>
385342	Planning, Development and Infrastructure (General) Regulations 2017	r11B(5)	<p>67. Mutual Liability Scheme – Rights of Indemnity</p> <p>67.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>67.2.1 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>67.2.2 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</p>



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			discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.
385343	Planning, Development and Infrastructure (General) Regulations 2017	r47(4)(d)	68. Performance Assessed Development and Restricted Development 68.1 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.
312306	Planning, Development and Infrastructure (General) Regulations 2017	r78(1)	69. Underground Main Areas 69.1 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.
312307	Planning, Development and Infrastructure (General) Regulations 2017	r78(2)	69. Underground Main Areas 69.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.
312308	Planning, Development and Infrastructure (General) Regulations 2017	r81(4)	70. Width of Roads and Thoroughfares 70.1 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.
312309	Planning, Development and Infrastructure (General) Regulations 2017	r81(5)	70. Width of Roads and Thoroughfares 70.2 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.



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312310	Planning, Development and Infrastructure (General) Regulations 2017	r81(6)	70. Width of Roads and Thoroughfares 70.3 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.
312311	Planning, Development and Infrastructure (General) Regulations 2017	r82(1)	71. Road Widening 71.1 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.
312312	Planning, Development and Infrastructure (General) Regulations 2017	r83(1)	72. Requirement as to Forming of Roads 72.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.
312313	Planning, Development and Infrastructure (General) Regulations 2017	r83(2)	72. Requirement as to Forming of Roads 72.2 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.
312314	Planning, Development and Infrastructure (General) Regulations 2017	r83(4)	72. Requirement as to Forming of Roads 72.3 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.



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312315	Planning, Development and Infrastructure (General) Regulations 2017	r83(5)	72. Requirement as to Forming of Roads 72.4 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.
312316	Planning, Development and Infrastructure (General) Regulations 2017	r83(6)	72. Requirement as to Forming of Roads 72.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.
312317	Planning, Development and Infrastructure (General) Regulations 2017	r84(1)	73. Construction of Roads, Bridges, Drains and Services 73.1 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.
312318	Planning, Development and Infrastructure (General) Regulations 2017	r85(1)	74. Supplementary Provisions 74.1 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.
312319	Planning, Development and Infrastructure (General) Regulations 2017	r85(2)	74. Supplementary Provisions 74.2 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.



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312320	Planning, Development and Infrastructure (General) Regulations 2017	r85(4)	74. Supplementary Provisions 74.3 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 and any other water industry entity identified under Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made.
802957	Planning, Development and Infrastructure (General) Regulations 2017	r 88(3)	75. Division of Land by Community Title or Strata Title 75.1 The power pursuant to Regulation 88(3) of the General Regulations to hold the security supporting a binding arrangement entered into by an applicant under Regulation 88 of the General Regulations.
802958	Planning, Development and Infrastructure (General) Regulations 2017	r88(4)	75. Division of Land by Community Title or Strata Title 75.2 The power pursuant to Regulation 88(4) of the General Regulations to return the security to the applicant as soon as reasonably practicable after its return is requested by the applicant if: 75.2.1 the Council or delegate is satisfied that the condition or requirement in relation to which the arrangement was entered into has been satisfied; and 75.2.2 the security has not been transferred to the relevant community corporation or strata corporation in accordance with Regulation 88(5) of the General Regulations.
802959	Planning, Development and Infrastructure (General) Regulations 2017	r 88(4)(a)	75. Division of Land by Community Title or Strata Title 75.3 The power pursuant to Regulation 88(4)(a) of the General Regulations to form the opinion and be satisfied that the condition or requirement in relation to which the arrangement was entered into has been satisfied.



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802960	Planning, Development and Infrastructure (General) Regulations 2017	r 88(5)	75. Division of Land by Community Title or Strata Title 75.4 The power pursuant to Regulation 88(5) of the General Regulations, if a condition or requirement in relation to which a binding arrangement was entered into has not been satisfied before the end of the developer control period, to, after the developer control period, transfer the security to the relevant community corporation or strata corporation for the purposes of the corporation using that amount to satisfy the condition or requirement.
312321	Planning, Development and Infrastructure (General) Regulations 2017	r89(1)	76. General Provisions 76.1 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.
312322	Planning, Development and Infrastructure (General) Regulations 2017	r89(3)	76. General Provisions 76.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 76.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 76.2.2 sets out: 76.2.2.1 the date on which any relevant building was erected (if known); and 76.2.2.2 the postal address of the site.
312323	Planning, Development and Infrastructure (General) Regulations 2017	r89(6)(b)	76. General Provisions 76.3 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.
573564	Planning, Development and Infrastructure	r89(8)	76. General Provisions



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	(General) Regulations 2017		76.4 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).
312324	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(b)	77. Notifications During Building Work 77.1 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.
312325	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(c)	77. Notifications During Building Work 77.2 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.
312326	Planning, Development and Infrastructure (General) Regulations 2017	r94(13)	78. Essential Safety Provisions 78.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if: 78.1.1 the essential safety provisions were installed 78.1.1.1 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 78.1.1.2 as part of a performance solution under the Building Code; or 78.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.



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312327	Planning, Development and Infrastructure (General) Regulations 2017	r102(3)	79. Classification of Buildings 79.1 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: 79.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.
312328	Planning, Development and Infrastructure (General) Regulations 2017	r102(4)	79. Classification of Buildings 79.2 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.
312329	Planning, Development and Infrastructure (General) Regulations 2017	r102(5)	79. Classification of Buildings 79.3 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).
312330	Planning, Development and Infrastructure (General) Regulations 2017	r102(6)	79. Classification of Buildings 79.4 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:



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			<p>79.4.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>79.4.2 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>
609751	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(1)	<p>80. Required Documentation</p> <p>80.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation:</p> <p>80.1.1 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>80.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show –</p> <p>80.1.2.1 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>80.1.2.2 in any other case – that the building is suitable for occupation.</p>
609752	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(2)	<p>80. Required Documentation</p> <p>80.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 October 2024 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:</p> <p>80.2.1 if the development has been approved subject to conditions, such evidence</p>



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			as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,
609753	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(3)	<p>80. Required Documentation</p> <p>80.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –</p> <p>80.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>80.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>
609754	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103C(1)(c)	<p>81. Statement of site suitability</p> <p>81.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.</p>
609755	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(1)	<p>82. Report from fire authority</p> <p>82.1 The power pursuant to Regulation 103D(1) of the General Regulations, if –</p> <p>82.1.1 a building is –</p> <p>82.1.1.1 to be equipped with a booster assembly for use by a fire authority;</p> <p>or</p>



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			<p>82.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 82.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, 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.</p>
609756	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(2)	<p>82. Report from fire authority 82.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report.</p>
609757	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103D(3)	<p>82. Report from fire authority 82.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.</p>
609758	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(1)(b)	<p>83. Issue of certificate of occupancy 83.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.</p>
609759	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103E(3)(c)	<p>83. Issue of certificate of occupancy 83.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.</p>
609760	Planning, Development and Infrastructure	Regulation	84. Revocation



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	(General) Regulations 2017	103F	<p>84.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy –</p> <p>84.1.1 if –</p> <p>84.1.1.1 there is a change in the use of the building; or</p> <p>84.1.1.2 the classification of the building changes; or</p> <p>84.1.1.3 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>84.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p> <p>84.1.2 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> <p>84.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or</p> <p>84.1.4 if the delegate considers –</p> <p>84.1.4.1 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>84.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</p>
312340	Planning, Development and Infrastructure (General) Regulations 2017	r109(1)(b)	<p>85. Mining Production Tenements</p> <p>85.1 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</p>



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			tenement.
312341	Planning, Development and Infrastructure (General) Regulations 2017	r111(2)	86. Register of Land Management Agreements (Section 193) 86.1 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.
312342	Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	86. Register of Land Management Agreements (Section 193) 86.2 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.
312343	Planning, Development and Infrastructure (General) Regulations 2017	r112(1)	87. Authorised Officers and Inspections 87.1 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: 87.1.1 who is an accredited professional who is: 87.1.1.1 an Accredited professional - building level 1; or 87.1.1.2 an Accredited professional - building level 2; or 87.1.1.3 an Accredited professional - building level 3; or 87.1.1.4 an Accredited professional - building level 4; or 87.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 87.1.3 who holds an approval from the Chief Executive.



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622811	Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	r8(1)(c)	66. Adoption of DPAs 66.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.
312302	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	88. Calculation of Assessment of Fees 88.1 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): 88.1.1 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 88.1.2 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).
312303	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	88. Calculation of Assessment of Fees 88.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.
312304	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	88. Calculation or Assessment of Fees 88.3 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.



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312305	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	89. Waiver or Refund of Fee 89.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 89.1.1 waive the payment of the fee, or the payment of part of the fee; or 89.1.2 refund the whole or a part of the fee.
754099	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(1)	90. Required Documentation 90.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instrument (PD2), to initiate an Amendment to a Designated Instrument and lodge the following documents with the Department via the SA Planning Portal: 90.1.1 a Proposal to Initiate; and 90.1.2 SA Planning Portal Publication Instructions – for Initiation;
754100	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	90. Required Documentation 90.2 The power pursuant to clause 5(2) of PD2 to lodge the following supporting documents with a proposed Amendment to the Code: 90.2.1 for proposals involving the listing or removal of a heritage item: 90.2.1.1 a Heritage Report including relevant datasheet(s) and an analysis of historic themes; and 90.2.2 for proposals involving the listing or removal of a Significant Tree: 90.2.2.1 Significant Tree Report including detailed descriptions and assessments.



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754102	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1 The power pursuant to clause 6(1) of PD2 to include the following in the Proposal to Initiate: 91.1.1 Strategic Alignment 91.1.1.1 identification of the relevant principles or objectives of applicable State Planning Policies, Regional Plan, or other strategic directions, along with an assessment of how the proposed Amendment aligns with those strategies and policies; 91.1.2 Scope of amendment 91.1.2.1 an outline of the scope of the proposed changes to the designated instrument;
754110	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(1)	94. Investigations and Preparing a Draft Amendment 94.1 The power pursuant to clause 9(1) of PD2, prior to consultation occurring on a draft Amendment, to: 94.1.1 carry out investigations and obtain such information: 94.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 94.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 94.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;
754111	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(2)	95. Required Documentation 95.1 The power pursuant to clause 10(2) of PD2 prior to consultation occurring on a draft Amendment to provide the Department with the following: 95.1.1 to support the preparation of the Amendment: 95.1.1.1 where new policy content is proposed for a designated instrument, written



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			<p>instructions (in a form acceptable to the Department) that set out the intent of the proposed Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Amendment; and/or</p> <p>95.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Amendment;</p> <p>95.1.2 for publishing on the Planning Portal:</p> <p>95.1.2.1 draft Amendment which describes the proposed changes, including an overview of the investigations;</p> <p>95.1.2.2 publication instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Amendment, including any supporting material; and</p> <p>95.1.2.3 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>
754112	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	<p>90. Preparation of a Draft Code Amendment (Prior to Consultation)</p> <p>90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:</p> <p>90.1.3 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>
754114	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	<p>90. Preparation of a Draft Code Amendment (Prior to Consultation)</p> <p>90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:</p>



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			90.1.5 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.
754113	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.4 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
754108	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 7(1)	92. Special Listing Requirements – Code Amendments 92.1 The power pursuant to clause 7(1) of PD2 to, in relation to initiating a Code Amendment which is intended to designate or remove a place as a place of local heritage value, provide a Heritage Report, which includes: 92.1.1 a heritage datasheet for each proposed Local Heritage Place, which includes: 92.1.1.1 all relevant property details and descriptions (including images); 92.1.1.2 historical background and thematic analysis; 92.1.1.3 a statement of heritage value; 92.1.1.4 an assessment against the Local Heritage Criteria; and 92.1.1.5 the extent of listing (including any exclusions); 92.1.2 includes an analysis of historic themes of importance to the area; 92.1.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and 92.1.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.



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754109	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 7(2)	<p>92. Special Listing Requirements – Code Amendments</p> <p>92.2 The power pursuant to clause 7(2) of PD2 to, in relation to initiating a Code Amendment which is intended to designate or remove a tree (or stand of trees) as a significant tree (or trees), provide a Significant Tree Report:</p> <p>92.2.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary);</p> <p>92.2.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;</p> <p>92.2.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.</p>
754115	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(4)	<p>95. Required Documentation</p> <p>95.2 The power pursuant to clause 10(4) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report under PD2, 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>
754116	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 11(1)	<p>96. The draft Amendment</p> <p>96.1 The power pursuant to clause 11(1) of PD2 to support a draft Amendment by the following additional information:</p> <p>96.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Amendment);</p> <p>96.1.2 an explanation of the Amendments proposed for the Affected Area;</p> <p>96.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Amendment, including:</p> <p>96.1.3.1 for Code Amendments an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Polices, the</p>



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			Regional Plan and an assessment against any other relevant strategic plans or policies; or 96.1.3.2 for Regional Plan Amendments, an analysis of the consistency of the draft Regional Plan Amendment with the relevant provisions of State Planning Policies, the remainder of the Regional Plan and any other relevant strategic plans or policies. 96.1.4 a summary and explanation of the investigations undertaken and how these support the draft Amendment; and 96.1.5 where relevant, an explanation of any infrastructure or services required to support development facilitated by the proposed Amendment, and an explanation of how and when the infrastructure will be provided.
802970	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 11.2	96. The draft Amendment 96.2 The power pursuant to clause 11.2 of PD2 where an amendment to a Regional Plan contemplates a complying change under 96.2.1 Section 75(1) of the PDI Act, to include in any recommendation in the Regional Plan Amendment, where applicable: any existing overlay, zone, subzone in the Code within the Affected Area which is proposed to be amended; and 96.2.2 where relevant to the proposed change, an indication of development density and minimum and maximum building heights that may be applied to the Affected Area.
754117	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 12(1)	97. Preparation of an Engagement Plan 97.1 The power pursuant to clause 12(1) of PD2 to prepare an engagement plan that: 97.1.1 meets the principles and performance outcomes of the Charter; 97.1.2 describes the persons or bodies to be consulted on the proposed



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			amendment of the Designated Instrument, which must include any persons or bodies: 97.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act; 97.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and 72.1.2.3 who must be consulted with under the Charter; 97.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 97.1.4 describes the evaluation framework for the engagement.
754119	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 12(2)	97. Preparation of an Engagement Plan 97.2 The power pursuant to clause 12(2) of PD2 to submit an engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval or an outline consent is being assessed against a relevant amendment in accordance with Practice Direction 18 – Outline Content.
754120	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 13(1)	98. Required Documentation 98.1 The power pursuant to clause 13(1) of PD2 to, at the completion of engagement on a proposal to prepare or amend a Designated Instrument, provide the Department with: 98.1.1 if amendments to the proposal are required: 98.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the draft Designated Instrument; and/or 98.1.1.2 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



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			suitable for inclusion in the draft Designated Instrument; 98.1.2 the updated draft Designated Instrument(s) or amendment to the Designated Instrument(s) in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and 98.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister.
754121	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 15(1)	99. Engagement Report 99.1 The power pursuant to clause 15(1) of Part 4 of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act: 99.1.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement plan; 99.1.2 the outcome of the engagement including a summary of the written submissions or feedback received; 99.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument(s) (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates: 99.1.3.1 where changes are proposed to the Designated Instrument(s) based on or as a result of the engagement; and 99.1.3.2 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.



