

WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Millicent Council Chamber, George Street, Millicent on 13 June 2023 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

2. PRESENT

His Worship the Mayor D Noll

Cr D Agnew

Cr R Cassidy

Cr E Castine

Cr S Cox

Cr J Drew

Cr P Dunnicliff

Cr D Muhovics

Cr M Neagle

Cr D Price

Cr D Walshaw

Mr BJ Gower (Chief Executive Officer)

Mr PA Duka (Director Corporate Services)

Mr PA Halton (Director Engineering Services)

Ms EF Clay (Director Development Services)

Ms CP Allen (Executive Assistant)

3. APOLOGIES

Cr C Brodie

Mayor Noll informed Council that Cr Neagle will be taking a Leave of Absence after tonight's meeting for a period of two months.

4. DISCLOSURE OF INTERESTS

NIL

5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 9 May 2023 (Folio 10536 – Folio 10546)

Cr Dunnicliff moved that the Minutes of the Ordinary Meeting dated 9 May 2023 be taken as presented and confirmed.

Cr Castine seconded

CARRIED

5.2 Confidential Meeting of Council – 9 May 2023 (CM 1040 – CM 1041) – Released Immediately

Cr Cassidy moved that the Minutes of the Confidential Meeting dated 9 May 2023 be taken as presented and confirmed.

Cr Muhovics seconded

CARRIED

5.3 Special Meeting of Council – 23 May 2023 (Folio 10547 – Folio 10548)

Cr Drew moved that the Minutes of the Special Meeting dated 23 May 2023 be taken as presented and confirmed.

Cr Castine seconded

CARRIED

5.4 Audit & Risk Committee – 30 May 2023 (Folio 10549 – Folio 10551)

Cr Drew moved that the Minutes of the Audit & Risk Committee dated 30 May 2023 be taken as presented and confirmed.

Cr Walshaw seconded

CARRIED

5.5 Special Meeting of Council – 31 May 2023 (Folio 10552 – Folio 10553)

Cr Price moved that the Minutes of the Special Meeting dated 31 May 2023 be taken as presented and confirmed.

Cr Dunnicliff seconded

CARRIED

6. MATTERS ARISING FROM THE MINUTES

NIL

7. ADJOURNMENTS

NIL

8. MAYORAL COMMUNICATIONS

8.1 Mayoral Communications

Cr Cassidy moved that Mayoral Communications be received and noted.

Cr Castine seconded

CARRIED

Cr Dunnicliff advised that he attended on behalf of Mayor Noll – the Millicent High School's Reconciliation Week – The Meeting Place Naming Ceremony on Tuesday 30 May 2023 at 1.30 pm Maruwinya Mraatt Miya Ba Miya which means Caring for Country Side by Side.

9. DEPUTATIONS

[Sallie Chambers and Scott Altschwager commenced their deputation at 5.06 pm]

9.1 Deputation by Sallie Chambers and Scott Altschwager – Southend Progress Association – Community Land Sale

Sallie Chambers and Scott Altschwager made a presentation to Council in regard to the community land sale at Southend.

[Sallie Chambers and Scott Altschwager ended their deputation at 5.16 pm]

10. PETITIONS

NIL

11. REPORTS FROM COUNCIL MEMBERS

Cr Muhovics advised that he attended the Lake McIntyre Management Committee Meeting on 14 May 2023.

12. QUESTIONS WITH NOTICE

NIL

13. QUESTIONS WITHOUT NOTICE

Various questions were asked but there was no resolution that entry be made into the Minutes.

14. REPORTS FROM COUNCIL COMMITTEES

Mr Paul Duka, Director Corporate Services advised that at the Audit & Risk Committee Meeting held this afternoon a Verbal Report was tabled in regard to the Millicent Saleyards. Mr Duka read the following excerpt from the Minutes to the Chamber:

7. Risk Management Reports from Officers

Item 7.1 – Millicent Saleyards – Verbal Report

The Committee conducted the discussion within the context of its review of the survey findings, which were inconclusive. The matter was due for discussion at tonight’s Council Meeting.

Mayor Noll identified the concern in relation to the saleyard’s financial sustainability in line with the Local Government Act and the ESCOSA report. The Committee discussed the future sustainability in light of the significant decline in recent numbers and cancellation of the last two sales.