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766279	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 16(3)	100. Lodgement Documentation 100.1 The power pursuant to clause 16(3) of PD2 to submit a completed Lodgement Form with the Department via the SA Planning Portal, to commence the process for a proposed Complying Change.
766280	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 16(4)	100. Lodgement Documentation 100.2 The power pursuant to clause 16(4) of PD2 to set out in the Lodgement Form: 100.2.1 Affected Area 100.2.1.1 a map of the Affected Area (confirming its consistency with the boundaries of the map(s) relating to the relevant Regional Plan recommendation); 100.2.2 Code Mapping 100.2.2.1 an outline of: (a) any existing overlay, zone, subzone, concept plan or technical and numeric variation in the Code within the Affected Area which is proposed to be amended; (b) the proposed spatial application of any overlay/s and/or amendment/s to the boundary of a zone or subzone; and (c) any associated proposed application of a concept plan/s and/or all relevant technical or numeric variation/s within the Affected Area in connection with the proposed change outlined in clause 16(4)(c)(ii) of PD2; 100.2.3 Regional Plan Recommendation 100.2.3.1 a description of the relevant recommendation/s in the Regional Plan; 100.2.3.2 confirmation that the details outlined in clauses 16(4)(c)(ii) and (iii) of PD2 are consistent with the recommendation in the Regional Plan (where relevant); and 100.2.3.3 confirmation that a time period of not more than two years has elapsed since the relevant recommendation in the Regional Plan was given effect pursuant



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			to Section 73(12) of the PDI Act (unless the Commission considers that a longer period shall apply for the purposes of clause 16 of PD2).
754122	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 15(2)	99. Engagement Report 99.3 The power pursuant to clause 15(2) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether: 99.2.1 the principles of the Charter have been achieved; and 99.2.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).
766281	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 18(1)	101. Final Determination of the Minister 101.1 The power pursuant to clause 138(1) of PD2 when consultation on a proposed Complying Change is complete, to provide the Department with: 101.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the Complying Change as it was initially proposed; and/or 101.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare mapping which is suitable for inclusion in the Code; 101.1.2 the updated draft proposed Complying Change in the form of amendment instructions (once finalised by the Council, incorporating any changes); and 101.1.3 if any submissions were received, a consultation report to be furnished to the Commission.



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766282	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 18(2)	101. Final Determination of the Minister 101.2 The power pursuant to clause 138(2) of PD2 to set out in the consultation report in clause 18(1)(c) of PD2 all of the following: 101.2.1 the outcome of the consultation, including a summary of the written submissions or feedback received; and 101.2.2 any proposed changes to the Complying Change (when compared with the proposal that was consulted on) and the reasons for those proposed changes and specifically indicate: 101.2.2.1 where changes are proposed to the Complying Change as a result of the consultation; and 101.2.2.2 any other changes proposed as a result of additional investigations or information that was not available when the proposal was released for consultation.
754124	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 19(1)	102. Lodgement Requirement 102.1 The power pursuant to clause 19(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 102.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Amendment is: 102.1.1.1 in the interest of the orderly and proper development of an area of the State; and 102.1.1.2 for a Code Amendment, that it is 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; 102.1.2 written instructions (in a form acceptable to the Department) that set out



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			the intent of the proposed Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Amendment; and 102.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Amendment.
802961	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.3 For Code Amendments an outline of: 91.1.3.1 any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or 91.1.3.2 the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;
802962	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.4. For Regional Plan Amendments: 91.1.4.1 an outline of any existing text, policies, actions/recommendations or other content in the Regional Plan that is proposed to be amended or inserted; and/or 91.1.4.2 details of any proposed changes to existing spatial layers, or the inclusion of new spatial layers;
802963	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.5 A map or description of the Affected Area;
802964	State Planning Commission Practice	clause 6(1)	91. Proposal to Initiate



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	Direction 2 - Preparation and Amendment of Designated Instruments		91.1.6 Consultation Requirements 91.1.6.1 Information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 91.1.6.2 Details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;
802965	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.7 Planning Merit Statement 91.1.7.1 A statement detailing how the proposed Amendment relates to strategic directions and outlines desired policy/development outcomes and anticipated residential/ employment yields;
802966	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.8 Investigation Information 91.1.8.2 For the purposes of a Code Amendment, or where a Regional Plan is proposing a recommendation to alter spatial application of Zones, Overlays or Subzones: (a) infrastructure (road, civil, corridor); (b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications); (c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects); (d) hazard risk (analysis of relevant policy and site conditions); and/or (e) the extent to which there are social, economic, land use, built form or environmental features that present a barrier to the outcomes sought;



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802967	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.9 High-level details of any infrastructure required to support development arising through the proposed Amendment and how that infrastructure will be provided (for example potable water and sewerage connection requirements);
802968	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	91. Proposal to Initiate 91.1.10 Where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Amendment.
802969	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 8(1)	93. Publication Instructions 93.1 The power pursuant to clause 8(1) of PD2 to set out the following in the SA Planning Portal Publication Instructions – for Initiation: 93.1.1 a plain English summary of the proposed Amendment which will be published on the SA Planning Portal; and 93.1.2 where possible, an indicative timeframe for the commencement of public consultation.
385357	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	103. Responsibility to Undertake Notification 103.1 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.
385358	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(3)	105. Mandatory Inspections 105.1 The power pursuant to clause 2(3) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to take all reasonable steps to ensure that each inspection carried out under PD9 includes



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			an inspection and assessment of but not necessarily limited to, the following elements (elements), as may be present (and reasonably accessible) at the time of inspection: 105.1.1 primary structural elements (as defined); 105.1.2 wet areas and waterproofing; 105.1.3 barriers to prevent falls; 105.1.4 cladding; 105.1.5 egress provisions; 105.1.6 bushfire protection systems; 105.1.7 passive and active fire safety elements; 105.1.8 private bushfire shelters; and 105.1.9 performance solutions.
385359	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(1)	106. Additional Inspections 106.1 The power pursuant to clause 3(1) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in subclause (3) of Part 2 of (additional inspection) of PD9 if the Council or delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.
385360	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(4)	107. Inspections Generally 107.1 The power pursuant to clause 4(4) 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.
385361	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	108. General Requirements 100.1 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 subclauses 2(2) and 2(3) 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.



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

ID	Delegation Source	Provision	Item Delegated
385362	State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020	cl5(2)	109. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 109.1 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.
503614	Urban Tree Canopy Off-set Scheme	cl 9	83. Use of Money from Fund 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): 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 83.1.2 the purchase of land within a designated local government area to ensure: 83.1.2.1 the preservation of trees; or 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.



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

ID	Delegation Source	Provision	Item Delegated
312344	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);	s7(5)(a)	1. Environment and Food Production Areas – Greater Adelaide 1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.
312345	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);	s7(5)(d)	1. Environment and Food Production Areas – Greater Adelaide 1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development that involves a division of land that would create one or more additional allotments in an environmental and food production area, to, if the proposed development will create additional allotments in an environmental and food production area that are to be used for residential development, refuse to grant development authorisation in relation to the proposed development.
312346	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);	s99(2)(b)(ii)	2. Related Provisions 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.
312347	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);	s99(3)	2. Related Provisions 2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.
312348	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice	s102(1)	3. Matters Against Which Development Must be Assessed 3.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the



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	Directions of Powers of a Council as a Relevant Authority (Instrument B);		relevant provisions of the Building Rules (building consent).
312349	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);	s102(8)	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.
312350	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);	s118(1)	4. Building Consent 4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).
312351	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);	s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.
312352	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);	s118(2)	4. Building Consent 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: 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: 4.3.1.1 that: (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



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			(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or 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.
312353	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);	s118(4)	4. Building Consent 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.
312354	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);	s118(6)	4. Building Consent 4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.
312355	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);	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.
312356	Instrument of Delegation under the Planning,	s118(8)	4. Building Consent



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ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		<p>4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that:</p> <p>4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or</p> <p>4.7.2 such compliance is certified by a building certifier.</p>
312357	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);	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>
312358	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);	s118(11)	<p>4. Building Consent</p> <p>4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document):</p> <p>4.9.1 the variance; and</p> <p>4.9.2 the grounds on which the decision is being made.</p>
312359	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);	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>
312360	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice	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>



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ID	Delegation Source	Provision	Item Delegated
	Directions of Powers of a Council as a Relevant Authority (Instrument B);		5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application; 5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act; 5.2.3 to consult with an authority or body prescribed by the regulations; 5.2.4 to comply with any other requirement prescribed by the regulations.
484388	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);	s119(6)(b)	5. Application and Provision of Information 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.
388522	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);	s119(7)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.
312362	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);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.1 permit an applicant: 5.5.1.1 to vary an application; 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);



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ID	Delegation Source	Provision	Item Delegated
312363	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);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;
312364	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);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 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);
312365	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);	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 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.
312366	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);	s119(10)	5. Application and Provision of Information 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.
312367	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);	s119(12)	5. Application and Provision of Information 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.



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ID	Delegation Source	Provision	Item Delegated
312368	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);	s119(14)	5. Application and Provision of Information 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.
312371	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);	s122(1)	6. Referrals to Other Authorities or Agencies 6.1 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: 6.1.1 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 6.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act.
312372	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);	s122(5)(b)	6. Referrals to Other Authorities or Agencies 6.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body: 6.2.1 to refuse the application; or 6.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.
312373	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);	s122(7)	6. Referrals to Other Authorities or Agencies 6.3 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



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

ID	Delegation Source	Provision	Item Delegated
			proceedings.
312374	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);	s122(10)	7. Referrals to Other Authorities or Agencies 7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.
312375	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);	s124(1)	7. Proposed Development Involving Creation of Fortifications 7.1 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).
312376	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);	s124(5)	7. Proposed Development Involving Creation of Fortifications 7.2 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: 7.2.1 if the proposed development consists only of the creation of fortifications – refuse the application; 7.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.
312377	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);	s124(6)	7. Proposed Development Involving Creation of Fortifications 7.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.



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ID	Delegation Source	Provision	Item Delegated
312378	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);	s124(7)	7. Proposed Development Involving Creation of Fortifications 7.4 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.
312379	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);	s126(1)	8. Determination of Application 8.1 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).
312380	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);	s126(3)	8. Determination of Application 8.2 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.
312381	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);	s127(1)	9. Conditions 9.1 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.
312382	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);	s127(2)(c)	9. Conditions 9.2 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.
682250	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice	s128(1) and (2)	10. Variation of Authorisation 10.1 The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variation of a development



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ID	Delegation Source	Provision	Item Delegated
	Directions of Powers of a Council as a Relevant Authority (Instrument B);		authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).
312383	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);	s128(2)(d)	10. Variation of Authorisation 10.2 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.
312384	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);	s133(3)	11. Saving Provisions 11.1 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.
312385	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);	s134(1)	12. Requirement to Up-grade 12.1 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.
312386	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);	s134(1)	12. Requirement to Up-grade 12.2 The power pursuant to Section 134(1) of the PDI Act, if: 12.2.1.1 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 12.2.1.2 a change of classification of a building; and 12.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.



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ID	Delegation Source	Provision	Item Delegated
312387	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);	s134(2)	12. Requirement to Up-grade 12.3 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.
312388	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);	s134(3)	12. Requirement to Up-grade 12.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act: 12.4.1 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 12.4.2 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
312389	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);	s134(4)	12. Requirement to Up-grade 12.5 The power pursuant to Section 134(4) of the PDI Act if: 12.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and 12.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities, to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).
312390	Instrument of Delegation under the Planning,	s134(5)	12. Requirement to Up-grade



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ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		12.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act: 12.6.1 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 12.6.2 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.
312391	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);	s135(2)(d)	13. Urgent Building Work 13.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.
312392	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);	s143(1)	14. Cancellation of Development Authorisation 14.1 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.
312393	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);	s143(2)	14. Cancellation of Development Authorisation 14.2 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.
312394	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);	s235(1)	15. Professional Advice to be Obtained in Relation to Certain Matters 15.1 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.



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

ID	Delegation Source	Provision	Item Delegated
312395	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);	s235(2)	<p>15. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>15.2 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>
312396	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);	cl18(2) sch8	<p>16. Continuation of Processes</p> <p>16.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>16.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>16.1.2 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>16.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>16.1.4 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>16.1.5 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>
312397	Planning, Development and Infrastructure (General) Regulations 2017	r25(7)(c)	<p>17. Accredited Professionals</p> <p>17.1 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</p>



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

ID	Delegation Source	Provision	Item Delegated
			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.
312398	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	18. Verification of Application 18.1 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: 18.1.1 determine the nature of the development; and
312399	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	18. Verification of Application 18.1 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: 18.1.2 if the application is for planning consent - determine: 18.1.2.1 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 18.1.2.2 the category or categories of development that apply for the purposes of development assessment; and
312400	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	18. Verification of Application 18.1 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



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ID	Delegation Source	Provision	Item Delegated
			correctly lodged and can be assessed in accordance with the PDI Act: 18.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and
312401	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	<p>18. Verification of Application</p> <p>18.1 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>18.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>18.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>18.1.4.2 confirm the prescribed fees required to be paid at that point ; and</p> <p>18.1.4.3 provide an appropriate notice via the SA planning portal; and</p>
312402	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	<p>18. Verification of Application</p> <p>18.1 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>18.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>18.1.5.1 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>18.1.5.2 provide an appropriate notice via the SA planning portal.</p>



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

ID	Delegation Source	Provision	Item Delegated
312403	Planning, Development and Infrastructure (General) Regulations 2017	r35(3)	<p>19. Amended Applications</p> <p>19.1 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>
312404	Planning, Development and Infrastructure (General) Regulations 2017	r35(4)	<p>19. Amended Applications</p> <p>19.2 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>
312405	Planning, Development and Infrastructure (General) Regulations 2017	r38(1)	<p>20. Withdrawing/Lapsing Applications</p> <p>20.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>20.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>20.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>
484389	Planning, Development and Infrastructure (General) Regulations 2017	r38(2)	<p>20. Withdrawing/Lapsing Applications</p> <p>20.2 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>
312406	Planning, Development and Infrastructure (General) Regulations 2017	r38(3)	<p>20. Withdrawing/Lapsing Applications</p> <p>20.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under</p>



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ID	Delegation Source	Provision	Item Delegated
			Regulation 38(2) of the General Regulations to: 20.3.1 take reasonable steps to notify the applicant of the action under consideration; and 20.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.
312407	Planning, Development and Infrastructure (General) Regulations 2017	r40	21. Court Proceedings 21.1 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.
312408	Planning, Development and Infrastructure (General) Regulations 2017	r42(1)	22. Additional Information or Amended Plans 22.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.
312409	Planning, Development and Infrastructure (General) Regulations 2017	r45(1)	23. Building Matters 23.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that: 23.1.1 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 23.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or 23.1.3 special problems for fire fighting could arise due to hazardous



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ID	Delegation Source	Provision	Item Delegated
			conditions of a kind described in Section E of the Building Code, refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.
312410	Planning, Development and Infrastructure (General) Regulations 2017	r45(2)	23. Building Matters 23.2 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.
312411	Planning, Development and Infrastructure (General) Regulations 2017	r45(3)	23. Building Matters 23.3 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.
312412	Planning, Development and Infrastructure (General) Regulations 2017	r45(4)	23. Building Matters 23.4 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: 23.4.1 recommends against the granting of building consent; or 23.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate: 23.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or 23.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent, to: 23.4.5 refer the application to the Commission; and 23.4.6 not grant consent unless the Commission concurs in the



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ID	Delegation Source	Provision	Item Delegated
			granting of the consent.
312413	Planning, Development and Infrastructure (General) Regulations 2017	r45(5)	23. Building Matters 23.5 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.
752567	Planning, Development and Infrastructure (General) Regulations 2017	r57(2)(b)	24. Notice of Decision (Section 126(1)) 24.1 The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.
312414	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a)	24. Notice of Decision (Section 126(1)) 24.2 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.
312415	Planning, Development and Infrastructure (General) Regulations 2017	r60	25. Consideration of Other Development Authorisations 25.1 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.
312416	Planning, Development and Infrastructure (General) Regulations 2017	r61(4)(c)	26. Certificate of Independent Technical Expert in Certain Cases 26.1 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



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ID	Delegation Source	Provision	Item Delegated
			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.
312417	Planning, Development and Infrastructure (General) Regulations 2017	r63(1)	27. Urgent Work 27.1 The power pursuant to Regulation 63(1) of the General Regulations to, 27.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 27.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.
312418	Planning, Development and Infrastructure (General) Regulations 2017	r63(2)	27. Urgent Work 27.2 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.
312419	Planning, Development and Infrastructure (General) Regulations 2017	r63(3)	27. Urgent Work 27.3 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.
312420	Planning, Development and Infrastructure (General) Regulations 2017	r65(1)(a)	28. Variation of Authorisation (Section 128) 28.1 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.
484390	Planning, Development and Infrastructure (General) Regulations 2017	r99(4)	29. Construction Industry Training Fund 29.1 The power pursuant to Regulation 99(4) of the General



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ID	Delegation Source	Provision	Item Delegated
			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.
484391	Planning, Development and Infrastructure (General) Regulations 2017	r99(5)	29. Construction Industry Training Fund 29.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed.
312421	Planning, Development and Infrastructure (General) Regulations 2017	cl4(3) sch8	30. Plans for Building Work 30.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if: 30.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or 30.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.
312422	Planning, Development and Infrastructure (Fees,	r5(1)	31. Calculation or Assessment of Fees



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ID	Delegation Source	Provision	Item Delegated
	Charges and Contributions) Regulations 2019		<p>31.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):</p> <p>31.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>31.1.2 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)</p>
312423	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	<p>31. Calculation or Assessment of Fees</p> <p>31.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>
312424	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	5(3)	<p>31. Calculation or Assessment of Fees</p> <p>31.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>
312425	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	<p>32. Waiver or Refund of Fee</p> <p>32.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>32.1.1 waive the payment of the fee, or the payment of part of the fee;</p> <p>or</p> <p>32.1.2 refund the whole or a part of the fee.</p>
803659	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r13(3a)	<p>33. Development to be Assessed by Accredited Professional</p> <p>34.1 The power pursuant to Regulation 13(3a) of the Fees Regulations, if an accredited professional has not elected to collect the compliance fee in accordance with Regulation 13(2)(a)(ii) of the Fees</p>



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ID	Delegation Source	Provision	Item Delegated
			Regulations in respect of an application, to collect the fee.
803660	State Planning Commission Practice Direction 12 - Conditions	clause 6	<p>35. Notification of Deemed Planning Consent Notice</p> <p>35.1 The power pursuant to clause 6 of the State Planning Commission Practice Direction 12 – Conditions Consent (PD12), where a person has issued a Deemed Planning Consent Notice (the Notice) to the relevant authority pursuant to Section 125(2) of the PDI Act, to upon receipt of the Notice, provide a copy of the Notice to:</p> <p>35.1.1 any other relevant authority that has given or is considering another development authorisation relating to the same development; and</p> <p>35.1.2 if the application was referred to a prescribed body under Section 122 of the PDI Act – to that prescribed body or bodies; and</p> <p>35.1.3 if the owner of land to which the application related is not a party to the application – to the owner of the land; and</p> <p>35.1.4 if any person has made a representation to the relevant authority in respect of the proposed development – to that person or persons; and</p> <p>35.1.5 in the case of restricted development, the Environment, Resources and Development Court.</p>
736931	State Planning Commission Practice Direction 18 Outline Consent	cl5(1)(b)	<p>63. Circumstances in Which Outline Consent May be Granted</p> <p>36.1 The power pursuant to clause 5(1)(b) of the State Planning Commission Practice Direction 18 Outline Consent (PD18) to provide advice to an applicant that if the application were to be for planning consent, the council would request the Minister to give notice under Section 94(1)(g) of the PDI Act.</p>



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410021	Local Government Act 1999	section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	council
410022	Local Government Act 1999	section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	council
574148	Local Government Act 1999	section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	council
410023	Local Government Act 1999	section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	council
410024	Local Government Act 1999	section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	council
410025	Local Government Act 1999	section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	council
410026	Local Government Act 1999	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)	council
410027	Local Government Act 1999	section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	council
410028	Local Government Act 1999	section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	council
410029	Local Government Act 1999	section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	council
410030	Local Government Act 1999	section 7(j)	Manage, improve and develop resources available to the council	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410031	Local Government Act 1999	section 7(k)	Undertake other functions and activities conferred by or under an Act	council
410032	Local Government Act 1999	section 12(1)	Publish a notice in the Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council into wards or abolishing the division of the area of the council into wards	council
410033	Local Government Act 1999	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	council
410034	Local Government Act 1999	section 12(3)	Undertake a review under section 12 of the Local Government Act	council
410035	Local Government Act 1999	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	council
410036	Local Government Act 1999	section 12(5)	Initiate the preparation of a presentation review report and form the opinion a person is qualified to address the representation and governance issues	council
638769	Local Government Act 1999	Section 12(7)	Undertake public consultation	council
410045	Local Government Act 1999	section 12(11)	Finalise the council report	council
638770	Local Government Act 1999	section 12(11a)	Refer the report to Electoral Commissioner	council
638771	Local Government Act 1999	section 12(11e)(a)	Take such action as is necessary (including by altering report)	council
638772	Local Government Act 1999	section 12(11e)(b)	Comply with requirements of section 12(7)	council
638773	Local Government Act 1999	section	Refer the report to the Electoral Commissioner under section 12(12)	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		12(11e)(c)		
410051	Local Government Act 1999	section 12(12)	Refer report to the Electoral Commissioner	council
638774	Local Government Act 1999	section 12(12a)	Include with the report copies of any written submissions if received	council
410052	Local Government Act 1999	section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	council
410053	Local Government Act 1999	section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	council
410054	Local Government Act 1999	section 12(16)(b)	Refer report back to the Electoral Commissioner	council
410055	Local Government Act 1999	section 12(17)	Comply with requirements of section 12(7) (unless determine alteration of report is of a minor nature only)	council
410056	Local Government Act 1999	section 12(24)	Undertake a review within period specified by the Electoral Commissioner	council
410057	Local Government Act 1999	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	council
410058	Local Government Act 1999	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	council
410059	Local Government Act 1999	section 13(2)(b)	Invite written submissions	council
410060	Local Government Act 1999	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410061	Local Government Act 1999	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	council
410062	Local Government Act 1999	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	council
410063	Local Government Act 1999	section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	council
410064	Local Government Act 1999	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	council
410065	Local Government Act 1999	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	council
410066	Local Government Act 1999	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	council
410067	Local Government Act 1999	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	council
410068	Local Government Act 1999	section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	council
410069	Local Government Act 1999	section 41(1)	Establish a committee	council
410070	Local Government Act 1999	section 41(2)	Determine the role of the committee	council
410071	Local Government Act 1999	section 41(3)	Determine the membership of the committee	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410072	Local Government Act 1999	section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	council
410073	Local Government Act 1999	section 41(6)	Appoint the principal member as an ex officio member of the committee	council
410074	Local Government Act 1999	section 41(8)	Determine the reporting and other accountability requirements applying to a committee	council
410075	Local Government Act 1999	section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	council
410076	Local Government Act 1999	section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	council
410077	Local Government Act 1999	section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	council
410078	Local Government Act 1999	section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	council
410081	Local Government Act 1999	section 45(1)	Nominate a place as the council's principal office	council
410082	Local Government Act 1999	section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	council
410083	Local Government Act 1999	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	council
410084	Local Government Act 1999	section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	council
410085	Local Government Act 1999	section 46(2)(a)	Establish a business in connection with a commercial project	council
410086	Local Government Act 1999	section	Participate in a joint venture, trust, partnership or other similar body in	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		46(2)(b)	connection with a commercial project	
410087	Local Government Act 1999	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	council
410088	Local Government Act 1999	section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	council
410089	Local Government Act 1999	section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	council
410091	Local Government Act 1999	section 48(6)	Take steps to prevent the disclosure of specific information in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council)	council
410092	Local Government Act 1999	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	council
410093	Local Government Act 1999	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 (d) the sale or disposal of land or other assets.	council
410094	Local Government Act 1999	section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	council
410097	Local Government Act 1999	section 50(1)	Prepare and adopt a public consultation policy	council



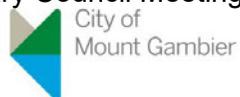
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410098	Local Government Act 1999	section 50(5)	Alter or substitute the public consultation policy	council
410099	Local Government Act 1999	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	council
410100	Local Government Act 1999	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	council
410101	Local Government Act 1999	section 50(6)(e)	Consider submissions	council
410102	Local Government Act 1999	section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	council
410103	Local Government Act 1999	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	council
410104	Local Government Act 1999	section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	council
410105	Local Government Act 1999	section 54(1)(d)	Grant a leave of absence from council	council
410106	Local Government Act 1999	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	council
410107	Local Government Act 1999	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	council
657210	Local Government Act 1999	section 68(3b)	Apply to SACAT for an order disqualifying member of the council from the office of member under the Local Government Act	council
410108	Local Government Act 1999	section 70(a1)	Publish prescribed details contained in the Register	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
657211	Local Government Act 1999	section 75F(1)	Prepare and adopt behavioural support policies	council
657212	Local Government Act 1999	section 75F(5)	Alter or substitute a behavioural support policy	council
657213	Local Government Act 1999	section 75F(6)	Undertake public consultation before adopting, altering or substituting a behavioural support policy	council
657214	Local Government Act 1999	section 75F(7)(a)	Review the operation of the behavioural support policies and consider whether to adopt additional behavioural support policies	council
657215	Local Government Act 1999	section 75F(7)(b)	Consider whether to adopt behavioural support policies	council
410111	Local Government Act 1999	section 77(1)	Provide reimbursement of prescribed expenses of a member of council	council
410116	Local Government Act 1999	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	council
410117	Local Government Act 1999	section 80A(1)	Prepare a training and development policy for members	council
657216	Local Government Act 1999	section 80A(2b)	Suspend a member from office of member of the council for failure to comply with the prescribed mandatory requirements	council
657217	Local Government Act 1999	section 80A(2e)	Revoke the suspension if satisfied the member has complied with the prescribed mandatory requirements and give public notice of the revocation	council
657218	Local Government Act 1999	section 80A(2f)	Apply to SACAT for an order disqualifying the member from office of member of the council	council
410118	Local Government Act 1999	section	Alter or substitute a training and development policy for members	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		80A(3)		
657219	Local Government Act 1999	section 80B(1)(a)	Suspend a member subject to a relevant interim intervention order from the office of member of the council where person protected by the order is another member	council
657220	Local Government Act 1999	section 80B(3)	Revoke a suspension	council
657221	Local Government Act 1999	section 80B(9)	Apply to SACAT for an order disqualifying the member from the office of member of the council	council
410121	Local Government Act 1999	section 84(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting	council
410123	Local Government Act 1999	section 88(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting	council
410124	Local Government Act 1999	section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	council
574149	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
574150	Local Government Act 1999	section 90A(4)	Order that an information or briefing session be closed to the public	council
574151	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
574152	Local Government Act 1999	section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410129	Local Government Act 1999	section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	council
410133	Local Government Act 1999	section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	council
410134	Local Government Act 1999	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	council
410135	Local Government Act 1999	section 92(2)	Review code of practice	council
410136	Local Government Act 1999	section 92(3)	Alter or substitute a new code of practice	council
610331	Local Government Act 1999	section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	council
410141	Local Government Act 1999	section 93(1)	Convene a meeting of electors of the council area or part of the council area	council
410142	Local Government Act 1999	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	council
410143	Local Government Act 1999	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	council
410144	Local Government Act 1999	section 94(6)	Make submissions to the Minister	council
410145	Local Government Act 1999	section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	council
610332	Local Government Act 1999	section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management	council
410146	Local Government Act 1999	section 98(3)	Invite applications including by advertising on website and take other	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			action	
610333	Local Government Act 1999	section 98(3)	Determine website to advertise invitation for applications	council
610334	Local Government Act 1999	section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	council
610335	Local Government Act 1999	section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	council
610336	Local Government Act 1999	section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	council
410149	Local Government Act 1999	section 106(2)	Pay contribution to another council	council
410150	Local Government Act 1999	section 106(3)	Recover a contribution from another council as a debt	council
410151	Local Government Act 1999	section 106(4)	Provide details of the service of an employees or former employee to another council	council
410152	Local Government Act 1999	section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	council
410153	Local Government Act 1999	section 111(b)	Declare that an officer or an officer of a class is subject to subdivision 2, Part 4, Chapter 7 of the Local Government Act	council
657222	Local Government Act 1999	section 120A(1)	Prepare and adopt employee behavioural standards	council
657223	Local Government Act 1999	section 120A(4)	Alter or substitute employee behavioural standards	council
657224	Local Government Act 1999	section 120A(5)	Consult with any registered industrial association that represents interests of employees of councils before adopting, altering or substituting	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			employee behavioural standards	
657225	Local Government Act 1999	section 120A(6)a)	Review the operation of the employee behavioural standards	council
657226	Local Government Act 1999	section 120A(6)(b)	Consider whether to adopt employee behavioural standards	council
410154	Local Government Act 1999	section 122(1)	Develop a strategic management plan	council
410155	Local Government Act 1999	section 122(1a)(a)	Develop a long-term financial plan	council
410156	Local Government Act 1999	section 122(1a)(b)	Develop an infrastructure and asset management plan	council
624233	Local Government Act 1999	section 122(1c)	Provide information relating to long-term financial plan and infrastructure and asset management plan to designated authority	council
624234	Local Government Act 1999	section 122(1e)	Provide to the designated authority all relevant information on the matters specified in this section in accordance with guidelines determined by designated authority	council
624235	Local Government Act 1999	section 122(1h)	Ensure advice provided by designated authority and any response of the Council is published in the Council's annual business plan (draft and adopted) in the relevant financial year and subsequent financial year (until next relevant financial year)	council
624236	Local Government Act 1999	section 122(1j)	Provide to the designated authority within time and in manner specified in notice information the designated authority reasonably requires.	council
410157	Local Government Act 1999	section 122(4)	Review strategic management plans	council
410158	Local Government Act 1999	section	Adopt a process to ensure that members of the public are given	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		122(6)	reasonable opportunity to be involved in the development and review of the council's strategic management plans	
410160	Local Government Act 1999	section 123(3)(a)	Prepare a draft annual business plan	council
410161	Local Government Act 1999	section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	council
410162	Local Government Act 1999	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	council
410163	Local Government Act 1999	section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	council
410164	Local Government Act 1999	section 123(9)(a)(i)	Prepare a summary of the annual business plan	council
410165	Local Government Act 1999	section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	council
410169	Local Government Act 1999	section 124(1)(a)	Keep accounting records	council
410170	Local Government Act 1999	section 125	Implement and maintain appropriate policies, practices and procedures of internal control	council
711510	Local Government Act 1999	section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	council
711511	Local Government Act 1999	section 126(9)	Ensure annual report of audit and risk committee is included in annual report	council
711512	Local Government Act 1999	section	Establish a regional audit and risk committee	council



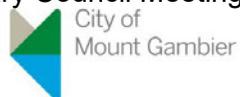
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		126A(1)		
711513	Local Government Act 1999	section 126A(9)	Ensure annual report of regional audit and risk committee is included in annual report	Council
410171	Local Government Act 1999	section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	council
410172	Local Government Act 1999	section 127(3)	Provide statements to auditor	council
410173	Local Government Act 1999	section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	council
410176	Local Government Act 1999	section 128(2)	Appoint an auditor on the recommendation of the relevant audit and risk committee.	council
410177	Local Government Act 1999	section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	council
410178	Local Government Act 1999	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	council
410179	Local Government Act 1999	section 131(1)	Prepare annual report	council
410180	Local Government Act 1999	section 131(4)	Provide a copy of the annual report to each council member	council
410181	Local Government Act 1999	section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	council
410182	Local Government Act 1999	section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
574153	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
610337	Local Government Act 1999	section 132(1)(a)	Publish a document referred to in Schedule 5 of the Local Government Act on a website determined by chief executive officer	council
610338	Local Government Act 1999	section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act	council
610339	Local Government Act 1999	section 132(3a)	Publish a document or part of a document on a website determined by the chief executive officer where an order under section 91(7) of the Local Government Act expires or ceases to apply	council
410187	Local Government Act 1999	section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration	council
410188	Local Government Act 1999	section 133	Obtain funds as permitted by the Local Government Act or other Act	council
410189	Local Government Act 1999	section 135(1)	Provide security	council
410190	Local Government Act 1999	section 135(2)(a)	Assign a distinguishing classification to a debenture	council
410191	Local Government Act 1999	section 135(2)(b)	Appoint a trustee for the debenture holders	council
410192	Local Government Act 1999	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	council
410193	Local Government Act 1999	section 139(1)	Invest money under the council's control	council
410194	Local Government Act 1999	section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410195	Local Government Act 1999	section 140	Review performance of investments at least annually	council
410196	Local Government Act 1999	section 141(1)	Accept a gift	council
410197	Local Government Act 1999	section 141(2)	Carry out the terms of a trust applying to a gift	council
410198	Local Government Act 1999	section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	council
410199	Local Government Act 1999	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	council
410200	Local Government Act 1999	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	council
410201	Local Government Act 1999	section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	council
410202	Local Government Act 1999	section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	council
410203	Local Government Act 1999	section 143(1)	Write off bad debts	council
410204	Local Government Act 1999	section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	council
410205	Local Government Act 1999	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	council
410206	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410207	Local Government Act 1999	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	council
410208	Local Government Act 1999	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	council
410209	Local Government Act 1999	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	council
410210	Local Government Act 1999	section 156(10)	Extend the time period for lodging an objection	council
410211	Local Government Act 1999	section 156(11)	Decide an objection to attribution of a particular use to land	council
410212	Local Government Act 1999	section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	council
410213	Local Government Act 1999	section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	council
410214	Local Government Act 1999	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	council
410215	Local Government Act 1999	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	council
410216	Local Government Act 1999	section 159(1)	Determine the manner and form of an application for a rebate of rates	council
410217	Local Government Act 1999	section 159(3)	Grant a rebate of rates	council



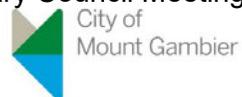
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410218	Local Government Act 1999	section 159(4)	Increase a rebate of rates	council
410219	Local Government Act 1999	section 159(10)	Determine that proper cause for a rebate of rates no longer applies	council
410220	Local Government Act 1999	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	council
410221	Local Government Act 1999	section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	council
410222	Local Government Act 1999	section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	council
410223	Local Government Act 1999	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	council
410224	Local Government Act 1999	section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	council
410225	Local Government Act 1999	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	council
410226	Local Government Act 1999	section 167(1)	Adopt valuations	council
410227	Local Government Act 1999	section 167(6)	Publish a notice of the adoption of valuations in the Gazette	council
410228	Local Government Act 1999	section 168(1)	Request the Valuer-General to value land in the council area	council
410229	Local Government Act 1999	section	Furnish information to the Valuer-General requested information	council



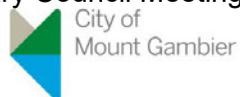
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		168(2)		
410230	Local Government Act 1999	section 168(3)(b)	Enter valuation into the assessment record	council
410231	Local Government Act 1999	section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	council
410232	Local Government Act 1999	section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	council
410233	Local Government Act 1999	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	council
410234	Local Government Act 1999	section 169(7)	Provide written notice to an objector of the outcome of the objection	council
410235	Local Government Act 1999	section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	council
410236	Local Government Act 1999	section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	council
410237	Local Government Act 1999	section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	council
410238	Local Government Act 1999	section 169(16)	Pay the prescribed fee to the Valuer-General	council
410239	Local Government Act 1999	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	council
410240	Local Government Act 1999	section 173(5)	Determine a review of the outcome of a request to alter the assessment record	council
410241	Local Government Act 1999	section	Provide written notice of decision on review	council



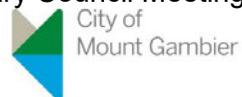
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		173(6)		
410242	Local Government Act 1999	section 173(7)	Participate in a review of decision of council	council
410243	Local Government Act 1999	section 174(1)	Provide the assessment record for inspection at the principal offices of the council	council
410244	Local Government Act 1999	section 174(2)	Provide for the purchase of an entry in the assessment record	council
410245	Local Government Act 1999	section 178(3)	Recover rates as a debt	council
410246	Local Government Act 1999	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	council
410247	Local Government Act 1999	section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	council
804585	Local Government Act 1999	Section 178(7)(b)	By written notice to the owner of the land, inform the owner of the imposition of the requirement under section 178 (4)	council
410248	Local Government Act 1999	section 179(2)	Adopt a valuation of land	council
410249	Local Government Act 1999	section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	council
410250	Local Government Act 1999	section 180(1)	Provide a rates notice to the principal ratepayer	council
410251	Local Government Act 1999	section 181(2)	Determine the day on which an instalment of rates falls due	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410252	Local Government Act 1999	section 181(3)	Adjust the months in which instalments of rates are payable	council
410253	Local Government Act 1999	section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	council
410254	Local Government Act 1999	section 181(5)	Provide rates notice to principal ratepayer	council
410255	Local Government Act 1999	section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	council
410256	Local Government Act 1999	section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	council
410257	Local Government Act 1999	section 181(11)	Grant discounts or other incentives in relation to the payment of rates	council
410258	Local Government Act 1999	section 181(12)(b)	Impose a surcharge or administrative levy not exceeding 1 per cent of the rates payable in a particular financial year with respect to the payment of rates by instalments	council
410259	Local Government Act 1999	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	council
410260	Local Government Act 1999	section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	council
410261	Local Government Act 1999	section 182(1)(a)	Postpone payment of rates	council
410262	Local Government Act 1999	section 182(1)(b)	Remit the whole or part payment of rates	council
410263	Local Government Act 1999	section	Impose a condition that the ratepayer pay interest on postponed rates	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		182(2)(a)		
410264	Local Government Act 1999	section 182(2)(b)	Impose other conditions on the postponement of rates	council
410265	Local Government Act 1999	section 182(2)(c)	Revoke a postponement of rates	council
410266	Local Government Act 1999	section 182(3)	Postpone the payment of rates	council
410267	Local Government Act 1999	section 182(4)	Grant a remission of rates	council
410268	Local Government Act 1999	section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	council
410269	Local Government Act 1999	section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	council
410270	Local Government Act 1999	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	council
410271	Local Government Act 1999	section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	council
410272	Local Government Act 1999	section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	council
410273	Local Government Act 1999	section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	council
410274	Local Government Act 1999	section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	council
410275	Local Government Act 1999	section	Sell land where an amount of rates in respect of the land has been in	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		184(1)	arrears for more than three years	
410276	Local Government Act 1999	section 184(2)	Send a notice to the principal ratepayer	council
410277	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, 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.	council
410278	Local Government Act 1999	section 184(4)(c)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	council
410279	Local Government Act 1999	section 184(4)(d)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	council
410280	Local Government Act 1999	section 184(6)	Set a reserve price for the auction	council
410281	Local Government Act 1999	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	council
410282	Local Government Act 1999	section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	council
410283	Local Government Act 1999	section 184(9)	Call off an auction	council
410284	Local Government Act 1999	section 184(10)	Sell land by private contract	council
410285	Local Government Act 1999	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)	council
410286	Local Government Act 1999	section	Deal with money under the Unclaimed Money Act 2021	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		184(12)		
410287	Local Government Act 1999	section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act	council
410288	Local Government Act 1999	section 186(2)(a)	Repay an amount of overpaid rates	council
410289	Local Government Act 1999	section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	council
410290	Local Government Act 1999	section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	council
410291	Local Government Act 1999	section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	council
410292	Local Government Act 1999	section 186(5)	Refund an amount to a person ceasing to be a ratepayer	council
410293	Local Government Act 1999	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	council
410294	Local Government Act 1999	section 187A(5)(b)	Receive a report from the Ombudsman	council
410295	Local Government Act 1999	section 187B(5)	Receive a report from the Ombudsman	council
410296	Local Government Act 1999	section 187B(6)	Provide a written response to the Ombudsman and complainant	council
410297	Local Government Act 1999	section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410298	Local Government Act 1999	section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	council
410299	Local Government Act 1999	section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	council
410300	Local Government Act 1999	section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	council
410301	Local Government Act 1999	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.	council
410302	Local Government Act 1999	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	council
410304	Local Government Act 1999	section 188(7)	Take reasonable steps to bring a variation of a fee or charge to the notice of a person who may be affected	council
410305	Local Government Act 1999	section 190	Agree to acquire land	council
410306	Local Government Act 1999	section 191(1)	Seek the Minister's consent to acquire land compulsorily	council
410307	Local Government Act 1999	section 191(1)	Acquire land compulsorily	council
410308	Local Government Act 1999	section 191(2)	Acquire land compulsorily	council
410309	Local Government Act 1999	section	Publish a copy of a resolution under section 192(1) of the Local	council



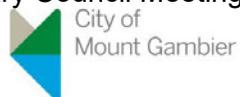
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		192(4)	Government Act in the Gazette	
410310	Local Government Act 1999	section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	council
410311	Local Government Act 1999	section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	council
410312	Local Government Act 1999	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	council
410313	Local Government Act 1999	section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	council
410314	Local Government Act 1999	section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	council
410315	Local Government Act 1999	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	council
410316	Local Government Act 1999	section 194(4)	Participate in consultation with the Minister	council
410317	Local Government Act 1999	section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	council
410318	Local Government Act 1999	section 196(1)	Prepare and adopt a management plan for community land	council
410319	Local Government Act 1999	section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Adelaide City Council
410320	Local Government Act 1999	section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410321	Local Government Act 1999	section 197(1)(a)	Make copies of a proposed management plan available or inspection of purchase at the council's principal office	council
410322	Local Government Act 1999	section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	council
410323	Local Government Act 1999	section 197(3)	Give public notice of the adoption of the management plan	council
410324	Local Government Act 1999	section 198(1)	Amend or revoke a management plan	council
410325	Local Government Act 1999	section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	council
410326	Local Government Act 1999	section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	council
410327	Local Government Act 1999	section 199	Manage community land in accordance with any relevant management plan	council
410328	Local Government Act 1999	section 200(1)	Approve the use of community land for a business purpose	council
410329	Local Government Act 1999	section 200(3)	Impose conditions on an approval to use community land for a business purpose	council
410330	Local Government Act 1999	section 201(1)	Sell or otherwise dispose of an interest in land	council
410331	Local Government Act 1999	section 202(1)	Grant a lease or licence over community land	council
410332	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410333	Local Government Act 1999	section 207(1)	Keep a register of community land in the council area	council
410334	Local Government Act 1999	section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	council
410337	Local Government Act 1999	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	council
410338	Local Government Act 1999	section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	council
410339	Local Government Act 1999	section 210(1)	Declare a private road to be a public road	council
410340	Local Government Act 1999	section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	council
410341	Local Government Act 1999	section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	council
410342	Local Government Act 1999	section 210(2)(b)	Give public notice of a proposed declaration	council
410343	Local Government Act 1999	section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	council
410344	Local Government Act 1999	section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	council
410345	Local Government Act 1999	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	council
410346	Local Government Act 1999	section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410347	Local Government Act 1999	section 212(1)	Carry out roadwork in the council area	council
410348	Local Government Act 1999	section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	council
410349	Local Government Act 1999	section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	council
410350	Local Government Act 1999	section 212(3)(b)	Consult with the Commissioner of Highways	council
410351	Local Government Act 1999	section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	council
410352	Local Government Act 1999	section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	council
410353	Local Government Act 1999	section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	council
410354	Local Government Act 1999	section 212(3)(d)	Obtain the agreement of the owner of private land	council
410355	Local Government Act 1999	section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	council
410356	Local Government Act 1999	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	council
410357	Local Government Act 1999	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 land	council
410358	Local Government Act 1999	section	Agree the amount of contribution to roadwork with another council	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		214(2)(a)		
410359	Local Government Act 1999	section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	council
410360	Local Government Act 1999	section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	council
410361	Local Government Act 1999	section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	council
410362	Local Government Act 1999	section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	council
410363	Local Government Act 1999	section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	council
410364	Local Government Act 1999	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	council
410365	Local Government Act 1999	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	council
410366	Local Government Act 1999	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	council
410367	Local Government Act 1999	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	council
410368	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410369	Local Government Act 1999	section 219(1a)	Assign a name to a public road created by land division	council
410370	Local Government Act 1999	section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	council
410371	Local Government Act 1999	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	council
410372	Local Government Act 1999	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	council
410373	Local Government Act 1999	section 219(3)(b)	Provide information to the Registrar-General, the Surveyor-General and the Valuer-General about the name of roads and public places in the council area	council
410374	Local Government Act 1999	section 219(4)	Provide public notice on the assigning or changing of a road name	council
410375	Local Government Act 1999	section 219(5)	Prepare and adopt a policy on the assigning of road names	council
410376	Local Government Act 1999	section 219(6)	Alter or substitute a policy on the assigning of road names	council
410377	Local Government Act 1999	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	council
410378	Local Government Act 1999	section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	council
410379	Local Government Act 1999	section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	council
410380	Local Government Act 1999	section	Alter or substitute a new numbering system	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		220(2)		
410381	Local Government Act 1999	section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	council
410382	Local Government Act 1999	section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	council
410383	Local Government Act 1999	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	council
410384	Local Government Act 1999	section 221(1)	Grant an authorisation to alter a public road	council
410385	Local Government Act 1999	section 222(1)	Grant a permit authorising the use of a public road for business purposes	council
410387	Local Government Act 1999	section 223(1)	Follow the relevant steps in the council's public consultation policy	council
410388	Local Government Act 1999	section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	council
410389	Local Government Act 1999	section 224(1)	Attach conditions to an authorisation or permit	council
574154	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
410391	Local Government Act 1999	section 225(1)	Cancel an authorisation or permit	council
410392	Local Government Act 1999	section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410393	Local Government Act 1999	section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	council
410394	Local Government Act 1999	section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	council
410400	Local Government Act 1999	section 231(1)	Keep a register of public roads in the council area	council
410403	Local Government Act 1999	section 232	Plant vegetation on a road	council
410404	Local Government Act 1999	section 232	Authorise the planting of vegetation on a road	council
410405	Local Government Act 1999	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	council
410406	Local Government Act 1999	section 234(1)	Remove and dispose of any structure, object or substance from a road	council
410407	Local Government Act 1999	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	council
410408	Local Government Act 1999	section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	council
410409	Local Government Act 1999	section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	council
410410	Local Government Act 1999	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	council
410411	Local Government Act 1999	section 234A(6)	Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410412	Local Government Act 1999	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	council
410413	Local Government Act 1999	section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	council
410414	Local Government Act 1999	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	council
410415	Local Government Act 1999	section 237(5)	Sell a vehicle by public auction or public tender	council
410416	Local Government Act 1999	section 237(6)	Dispose of a vehicle	council
410417	Local Government Act 1999	section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	council
410418	Local Government Act 1999	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	council
410419	Local Government Act 1999	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	council
410420	Local Government Act 1999	section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	council
410421	Local Government Act 1999	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	council
410422	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410423	Local Government Act 1999	section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an approval under the Planning, Development and Infrastructure Act 2016 which could cause damage to any local government land (including a road) within the vicinity of the site of the development	council
410424	Local Government Act 1999	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	council
410425	Local Government Act 1999	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	council
410426	Local Government Act 1999	section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	council
410427	Local Government Act 1999	section 249(1)	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 to the public in accordance with section 132(1)	council
410429	Local Government Act 1999	section 249(2)	Consider submissions made on a proposed by-law	council
410430	Local Government Act 1999	section 249(4)	Obtain a certificate signed by a legal practitioner	council
410431	Local Government Act 1999	section 249(5)	Publish a by-law in the Gazette	council
410432	Local Government Act 1999	section 249(7)	Publish a notice of making a by-law	council
410433	Local Government Act 1999	section 250(5)	Publish a resolution adopting a model by-law in the Gazette	council
410434	Local Government Act 1999	section	Publish a resolution adopting a model by-law in a newspaper circulating in	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		250(7)	the council area	
410435	Local Government Act 1999	section 252(1)	Maintain a register of the by-laws made or adopted by the council	council
410438	Local Government Act 1999	section 252(5)	Provide for purchase a certified copy of a by-law	council
410439	Local Government Act 1999	section 254(1)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410440	Local Government Act 1999	section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	council
410441	Local Government Act 1999	section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	council
410442	Local Government Act 1999	section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	council
410443	Local Government Act 1999	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	council
410444	Local Government Act 1999	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	council
410445	Local Government Act 1999	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	council
410446	Local Government Act 1999	section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410447	Local Government Act 1999	section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	council
410448	Local Government Act 1999	section	Vary an order	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		255(11)		
410449	Local Government Act 1999	section 255(12)	Make an order	council
410450	Local Government Act 1999	section 256(3)	Participate in a review of an order by the South Australian Civil and Administrative Tribunal	council
410451	Local Government Act 1999	section 257(1)	Take action required by an order made under section 255 of the Local Government Act	council
410452	Local Government Act 1999	section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	council
410453	Local Government Act 1999	section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	council
410454	Local Government Act 1999	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	council
410455	Local Government Act 1999	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	council
410456	Local Government Act 1999	section 259(1)	Prepare and adopt policies concerning the operation of Part 2, Chapter 12 of the Local Government Act	council
410457	Local Government Act 1999	section 259(2)(a)	Prepare a draft policy	council
410458	Local Government Act 1999	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	council
410459	Local Government Act 1999	section 259(3)	Consider submissions	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410460	Local Government Act 1999	section 259(4)	Amend a policy	council
410461	Local Government Act 1999	section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	council
410464	Local Government Act 1999	section 260(1)	Appoint an authorised person	council
410465	Local Government Act 1999	section 260(2)	Impose conditions or limitations on the appointment of an authorised person	council
410466	Local Government Act 1999	section 260(3)	Issue an identity card to an authorised person	council
410467	Local Government Act 1999	section 260(5)	Revoke the appointment of an authorised person	council
657227	Local Government Act 1999	section 262A(3)	Deal with a complaint in accordance with the council's behavioural management policy	council
657228	Local Government Act 1999	section 262B(1)	Prepare and adopt a behavioural management policy	council
657229	Local Government Act 1999	section 262B(6)	Alter or substitute a behavioural management policy	council
657230	Local Government Act 1999	section 262B(7)	Review the operation of the behavioural management policy	council
657231	Local Government Act 1999	section 262D	Provide complainant with written reasons for refusal or determination	council
657232	Local Government Act 1999	section 262W(3)(b)(ii))	Provide report to the Panel detailing: <ul style="list-style-type: none"> • member's compliance with the Panel's requirement; or • council's compliance with Panel's requirement 	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
657233	Local Government Act 1999	section 263B(1)(a) and (3)	To act in accordance with a recommendation of the Ombudsman	council
657234	Local Government Act 1999	section 264(1)(a)	Authorise a person in writing for the purposes of this section to lodge a complaint with SACAT	council
410468	Local Government Act 1999	section 270(a1)	Develop and maintain policies, practices and procedures for dealing with requests for the provision of services by the council or complaints about the activities of the council, employees of the council or person acting on behalf of the council	council
410469	Local Government Act 1999	section 270(1)	Establish procedures for the review of decisions	council
610340	Local Government Act 1999	section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision	council
610341	Local Government Act 1999	section 270(3a)	Reduce, waive or refund a fee	council
410470	Local Government Act 1999	section 270(4)	Refuse an application for the review of a decision	council
410472	Local Government Act 1999	section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	council
410473	Local Government Act 1999	section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	council
410474	Local Government Act 1999	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	council
410475	Local Government Act 1999	section 271(2)	Constitute panels of mediators, conciliators and evaluators	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410476	Local Government Act 1999	section 271(7)	Pay costs of mediation, conciliation and evaluation	council
410477	Local Government Act 1999	section 271A(1)	Provide requested information to the Minister	council
410478	Local Government Act 1999	section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation	council
410479	Local Government Act 1999	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	council
410480	Local Government Act 1999	section 272(3)	Provide an explanation and make submissions to the Minister	council
410481	Local Government Act 1999	section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	council
410482	Local Government Act 1999	section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	council
410483	Local Government Act 1999	section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	council
410484	Local Government Act 1999	section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	council
410485	Local Government Act 1999	section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	council
410486	Local Government Act 1999	section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	council
410487	Local Government Act 1999	section 279(1)	Serve a document	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410488	Local Government Act 1999	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	council
410489	Local Government Act 1999	section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	council
410490	Local Government Act 1999	section 282(1)	Approve an occupier of land undertaking work	council
410491	Local Government Act 1999	section 294(1a)	Provide notice to an owner or occupier of land	council
410492	Local Government Act 1999	section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	council
410493	Local Government Act 1999	section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	council
410494	Local Government Act 1999	section 294(3)(c)(i)	Remedy damage to land caused by the council	council
410495	Local Government Act 1999	section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	council
410496	Local Government Act 1999	section 294(5)	Erect a fence	council
410497	Local Government Act 1999	section 294(7)	Comply with the relevant requirements of the Mining Act 1971	council
410498	Local Government Act 1999	section 296(1)	Recover the cost or a portion of the costs of works as a debt	council
410499	Local Government Act 1999	section 296(3)	Give notice of a valuation to the owner of land	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410500	Local Government Act 1999	section 296(5)	Participate in an objection or review to a valuation	council
410501	Local Government Act 1999	section 297	Sell or dispose of rubbish collected by the council	council
410502	Local Government Act 1999	section 298(1)	Order action in response to flooding or imminent flooding	council
410503	Local Government Act 1999	section 300(1)	Pay the cost of advertising	council
410504	Local Government Act 1999	clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	council
410505	Local Government Act 1999	clause 17(1), Schedule 1A	Prepare a stormwater management plan	council
410506	Local Government Act 1999	clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	council
410507	Local Government Act 1999	clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	council
410508	Local Government Act 1999	clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	council
410509	Local Government Act 1999	clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 2091), Schedule 1A of the Local Government Act	council
410510	Local Government Act 1999	clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	council
410511	Local Government Act 1999	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	council
410512	Local Government Act 1999	clause 24(1),	Take action consistent with the provisions of an approved stormwater	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 1A	<p>management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by:</p> <ul style="list-style-type: none"> (a) entering and occupying any land; (b) constructing, maintaining or removing any infrastructure; (c) excavating any land; (d) inspecting, examining or surveying any land and for that purpose: <ul style="list-style-type: none"> (i) fixing posts, stakes or other markers on the land; (ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) removing samples for analysis; and (e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner; (f) holding water in a watercourse or lake or by any other means; (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; (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; (i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); (j) undertaking any testing, monitoring or evaluation; and (k) undertaking any other activity of a prescribed kind. 	
410513	Local Government Act 1999	clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	council
410514	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410515	Local Government Act 1999	clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	council
410516	Local Government Act 1999	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	council
410517	Local Government Act 1999	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	council
410518	Local Government Act 1999	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	public authority
410519	Local Government Act 1999	clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	public authority
410520	Local Government Act 1999	clause 2(1), Schedule 1B	Enter a building upgrade agreement	council
410521	Local Government Act 1999	clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	council
410522	Local Government Act 1999	clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	council
410523	Local Government Act 1999	clause 6(1), Schedule 1B	Declare a building upgrade charge	council
410524	Local Government Act 1999	clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	council
410525	Local Government Act 1999	clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	council
410526	Local Government Act 1999	clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410527	Local Government Act 1999	clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	council
410528	Local Government Act 1999	clause 7(3)(b), Schedule 1B	Pay money to the finance provider	council
410529	Local Government Act 1999	clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	council
410530	Local Government Act 1999	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	council
410531	Local Government Act 1999	clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891	council
410532	Local Government Act 1999	clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	council
410533	Local Government Act 1999	clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	council
410534	Local Government Act 1999	clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	council
410535	Local Government Act 1999	clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	council
410536	Local Government Act 1999	clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	council
410537	Local Government Act 1999	clause 13(3),	Provide the register of building upgrade agreements for inspection at the	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 1B	principal office of the council	
410538	Local Government Act 1999	clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	council
410539	Local Government Act 1999	clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	council
410540	Local Government Act 1999	clause 3(1), Schedule 2	Prepare a charter for a subsidiary	council
410541	Local Government Act 1999	clause 3(4), Schedule 2	Review a charter for a subsidiary	council
410542	Local Government Act 1999	clause 3(5)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	council
410543	Local Government Act 1999	clause 3(5)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	council
410544	Local Government Act 1999	clause 3(5)(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	council
410545	Local Government Act 1999	clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	council
410546	Local Government Act 1999	clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	council
410547	Local Government Act 1999	clause 4(6), Schedule 2	Appoint a deputy of a board member	council
410548	Local Government Act 1999	clause 4(8),	Give directions in relation to an actual or potential conflict of duty and duty	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 2	between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	
410549	Local Government Act 1999	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	council
410550	Local Government Act 1999	clause 5(12), Schedule 2	Direct the board of management as to procedures	council
410551	Local Government Act 1999	clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	council
410552	Local Government Act 1999	clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	council
410553	Local Government Act 1999	clause 8(5), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	council
410554	Local Government Act 1999	clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	council
410555	Local Government Act 1999	clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	council
410556	Local Government Act 1999	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	council
410557	Local Government Act 1999	clause 10(1), Schedule 2	Give a direction to a subsidiary	council
410558	Local Government Act 1999	clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	council
410559	Local Government Act 1999	clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410560	Local Government Act 1999	clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	council
410561	Local Government Act 1999	clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	council
410562	Local Government Act 1999	clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	council
410563	Local Government Act 1999	clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	council
410564	Local Government Act 1999	clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	council
410565	Local Government Act 1999	clause 14(2), Schedule 2	Approve borrowing by a subsidiary	council
410566	Local Government Act 1999	clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	council
410567	Local Government Act 1999	clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	council
410568	Local Government Act 1999	clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	council
410569	Local Government Act 1999	clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	council
410570	Local Government Act 1999	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	council
410571	Local Government Act 1999	clause	Publish (in conjunction with the other constituent councils) a copy of the	council



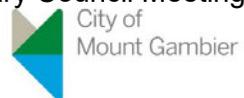
Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		19(5)(b), Schedule 2	amended charter of a subsidiary on a website determined by the chief executive officer	
410572	Local Government Act 1999	clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	council
410573	Local Government Act 1999	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	council
410575	Local Government Act 1999	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	council
410576	Local Government Act 1999	clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	council
410577	Local Government Act 1999	clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	council
410578	Local Government Act 1999	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in the preparation and adoption of a business plan	council
410579	Local Government Act 1999	clause 24(4), 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	council
410580	Local Government Act 1999	clause 24(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	council
410581	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410582	Local Government Act 1999	clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	council
410583	Local Government Act 1999	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	council
410584	Local Government Act 1999	clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	council
410585	Local Government Act 1999	clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	council
410586	Local Government Act 1999	clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	council
410587	Local Government Act 1999	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	council
410588	Local Government Act 1999	clause 28(3), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council	council
410589	Local Government Act 1999	clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	council
410590	Local Government Act 1999	clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	council
410591	Local Government Act 1999	clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	council
410592	Local Government Act 1999	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	council



Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410593	Local Government Act 1999	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	council

19.8 WULANDA RECREATION AND CONVENTION CENTRE CARPARK - PARKING

Author: Derek Ferguson, Team Leader General Inspectorate
 Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Wulanda Recreation and Convention Centre Carpark - Parking' as presented on Tuesday 16 December 2025 be noted.
2. That the Traffic Impact Statement as attached to this report be endorsed.
3. That Council, in accordance with the power delegated by the minister under Section 17(1) and (2) of the Road Traffic Act (Instrument of Delegation dated 22 August 2013), resolves the following.

Prohibited Area	No Parking Zone
Ref No. 1.2.077	
Wulanda Recreation and Convention Centre Car Park	
To apply at all times	

PURPOSE

To amend existing 15 minute parking zone within the Wulanda Recreation and Convention Centre carpark adjacent to the main entrance into a designated 'No Parking Area' to improve safety, accessibility and traffic flow for short-stay drop-off and pick-up activity.

BACKGROUND / OPTIONS

The Wulanda Recreation and Convention Centre experiences high volumes of traffic associated with aquatic programs, recreation classes, events, and family drop-offs. The current 15-minute parking zone near the main entrance is frequently used for immediate drop-off and pick-up, resulting in turnover pressure, vehicle idling and occasional non-compliance with the 15-minute time limit.

Changing the 15-minute parking zone to a No Parking Zone will create a safer, more convenient drop-off area and improve traffic flow.

A Traffic Impact Statement has been completed which concludes that these changes will not have negative impacts on traffic management or road safety and are therefore deemed appropriate for the area.

IMPLICATIONS TO CONSIDER

Legal	This forms part of a legal requirements in accordance with the Road Traffic Act
Financial and Budget	Estimated cost of signage and line marking, including, labour \$600 to \$800
Community Consultation and Engagement	Council will communicate these changes directly with Wulanda Recreation and Convention Centre Management.
Other Resources	The Parking Inspectors will be responsible for monitoring compliance.



RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance – Impact on Council to deliver within Budget.	Insignificant (1)	Unlikely (2)	Low	Contingency funding for unexpected costs.
Reputation - Impact on Council if complaints arise from these changes.	Minor (2)	Unlikely (2)	Low	Communication with site management.
Legal / Regulatory / Policy - Changes in legislation impacting project approvals.	Minor (2)	Unlikely (2)	Low	Monitor legislative changes and engage with policymakers.
Service Delivery – Impact on users of Wulanda Recreation and Convention Centre.	Minor (2)	Unlikely (2)	Low	Communication with site management.
People – N/A	Minor (2)	Unlikely (2)	Low	N/A
Infrastructure – Replacing existing signage and line marking.	Insignificant (1)	Unlikely (2)	Low	Implement protective measures for existing infrastructure.
Environmental - Environmental damage from construction activities.	Minor (2)	Unlikely (2)	Low	Conduct environmental impact assessments.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 3: Infrastructure and Services

3.1 Work with partners to increase active and diverse transport measures so drivers, cyclists and pedestrians can safely and easily move within the city.

This report contributes to delivery of the following key strategic project(s):

Priority 3: Infrastructure and Services

Continued advocacy to enhance connectivity within and beyond our city through investment and infrastructure that supports accessible public bus services, reliable air travel and rail networks for both freight and passenger transport.

RELEVANT COUNCIL POLICY

N/A



IMPLEMENTATION AND NEXT STEPS

Signage and line marking will be installed as part of the implementation phase, with completion targeted early in the new year. Ongoing compliance and effectiveness will be monitored by our General Inspectors through regular site inspections and communication with Wulanda Management as part of the process.

CONCLUSION

Convert the existing 15 minute parking zone to a No Parking Zone at the Wulanda Recreation and Convention Centre is expected to enhance safety, improve traffic flow, and provide a more efficient drop-off area.

ATTACHMENTS

1. Traffic Impact Statement - Wulanda Recreation and Convention Centre Car Park - No Parking [**19.8.1** - 2 pages]



TRAFFIC IMPACT STATEMENT

No Parking
Wulanda Recreation and Convention Centre Car Park

Part A – Traffic Management

It is the view of the undersigned that the installation of a No Parking Parking Zone in the Wulanda Recreation and Convention Centre Car Park will not be detrimental to traffic management in the area.

Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

Conclusion

In the opinion of the undersigned that the installation of a No Parking Zone in the Wulanda Recreation and Convention Centre Car Park will not be detrimental to traffic management in the area.



Abdullah MAHMUD

MANAGER ENGINEERING, DESIGN AND ASSETS

4th December 2025

Amendments to 15 Minute Parking Zone – Wulanda Recreation and Convention Centre Carpark



Date 4 December 2025

20 MOTIONS WITH NOTICE

Nil

21 URGENT MOTIONS WITHOUT NOTICE

22 NEW CONFIDENTIAL ITEMS

Nil

23 MEETING CLOSE

24 ATTACHMENT - PREVIOUS COUNCIL MINUTES

1. Ordinary Council Meeting Minutes 18 November 2025 [**24.1.1** - 39 pages]
2. Special Council Meeting Minutes 18 November 2025 [**24.1.2** - 3 pages]
3. Special Council Meeting Minutes - 1 December 2025 [**24.1.3** - 5 pages]





MINUTES

Ordinary Council Meeting Tuesday 18 November 2025



Minutes of the City of Mount Gambier Ordinary Council Meeting held at:

Time: 6:00 pm
Date: Tuesday 18 November 2025
Location: Mount Gambier Library
6 Watson Terrace, Mount Gambier

City of Mount Gambier
Ordinary Council Meeting Minutes

18 November 2025

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr Paul Simpson
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Manager Governance and Property	- Ms B Shelton
	Manager Financial Services	- Ms K Rolton
	Manager Development Services	- Mrs T Tzioutziouklaris
	Manager Operations Infrastructure	- Mr K Manarangi
	Manager Library and Community Development	- Mrs G Davison
	Media and Communications Coordinator	- Ms S McLean
	Team Leader Library Operations	- Ms S Mann
	Community Development Officer	- Ms C Rattray
	Executive Administrator	- Mrs S Spears

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 CONDUCT OF THE GALLERY

MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.



3 APOLOGIES

RESOLUTION OCM 2025/262

Moved: Cr Max Bruins
Seconded: Cr Jason Virgo

That the apology from Cr Mark Lovett be received.

CARRIED

4 LEAVE OF ABSENCE

Nil

5 CONFIRMATION OF COUNCIL MINUTES

5.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2025/263

Moved: Cr Paul Jenner
Seconded: Cr Sonya Mezinec

That the minutes of the Ordinary Council Meeting held on 21 October 2025 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

6 MAYORAL REPORT

6.1 MAYORAL REPORT - NOVEMBER 2025

- Radiotherapy Working Group Meeting
- Weekly meetings with Interim CEO / CEO
- A Region of Value public lecture and report launch
- Elected Member Briefing – Limestone Coast Sustainable Futures Association – Proposal for Rare Earth Mineral Mining in our Region
- Elected Member Briefing – The Place of Courage – Ripples Project
- Elected Member Briefing – Brief Update on Topical Matters
- Meeting with LCLGA Executive Officer, Charlotte Edmunds
- Regular meetings with Media and Communications Coordinator
- Photo with Australian Garden History Society and welcome speech at annual conference
- Catch up with outgoing Interim CEO, Andrew Aitken
- Radio Interview with Llew Jones – 5GTR-FM



- Official Opening of the Wattle Range Council Service Centre, with CEO Paul Simpson (Millicent)
- Meeting with Mossop Constructions
- Elected Member Briefing – Procurement Policy and Contract Management
- Elected Member Briefing – Strategic Risk Review
- Elected Member Briefing – Brief Update on Topical Matters
- LGA Board Meeting (virtual)
- Meeting with Philip Bishop – rating review
- Pre-meeting briefing (Audit and Risk Committee) with General Manager Corporate & Regulatory Services
- Audit and Risk Committee – Information Briefing Session
- Audit and Risk Committee Meeting
- Yerkaalpata Community Reference Group Meeting
- Annual Remembrance Day Service
- Elected Member Briefing – BR1
- Confidential Elected Member Briefing – Mossop Constructions
- Elected Member Briefing – Update on Topical Matters
- Internal meetings – planning for 150 Years of Mount Gambier celebrations
- LCLGA Mayors Catch up (virtual)
- Meeting with Ali Dymott (Flinders University)
- Mount Gambier Christmas Parade
- Citizenship Ceremony
- Special Council Meeting

RESOLUTION OCM 2025/264

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

That the Mayoral Report be received.

CARRIED

7 REPORTS FROM COUNCILLORS

7.1 REPORTS FROM COUNCILLORS

- | | |
|------------------|---|
| Cr Josh Lynagh | South East Primary Schools Music Festival, Mount Gambier Show, Mount Gambier Christmas Parade, Party in the Park, Citizenship Ceremony. |
| Cr Frank Morello | Rare Earth Mineral Briefing, Briefing with Mossop Construction. |
| Cr Paul Jenner | Mount Gambier Show, Citizenship Ceremony, Mount Gambier Christmas Parade. |
| Cr Sonya Mezenic | Remembrance Day Service, Christmas Parade judging, Citizenship Ceremony. |



RESOLUTION OCM 2025/265

Moved: Cr Jason Virgo
Seconded: Cr Josh Lynagh

That the reports made by Councillors be received.

CARRIED

8 QUESTIONS WITH NOTICE

Nil

9 QUESTIONS WITHOUT NOTICE

Nil

10 PETITIONS

Nil

11 DEPUTATIONS

RESOLUTION OCM 2025/266

Moved: Cr Max Bruins
Seconded: Cr Jason Virgo

1. That the Deputation from Mr Wade Chant be noted.

CARRIED

12 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2025/267

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins



That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

CARRIED

14 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

15 AUDIT AND RISK COMMITTEE

15.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 5/11/2025

RESOLUTION OCM 2025/268

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

Council receive and note the minutes of the Audit and Risk Committee meeting held on 5 November 2025.

CARRIED

16 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

18 BUILDING FIRE SAFETY COMMITTEE

Nil

19 COUNCIL REPORTS

19.1 REQUEST FOR REMOVAL OF GUM TREES - 130 NORTH TERRACE, MOUNT GAMBIER

RESOLUTION OCM 2025/269

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo



1. That Council report titled 'Request for Removal of Gum Trees - 130 North Terrace, Mount Gambier' as presented on Tuesday 18 November 2025 be noted.
2. That, in accordance with Council's Tree Policy T120, the two trees located near the footpath along 130 North Terrace be removed.
3. That having given due consideration to the external arborist report Council acknowledge the two trees directly adjacent to 130 North Terrace have been assessed as healthy and low risk.
4. That, in accordance with Council's Tree Policy T120 Council exercise their discretion to approve the property owner to remove the said two trees at their own expense, including the required replacement planting.
5. That the removal be undertaken by a suitably qualified arborist that meets all safety and compliance standards required of Council.
6. That the property owner is not to progress with any work until it has been authorised by the appropriate Council officers.

The motion was put and

TIED VOTE

The Mayor exercised a casting vote For the Motion

CARRIED

19.2 BUDGET REVIEW 1 2025/2026

RESOLUTION OCM 2025/270

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That Council report titled 'Budget Review 1 2025/2026' as presented on Tuesday 18 November 2025 be noted.
2. That Council adopts Budget Review 1, being prepared as at 30 September 2025 for the financial year ending 30 June 2026.

CARRIED

19.3 CITY OF MOUNT GAMBIER 2024/2025 ANNUAL REPORT

RESOLUTION OCM 2025/271

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins



1. That Council report titled 'City of Mount Gambier 2024/2025 Annual Report' as presented on Tuesday 18 November 2025 be noted.
2. The City of Mount Gambier 2024/2025 Annual Report as tabled be adopted.
3. The Chief Executive Officer be authorised to make any non-material amendments as considered necessary prior to publication.
4. Copies of the City of Mount Gambier Annual Report be distributed to the bodies/persons referred to in Section 131 of the Local Government Act 1999 and published on Council's website.
5. The LCLGA Annual Report be added to the electronic file prior to distribution to the required bodies/persons.

CARRIED

19.4 DRAFT DISABILITY ACCESS AND INCLUSION PLAN 2025-2029

RESOLUTION OCM 2025/272

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Draft Disability Access and Inclusion Plan 2025-2029' as presented on Tuesday 18 November 2025 be noted.
2. That Council endorse the draft Disability Access and Inclusion Plan 2025-2029 for public consultation.
3. That the Chief Executive Officer or delegate be authorised to make any necessary minor typographical and format amendments as required.

CARRIED

19.5 BUILDING AND FIRE SAFETY COMMITTEE MEMBERSHIP

Pursuant to Section 74 of the Local Government Act 1999, Cr Paul Jenner disclosed a general conflict of interest in Item 19.5 - Building and Fire Safety Committee Membership.

In accordance with Section 75B Cr Paul Jenner informed the meeting:

Nature of Interest:

I am the current Chairperson of this Committee.

Intention to Participate:

8 of 39



I will not be in the meeting for discussion or voting.

In accordance with Section 75B of the Local Government Act 1999 Cr Paul Jenner left the meeting at 6:28pm.

RESOLUTION OCM 2025/273

Moved: Cr Jason Virgo

Seconded: Cr Max Bruins

1. That Council report titled 'Building and Fire Safety Committee Membership' as presented on Tuesday 18 November 2025 be noted.
2. That the matter be referred to an Information Briefing Session.
3. That Council respectfully declines Councillor Paul Jenner's resignation and reaffirms Council's position as per the current Terms of Reference that the City of Mount Gambier Elected Member shall be the Presiding Member of the Building Fire Safety Committee.

CARRIED

Cr Paul Jenner returned to the meeting at 6:35pm.

19.6 AUDIT AND RISK COMMITTEE MEETING REPORT NOVEMBER 2025

RESOLUTION OCM 2025/274

Moved: Cr Paul Jenner

Seconded: Cr Sonya Mezinec

1. That Council report titled 'Audit and Risk Committee Meeting Report November 2025' as presented on Tuesday 18 November 2025 be noted.
2. That Council note the report provided by the Audit and Risk Committee, summarises the work of the Committee:
 - (a) In the lead up to its meeting, held 5 November 2025
 - (b) The broad observations and discussions of the Committee during the pre-meeting informal briefing and the meeting.

CARRIED



19.7 REVIEW OF TERMS OF REFERENCE - CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND

RESOLUTION OCM 2025/275

Moved: Cr Josh Lynagh
Seconded: Cr Max Bruins

1. That Council Report titled 'Review of Terms of Reference - City of Mount Gambier Junior Sports Assistance Fund' as presented on Tuesday 18 November 2025 be noted.
2. That the amended Junior Sports Assistance Fund Terms of Reference as presented be adopted.
3. That council notes the Committee's preference to retain interest earned within the Fund and decision to waive Council's contribution for the 2025/26 financial year.

CARRIED

19.8 PUBLIC INTEREST DISCLOSURE POLICY

RESOLUTION OCM 2025/276

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

1. That Council report titled 'Public Interest Disclosure Policy' as presented on Tuesday 18 November 2025 be noted.
2. That having been endorsed by the Audit and Risk Committee on 5 November 2025, the reviewed and amended Public interest Disclosure Policy be adopted.
3. That the Chief Executive Officer or delegate be authorised to make any necessary minor typographical and format amendments as required.

CARRIED



19.9 AUTHORISATION TO AFFIX THE COMMON SEAL – SALE OF LAND AT JUBILEE HIGHWAY WEST, SUTTONTOWN

RESOLUTION OCM 2025/277

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council report titled 'Authorisation to Affix the Common Seal – Sale of Land at Jubilee Highway West, Suttontown' as presented on Tuesday 18 November 2025 be noted.
2. Hereby approves the sale of land described as Allotment 212, Deposited Plan 125742, Jubilee Highway West, Suttontown contained in Certificate of Title Volume 6250 Folio 283, to Steeline Mount Gambier for the consideration of \$1,235.40.
3. Authorise the Mayor and Chief Executive Officer to affix the Common Seal of Council to the following documents, to give effect to the sale of land:
 - (a) The Contract for Sale of Land and any associated documentation;
 - (b) The Notice of Revocation of Community Land (Annexure); and
 - (c) The Client Authorisation form enabling Bernie Flood Property Conveyancer to act on Council's behalf in the conveyancing transaction.

CARRIED

20 MOTIONS WITH NOTICE

20.1 MOTION – FEDERAL GOVERNMENT'S ENVIRONMENT PROTECTION REFORM BILL 2025

RESOLUTION OCM 2025/278

Moved: Cr Jason Virgo

Seconded: Cr Paul Jenner

1. That the motion from Cr Jason Virgo as presented on Tuesday 18 November 2025 be noted.
2. Notes that the Federal Government's Environment Protection Reform Bill 2025 proposes powers allowing the Environment Minister to approve projects deemed to be in the national interest, inclusive those involving critical minerals, defence, or national security.



3. Takes a formal position to oppose the introduction of the proposed powers on the basis that they have potential to reduce community consultation and local government input, undermine safeguards, and allow environmental concerns to be disregarded.
4. Authorise the Chief Executive Officer or their delegate to write to the Senate Environment and Communications Legislation Committee inquiry into the Environment Protection Reform Bill 2025, within the consultation period, outlining the City of Mount Gambier's concerns in relation to powers, and in particular that they may:
 - a) Diminish environmental outcomes;
 - b) Reduce transparency, environmental protections, as well as meaningful community and local government consultation; and
 - c) Do not appear to prioritise localised environmental and economic impacts relevant to the Limestone Coast region, including but not limited to loss of prime agricultural land and potential environmental impacts upon fundamental groundwater resources.
5. Authorise the Chief Executive Officer or their delegate to provide a copy of the correspondence to the Senate Environment and Communications Legislation Committee inquiry into the Environment Protection Reform Bill 2025 to the Local Government Association of South Australia and the Australian Local Government Association, and request that they consider including this topic on their respective advocacy agendas on behalf of the sector.

CARRIED

21 URGENT MOTIONS WITHOUT NOTICE

Nil

22 NEW CONFIDENTIAL ITEMS

Nil

23 MEETING CLOSE

The meeting closed at 6:48 pm.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 16 December

.....
MAYOR



TABLED DOCUMENT

Tabled Document 25.1

Deputation Wade Chant

1. Wade Chant Deputation [**25.1.1** - 12 pages]



Council Submission – Tree Risk Removal Request

Submitted for Consideration – Council Meeting 18 November 2025

Submitted by: Wade Chant
130 North Terrace, Mount Gambier SA 5290
Phone: 0488 313 225

Decision Summary – Tree Risk Assessment

Risk Factor	Details
Tree Size & Structure	Large mature gums with multiple heavy forked limbs.
Proximity to Residence	Branches directly overhang roof and child's bedroom.
Recent Comparable Failure	Nearby tree of similar size recently collapsed.
Documented Failure Risk	Forensic SA study confirms healthy gums can fail unexpectedly.
Council Action to Date	Two trees already recognised as unsafe and scheduled for removal.

Recommended Motion:

That Council approve the removal of the remaining three gum trees bordering 130 North Terrace on the basis of unacceptable safety risk under the Native Vegetation Council Tree Management Guidelines.

Duty of Care and Foreseeable Risk (Legal Position)

Where a risk has been raised, documented, and acknowledged, it becomes a **foreseeable risk**. Once a risk is foreseeable, Council's duty of care requires that **reasonable steps** be taken to prevent foreseeable harm. Council has already acknowledged risk in this group of trees by authorising the removal of two of them. The remaining trees are positioned **closer** to the dwelling and **directly overhang a child's bedroom**. Their risk level is therefore **equal to or greater than** the trees already approved for removal. To leave the remaining trees in place would constitute a decision to **knowingly leave a foreseeable risk unmitigated**.

Tree Canopy & Replacement Proposal (Balanced Approach)

This request is not to reduce tree canopy. Replacement is proposed:

- Plant 2–3 low-branching, structurally stable, non-eucalypt street trees.
- Position replanting at safe setback distance from structures.
- Species selected from Council's approved planting list. This ensures **safety is restored while canopy is maintained**.

Requested Resolution (To Be Moved)

That Council approve the removal of the remaining three gum trees bordering 130 North Terrace on the basis of unacceptable safety risk under the Native Vegetation Council Tree Management Guidelines.

Decision Summary – Tree Risk Assessment

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Tree Size & Structure	Large mature gums with multiple heavy forked limbs.
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- Position replanting at safe setback distance from structures.
- Species selected from Council's approved planting list. This ensures **safety is restored while canopy is maintained**.

Requested Resolution (To Be Moved)

That Council approve the removal of the remaining three gum trees bordering 130 North Terrace on the basis of unacceptable safety risk under the Native Vegetation Council Tree Management Guidelines.

Supporting Evidence

1. Forensic Science SA (Byard, 2024): - Healthy gum trees have failed without wind or storm triggers in South Australia. 2. Native Vegetation Council Tree Management Guidelines (2020): - Removal is permitted when trees represent an unacceptable risk to people or property. 3. SA Tree Hazard Assessment Framework: - Risk is determined by structural condition, exposure target (people/property), and consequence of failure.

Image Evidence:



- Large fork in tree's next to property, showing overhang onto roof and the dangers should these trees drop limbs, reference back to reports about the dangers even healthy gum trees can drop limbs.

Image Evidence:



- Large tree that failed during recent storm, shows breakage at forks in the trees.

Image Evidence:



- large amount of debris on property roof, this is a constant battle, requiring ongoing maintenance and repairs to roof, gutters and plumbing.

Image Evidence:



- Gum tree near the property, canopy weight was too much and snapped.

Image Evidence:



- Large tree falling down towards the property at 130 north terrace, showing the risk of trees falling.

Image Evidence:



- Large tree breakage at fork in trees, falling in multiple directions, thankfully this was not the tree that overhangs the property.

FORMAL COUNCILLOR BRIEFING – TREE SAFETY RISK AT 130 NORTH TERRACE

This briefing outlines significant safety concerns regarding three mature Eucalyptus (Southern Mahogany) trees situated on the Council reserve directly bordering 130 North Terrace, Mount Gambier. These trees extend over, or within direct strike distance of, an occupied residence — specifically a child's bedroom. The evidence presented warrants immediate and decisive consideration under Council's duty of care and the Native Vegetation Council (NVC) Tree Management Guidelines.

1. Findings and Contradictions in the Arborist Report

The Council-commissioned arborist report classifies the trees as "healthy" and "low risk." However, the same report explicitly states:

- Southern Mahogany is prone to branch drop.
- The species is not recommended in high-target occupancy areas.
- The tree canopies extend over the dwelling.
- Branch drop cannot be effectively mitigated.

These statements directly contradict the assessed "low-risk" rating and materially alter the risk profile presented to Council.

2. Inaccuracies in Council's Risk Assessment

The Council staff report characterises the consequence of failure as "minor." This conclusion is not supported by the factual context:

- A 15–20 metre gum tree falling onto a residence — particularly a child's bedroom — constitutes a high-consequence, potentially life-threatening event.
- The risk model applied presumes low target occupancy, which is inappropriate for a residential home where occupants sleep during storms.

3. Evidence of Actual Tree Failure in the Immediate Area

A structurally comparable Eucalyptus tree failed only houses away during recent severe weather. This tree was also healthy, demonstrating that health does not equate to stability in this species. This confirms the risk is real, demonstrated, and foreseeable.

4. Prior Acknowledgement of Risk by Council

Council has already approved the removal of two other trees on the same reserve strip due to safety concerns. The three remaining trees are closer to the residence than the two already approved for removal, indicating equal or greater risk. Removing only two does not eliminate the hazard.

5. Emergency-Services and Scientific Context

Evidence from CFS experience and Forensic Science SA demonstrates:

- Gum trees frequently experience sudden limb or trunk failure without visible decline.
- Rainfall increases limb weight and weakens soil structure.
- Rapid drying causes internal stresses leading to unpredictable failure.
- Apparent tree "health" does not reliably correlate with structural safety.

These factors heighten the relevance of proximity to dwellings, especially where a child's bedroom lies

within the potential strike zone.

6. Relevant Policy and Guideline Considerations

The Native Vegetation Council Tree Management Guidelines permit removal where the risk to people or property is unacceptable. Given species behaviour, canopy overhang, recent failures, and residential exposure, the risk clearly satisfies this threshold.

7. Foreseeability and Governance Considerations

All indicators collectively establish clear foreseeability, placing an obligation on Council to act prudently. Key factors:

- Documented species hazards
- Direct overhang of an occupied bedroom
- Recent comparable failure nearby
- Contradictory internal assessments
- Council already acknowledging danger on the same reserve

Failure to act on a foreseeable risk may expose Council to significant liability.

Requested Resolution

"That Council approve the removal of the remaining three gum trees bordering 130 North Terrace, on the basis of unacceptable safety risk under the Native Vegetation Council Tree Management Guidelines."

Tabled Document 25.2

Review of Term of Reference – City of Mount Gambier Junior Sports Assistance Fund

1. Draft - Terms of Reference - City of Mount Gambier Junior Sports Assistance Fund - September 2025 [**25.2.1** - 13 pages]



CITY OF MOUNT GAMBIER

**JUNIOR SPORTS
ASSISTANCE FUND**

A Committee of Council established
pursuant to the provisions of Section 41
of the Local Government Act, 1999

Terms of Reference and the Rules for the conduct of the business of the Committee were approved and adopted by the City of Mount Gambier at its meeting held on ~~17 December 2024~~ 18 November 2025.

**CITY OF MOUNT GAMBIER
JUNIOR SPORTS ASSISTANCE FUND**

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TERMS OF REFERENCE AND RULES OF THE CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND

1.0 Name

The name of the Committee be the CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND (in these rules referred to as "the Committee").

2.0 Interpretation

For the purposes of these rules, unless inconsistent with the subject matter or context:

2.1 Definition

- 2.1.1 "Act" means the Local Government Act, 1999 and includes all Regulations and Schedules.
- 2.1.2 "Affiliated Sporting Organisation" means any sporting group which has agreed to financially contribute to the Fund in accordance with the rules and any terms and conditions of the Committee.
- 2.1.3 "Committee" means the City of Mount Gambier Junior Sports Assistance Fund.
- 2.1.4 "Auditor" means the Auditor as prescribed in the Local Government Act, 1999 and being the Auditor for the Council.
- 2.1.5 "Committee" means the Committee established pursuant to Rule 6.0.
- 2.1.6 "Committee Member" means the person appointed by Council to the Committee.
- 2.1.7 "Commencement Date" means the date on which the Committee is established and becomes operative pursuant to Rule 3.2.
- 2.1.8 "Core Contributions" means those financial contributions made by affiliated sporting organisation in accordance with Rule 15.0 and the City of Mount Gambier.
- 2.1.9 "Council" means the City of Mount Gambier.
- 2.1.10 "Presiding Member of the Committee" means the person appointed to that position by Council pursuant to Rule 6.0.
- 2.1.11 "Financial Year" means a twelve month period between and including 1st July and 30th June.
- 2.1.12 "Fund" mean the City of Mount Gambier Junior Sports Assistance Fund established by Council.
- 2.1.13 "Junior Sports Person" means a person who has not yet reached eighteen (18) years of age as at the 1st January in the year of the event date in respect of an application for assistance by an Affiliated Sporting Organisation under these Rules.

City of Mount Gambier Junior Sports Assistance Fund

- 2.1.14 "Member Organisation" has the same meaning as "Affiliated Sporting Organisation".
- 2.1.15 "Observers" means those persons attending any meeting of the Committee, but do not have a vote on any matter to be determined by the Committee.
- 2.1.16 "Secretary" means the person appointed by the Chief Executive Officer of Council to carry out those duties in accordance with the Rules of the Committee and any other discretion and direction associated with the administration of the Committee. The Secretary has no voting rights.
- 2.1.17 "Selected Junior Sports Person" means a person who has been selected on individual merits, to represent the State of South Australia or the Country of Australia or equivalent sporting achievement in an officially accredited/recognised national or international event.
- 2.1.18 "Singular" includes a reference to the "plural".
- 2.1.19 "Special Coaching Clinics" means any coaching clinics whatsoever organised by an Affiliated Sporting Organisation which has received funds from the Committee for a clinic with such funds expended in accordance with Rule 18.
- 2.1.20 "Sponsorship Donation" means other monies contributed to the Fund from sources other than specific contributions from the affiliated sporting organisations and the Council(s) and for a specific purpose, initiative or program which the Fund agrees to implement for the benefit of its Member Organisations.
- 2.1.21 "State event", "National event" and "International event", means events that have been officially accredited or recognised as being "national or international events" and a statement to that effect is provided by that Sport's State Administrator where applicable or available.

2.2 Defined Terms

Any words, phrases or terms used in these Rules which are defined in the Act shall have the same meaning as are given to them in the Act.

2.3 Local Government Act

These Rules shall be interpreted in every respect to be subject to the provisions of the Local Government Act then enforce.

2.4 Notices

All notices to be given to the Committee shall be addressed to:

The Secretary
City of Mount Gambier Junior Sports Assistance Fund
P O Box 56
MOUNT GAMBIER SA 5290

and addressed to the usual and current business office or address of the Council, and the notice may, unless specified otherwise, and without prejudice to any other means of service, be deemed by ordinary post in which case the same shall be said to have been given two (2) clear business days after the same was posted.

3.0 Establishment

- 3.1 "The Committee" is established under Section 41 of the Local Government Act, 1999.
- 3.2 "The Committee" will be established and become operative from the time a resolution of Council is passed and is established to co-ordinate and administer the City of Mount Gambier Junior Sports Assistance Fund.

4.0 Delegation

The Council has delegated to the Committee the power to carry out the Objectives for which the Fund was established including the power to receive, expend and grant monies.

5.0 Objectives

- 5.1 The Committee is created for the express purpose of providing financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation.
- 5.2 The Council will join with local sporting organisations to establish an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent.
- 5.3 The Fund will assist those who already have ability and have shown natural skills, commitment and advancement to where at least State selection has been achieved.
- 5.4 To establish an income stream to the Fund that is reasonable, understandable and acceptable to the majority of Member Organisations.
- 5.5 To establish an expenditure strategy of the Fund which is reasonable, fair and accountable.
- 5.6 To develop an organisational and operational framework which is creative, effective and accountable.
- 5.7 To develop a strategy to attract extra income to the Fund from sources other than Member Organisations and Council contributions and for the purposes of expanding the range of support benefits that the Fund can provide to its Member Organisations.
- 5.8 To consider a strategy of funding the engagement of the best sporting coaches in Australia to undertake specialised coaching clinics for selected junior sportspersons, and other sportspersons of Member Organisations e.g. umpires of juniors, coaches of juniors etc.
- 5.9 To consider other strategies that seek external sponsorship of a general nature to the Fund, and/or for a specific purpose or a general initiative, all for the benefit of Member Organisations.
- 5.10 To develop and establish administrative procedures to receive, consider and process funding applications and then distribute any agreed funds to the relevant Member Organisations within a timeframe of 10 working days.

6.0 Membership of the Committee

- 6.1 Membership of the Committee shall be:
- 6.1.1 an Elected Member for the time being of Council and appointed by Council who shall be the Presiding Member of the Committee
 - 6.1.2 a person nominated by the Council of the District Council of Grant, and
 - 6.1.3 up to four community persons appointed by Council.
- 6.2 The Council reserves the right from time to time to remove any appointee to the Committee and appoint another appointee in their stead. All appointees hold office at the pleasure of Council.
- 6.3 The Mayor of the City of Mount Gambier shall be ex officio a member of the Committee with voting rights.

7.0 Casual Vacancies and Replacement of Representatives

The Council may replace any appointee on the Committee or fill any casual vacancy, by notifying the Committee the identity of the persons proposed to replace the former appointee or fill the casual vacancy.

8.0 No Proxy

The appointment of a person as a proxy for any appointee on the Committee is not permissible.

9.0 Resignation of Representatives

Any Committee appointee may resign from the Committee, but such resignation shall not be effective until the Secretary has received written notice to that effect.

10.0 Deputy Presiding Member

- 10.1 The Committee shall elect a Deputy Presiding Member from among their number by a show of hands or by secret ballot at the first meeting of the Committee to be held after the commencement date for a term determined by the Committee.
- 10.2 In the absence of the Presiding Member, the Deputy Presiding Member shall preside at any meeting of the Committee.
- 10.3 If any meeting of the Committee duly convened under these Rules, the Presiding Member or the Deputy Presiding Member shall not be present, the Committee shall elect an Acting Presiding Member (for that meeting only) from their number present at the meeting and for the purposes of that meeting only, that Acting Presiding Member shall have all of the normal powers of the Presiding Member.

11.0 Quorum

At all meetings of the Committee, three appointees present shall constitute a quorum.

12.0 Meetings of the Committee

- 12.1 The Committee shall meet as and when determined by the Presiding Member, but must meet at least three times every financial year, plus the Annual Meeting of Member Organisations.
- 12.2 The Secretary shall give notice to each Committee Member at least five clear days prior to any meeting and notice to each Affiliated Sporting Organisation at least five clear days prior to any meeting.
- 12.3 The Secretary shall send a copy of the notice of a meeting of the Committee to each Affiliated Sporting Organisation.
- 12.4 The Secretary must, at the request of the Presiding Member or three other Committee Members, call a special meeting of the Committee.
- 12.5 All notices of meetings shall be issued under the hand of the Secretary of the Committee.
- 12.6 No business shall be transacted at any meeting of the Committee unless a quorum is present at the time when the meeting proceeds to business.
- 12.7 Each Committee Members including the Presiding Member present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 12.8 Each appointee including the Presiding Member present at any meeting of the Committee shall have one deliberate vote only.

13.0 Procedure at Meetings

The procedure to be observed in relation to the conduct of meetings of the Committee will be as determined by the Local Government (Proceedings at Meetings) Regulations.

14.0 Sub-Committees of the Committee

- 14.1 The Committee has the discretion to appoint sub committees of its committee membership to receive any program applications for funding, evaluate and determine those applications for funding.
- 14.2 The Secretary shall advise the affiliated sporting organisation of the status of its applications on behalf of the juniors sportspersons immediately on the receipt of the sub-committees determination.
- 14.3 No conflict of interest shall arise if a Committee member of an affiliated sporting organisation is also a member of the Committee or the sub-committee considering an application for funds from that affiliated sporting organisation.

15.0 Establishment and Contributions to the Fund

15.1 Establishment

- 15.1.1 City of Mount Gambier Junior Sports Assistance Fund is hereby established.

City of Mount Gambier Junior Sports Assistance Fund

- 15.1.2 The Fund shall consist of two separate accounting components, that is, "core contributions" and "sponsorship donations".
- 15.1.3 The "core" component will receive monies from the affiliated sporting organisations, the City of Mount Gambier and any other funds by agreement between the Committee and the donor e.g. District Council of Grant.
- 15.1.4 The "Sponsorship Donations" components will receive monies from any interested source and will be expended in accordance with any specific agreement between the Committee and the Sponsor organisation.
- 15.1.5 The Secretary shall report to each meeting of the Committee the current status of each component of the Fund.

15.2 Council

- 15.2.1 Council shall provide a sum of money on an annual basis of an amount being at least equal to the annual contributions made to the Fund by all affiliated sporting organisations for that particular financial year (but excluding contributions made or achieved by way of sponsorship or donation).
- 15.2.2 The Contributions shall be paid by the Council(s) to the Fund no later ~~that the 31st August~~ than 60 days following the Annual General Meeting in each year.

15.3 Affiliated Sporting Organisations

- 15.3.1 All participating and affiliated sporting organisations shall contribute annually to the Fund based on a formula determined by the Committee annually and adopted by the affiliated sporting organisations at the Annual Meeting to apply for the ensuing financial year.
- 15.3.2 The formula determined by the Committee shall be based on the principles of fairness, equity, accountability and be transparent.
- 15.3.4 Contributions from affiliated organisations will be paid to the Fund no later than the 60 days following the Annual General Meeting in each year.

15.4 Other Sporting Groups

Other sporting organisation wishing to join the Fund after the commencement date shall agree to the Rules in writing and shall pay a contribution or contributions that is solely determined by the Committee in respect of any "back payments" to ensure that the new sporting organisation contributes financially at a level or incurs a penalty that ensures equality with existing affiliated sporting organisations who are already members, and have paid contributions to the Fund over a longer period of time.

15.5 Sponsorship of Donations

- 15.5.1 The Committee shall be entitled to seek out and receive sponsorship, donations and/or assistance from any other sporting organisation, group, company or individual who may wish to contribute to the Fund on such terms and conditions agreed to by the Committee and the other party.

15.5.2 Any agreement of terms and conditions between the Committee and sporting organisation, groups, companies or individuals in relation to sponsorship, donations and/or assistance, shall not involve any expenditure whatsoever from the "core component" of the Fund.

15.5.3 Proceeds from sponsorships, donations, and/or assistance shall be paid directly into the Fund.

16.0 Application for Financial Assistance from Affiliated Sporting Organisations

- 16.1 The Committee may consider any application for assistance for a past event.
- 16.2 An application will not be received by the Committee unless it is in the form approved by the Committee.
- 16.3 The Committee will consider all applications received on the approved form(s) and each application will be considered independently on its merits.
- 16.4 An application approved by the Committee in one instance may not necessarily be approved in another. A junior sportsperson who has received assistance from the Fund will be eligible for further assistance.
- 16.5 No application for financial assistance from an affiliated sporting organisation, on behalf of a junior sportspersons, shall be submitted for an event that is to be held three months in advance of the date of the application.
- 16.6 An application for financial assistance can only be made by an affiliated sporting organisation on behalf of a junior sportsperson who is a member of the said affiliated sporting organisation.

17.0 Distributions from the Fund

- 17.1 Subject to Rule 15.4, a Member Organisation may join the Fund at any time on the understanding that the organisation, cannot draw on the core component of the Fund for a period of time or under terms and conditions determined by the Committee.
- 17.2 Financial assistance approved by the Committee will be paid to the member organisation and not direct to the junior sportsperson, on the understanding the member organisation will distribute the approved funding to the junior sportsperson (or family) prior to them leaving for the approved event.
- 17.3 The Committee will have the discretion to distribute funds from the sponsorship/donations component of the Fund, for special coaching clinics at any time after the commencement date of the Committee.

18.0 Amount of Money Available for Distribution

- 18.1 The distribution policy from the core component of the Fund will be as determined by the Committee and reviewed annually.
- 18.2 The Committee will also have the discretion to allocate expenditure from the core component of the Fund for special coaching clinics.

City of Mount Gambier Junior Sports Assistance Fund

18.3 The amount of funds allocated by the Committee for special coaching clinics from the sponsorship/donation component of the Fund will be at the complete discretion of the Committee.

18.4 The interest or surpluses arising from the transactions of the Fund shall be applied in accordance with the Funds objectives and shall not be distributed amongst the affiliated sporting organisations other than for the purpose for which the Fund was established.

19.0 Return of Money Should Fund Dissolve

19.1 In the event that the Fund is unable to operate or the Council decides to dissolve the Fund, then the Council shall determine the method and amount by which the money then remaining in the Fund shall be distributed or retained by Council.

19.2 The Council in making such a determination shall have regard to (but not bound by) the following:

- payments back to each of the affiliated sporting organisations in proportion to their total contributions to the Fund, together with the total interest amount accrued to the Fund irrespective of any payments that may have been made from the Fund;
- a payment to the Council (or Councils) in proportion to their total contribution to the Fund, less any charges or payments that may have been made from the Fund, or charged to the Fund, such payments shall be deducted from the Fund itself;
- a discretion in relation to any payment from the sponsorship/donation portion of the Fund.

19.3 In the event that the Fund is unable to operate or the Council decides to dissolve the Fund, then the Council is responsible for the liabilities of the Fund.

20.0 Liability of Authority

20.1 A liability incurred by the Fund or the Committee may be enforced against the Council.

20.2 No liability attaches to a Member of the Committee for an honest act or omission by that Member of the Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Fund's functions or duties.

21.0 Records of the Authority

21.1 Accounting

21.1.1 The Council shall ensure that adequate and proper accounting records are maintained in respect of the Fund and which shall be audited on an annual basis by the Auditor for the time being of the Council.

21.1.2 A separate Fund reconciliation shall be prepared by Council as soon as practicable (but before the Annual General Meeting of the Authority) after the conclusion of any financial year a copy of the said reconciliation shall be forwarded to all affiliated sporting organisations which had made a contribution to the Fund during that particular financial year.

21.2 Administration

- 21.2.1 The Secretary shall present a reconciliation of the Fund to each meeting of the Committee.
- 21.2.2 The Secretary must cause minutes to be kept of the proceedings of the Committee.
- 21.2.3 The minutes of every meeting shall include:
- the names of all the representatives present and the time at which they entered or left the meeting;
 - the names of observers or visitors to any meeting;
 - every motion or amendment and the names of the mover and seconder; and
 - whether the motion or amendment is carried, lost or lapsed.
- 21.2.4 Minutes of the Committee shall be distributed to all Committee Members and Members of the Fund.
- 21.2.5 The Secretary shall maintain a record in which is detailed the following:
- name of an affiliated sporting organisation and contact details;
 - the amount or amounts of the financial contributions by the affiliated organisations;
 - the date on which the contributions were made; and
 - the names of sponsors or persons donating to the Fund and the date such monies were received.
- 21.2.6 A record of applications received for financial assistance, any reports associated with such applications and the determinations, associated with the applications, must be maintained by the Secretary.
- 21.2.7 The Fund must after the Annual General Meeting submit an annual report on the Fund's activities to the Council (which may be the minutes of that Annual General Meeting).

22.0 Penalties

- 22.1 Any affiliated sporting organisation failing to pay their annual contribution on or before 60 days following the Annual General Meeting in any financial year, will cease to be an affiliated member, provided that the Committee may at any time at its discretion and on payment of the contribution in arrears and such re-entrance fee (if any) as it may decide to impose, re-admit any such affiliated sporting organisation member to the Fund.
- 22.2 The Committee may remove any affiliated sporting organisation from the membership of the Fund, if that sporting organisation is in breach of these Rules, and that sporting organisation will surrender any benefits of the Fund whatsoever.

City of Mount Gambier Junior Sports Assistance Fund

22.3 Before removing any affiliated sporting organisation for a breach of the Rules, the Committee must provide a reasonable opportunity to the said organisation, to put its case as to why it should not be removed from the Fund.

23.0 Amendments to these Terms of Reference

It will be lawful for the Council by resolution of the Council to revoke, vary or add to any of the provisions of these Terms or Reference and Rules at its own discretion.

24.0 Interpretation of these Rules

24.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference and Rules, or any part thereof or any irregularities whatsoever, then the dispute shall be determined summarily by the Council and the decision of the Council shall be final and binding.

24.2 Any affiliated sporting organisation having any grievances as to the management, operation, interpretation or definition of the Terms of Reference and Rules, or the Fund, or wishing to make recommendations as to the general operation of the Fund, shall communicate in writing any such grievance to the Committee and to Council.

24.3 The Council shall determine the grievance or recommendation and advise the author and the Committee of its decision.

Ref. AF11/725
MJT



MINUTES

Special Council Meeting Tuesday 18 November 2025



Minutes of the City of Mount Gambier Special Council Meeting held at:

Time: 5:00 pm
Date: Tuesday 18 November 2025
Location: Mount Gambier Library
6 Watson Terrace, Mount Gambier

City of Mount Gambier
Special Council Meeting Minutes

18 November 2025

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr Paul Simpson
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Manager Governance and Property	- Ms B Shelton
	Manager Financial Services	- Ms K Rolton
	Manager Development Services	- Mrs T Tzioutziouklaris
	Revenue Coordinator	- Mrs J Scheidl
	Media and Communications Coordinator	- Ms S McLean
	Executive Administrator	- Mrs S Spears

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

RESOLUTION SCM 2025/15

Moved: Cr Jason Virgo
Seconded: Cr Max Bruins

That the apology from Cr Mark Lovett be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 COUNCIL REPORTS

4.1 RATING REVIEW PUBLIC CONSULTATION

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:



City of Mount Gambier
Special Council Meeting Minutes

18 November 2025

Purpose of the Suspension: To hear verbal submissions for the 2025 Review of the Basis of Rating.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 5:04pm.

Cr Jason Virgo left the meeting at 5:32pm.

Cr Jason Virgo returned at 5:33pm.

The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 5:44pm.

RESOLUTION SCM 2025/16

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Rating Review Public Consultation' as presented on Tuesday 18 November 2025 be noted.
2. That Council receives and hears verbal submissions from members of the public who have registered their intent to speak to the 2025 Review of the Basis of Rating.
3. That Council thanks participants for their verbal submissions as presented at the Special Council Meeting on 18 November 2025.

CARRIED

5 CONFIDENTIAL ITEMS

Nil

6 MEETING CLOSE

The meeting closed at 5:45 pm.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 16 December 2025

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MAYOR





MINUTES

Special Council Meeting

Monday 1 December 2025



Minutes of the City of Mount Gambier Special Council Meeting held at:

Time: 5:00 pm
Date: Monday 1 December 2025
Location: Civic Centre, Level 1 Conference Room
10 Watson Terrace, Mount Gambier

City of Mount Gambier
Special Council Meeting Minutes

1 December 2025

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr Paul Simpson
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Executive Administrator	- Ms S Wilson

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 CONDUCT OF THE GALLERY

MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.

3 APOLOGIES

Nil

4 LEAVE OF ABSENCE

Nil

5 COUNCIL REPORTS

Nil



6 CONFIDENTIAL ITEMS

6.1 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE

RESOLUTION SCM 2025/20

Moved: Cr Frank Morello
Seconded: Cr Sonya Meziniec

CONSIDERATION FOR 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 the Mayor, Councillors and P Simpson, B Cernovskis, J Fetherstonhaugh, C White and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Wulanda Recreation and Convention Centre - Project Update.

The Council is satisfied that, pursuant to section 90(3) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information contained within the report and attachments presents matters relating to commercially sensitive contracts associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils ability to obtain best value on behalf of the community.

CARRIED



The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To discuss Item 6.1 - Wulanda Recreation and Convention Centre - Project Update.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 5:03pm.

The Mayor determined that the period of suspension should be brought to an end.

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 5:15pm.

RESOLUTION SCM 2025/22

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Wulanda Recreation and Convention Centre - Project Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
 - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
 - (h) legal advice.
2. be kept confidential and not available for public inspection until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence.



City of Mount Gambier
Special Council Meeting Minutes

1 December 2025

3. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

7 MEETING CLOSE

The meeting closed at 5:16pm.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 16 December 2025.

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MAYOR