Chair Michael Schultz voiced his concerns that under-performing assets do not normally demand the capital expenditure required to maintain them, so if not now, definitely in the near future, the assets themselves will deteriorate to the point where they are unusable.

Cr Drew moved that the Audit & Risk Committee recommend to Council that the operations at the saleyards cease due to its concerns about the financial, reputational, and operational risks to the Council.

Cr Walshaw seconded

CARRIED

14.1 Millicent Saleyards Advisory Committee - Minutes of Meeting held on 6 March 2023, 27 March 2023, 24 April 2023 and 29 May 2023

Cr Neagle moved that the Minutes of the Millicent Saleyards Advisory Committee Meeting dated on 6 March 2023, 27 March 2023, 24 April 2023 and 29 May 2023 be received and noted.

Cr Muhovics seconded

CARRIED

Mayor Noll advised the Chamber that Cr Neagle in the preamble of her Motion on Notice Item 17.1 was seeking leave of the meeting to discuss her Motion at this juncture.

Mayor Noll asked if leave of the meeting is granted to discuss Item 17.1 out of sequence by a show of hands.

The majority of the Members indicated in the affirmative.

ADJOURNMENT OF MEETING

Cr Price moved that the meeting be adjourned to read the additional responses that were tabled from the Millicent Saleyards survey that were not included in the upcoming report at Item 15.1.4 Millicent Saleyards Consultation until 5.41 pm.

Cr Cox seconded

CARRIED

The meeting adjourned at 5.31 pm

The meeting reconvened at 5.41 pm

17. MOTIONS ON NOTICE

17.1 Motion on Notice - Cr Moira Neagle - Millicent Saleyards

Cr Neagle moved that Council resume spending on the Millicent Saleyards to meet SafeWork SA requirements and that there be a moratorium on decisions about the future of the Millicent Saleyards until 30 June 2026.

Cr Cox seconded

Short Term Suspension of Proceedings

The Mayor, with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period sufficient to facilitate informal discussion in relation to the Millicent Saleyards and Cr Neagle's Motion on Notice.

Cr Price moved that the meeting be suspended until 6.06 pm.

Cr Dunnicliff seconded

CARRIED

The meeting adjourned at 5.51 pm.

The meeting reconvened at 6.10 pm.

DIVISION

Cr Neagle called for a division:

The Mayor declared the result of the vote set aside.

Members voting in the affirmative:

Councillors Neagle, Muhovics, Cox, Cassidy and Agnew

Members voting in the negative:

Councillors Walshaw, Price, Dunnicliff, Drew, Castine and Mayor Noll

THE MOTION WAS PUT AND WAS LOST

14.2 Lake McIntyre Management Committee - Minutes of Meeting held on 10 May 2023

Cr Muhovics moved that the Minutes of the Lake McIntyre Management Committee Meeting dated 10 May 2023 be received and noted.

Cr Cox seconded

CARRIED

[Cr Walshaw left the meeting at 6.27 pm]

15. REPORTS FROM COUNCIL OFFICERS

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Cr Cassidy moved that Council receive and note the report.

[Cr Walshaw resumed the meeting at 6.28 pm]

Cr Agnew seconded

CARRIED

15.1.2 Revocation of Community Land Classification (Allotment 9, 22 Campbell Street, Millicent)

Cr Dunnicliff moved that Council receive and note the report.

Cr Cassidy seconded

CARRIED

Cr Castine moved that Council:

1. Pursuant to Regulation 21 *Local Government (Procedures at Meetings) Regulations* amend the resolution from the 14 March 2023 Ordinary Council Meeting, Item 15.2.5 by deleting 'Allotment 9, 22 Campbell Street, Millicent CT 5248/722' and replacing with 'Allotment 9, 22 Campbell Street, Millicent CT 5249/722'.
2. Receive and note the submissions received in relation to the revocation of community land classification throughout the public consultation period; and
3. Pursuant to Section 194 3 (a) of the *Local Government Act 1999*, agree to proceed with an application, seeking approval from the Minister for Local Government to formally revoke the community land classification over land being:
 - Allotment 9, 22 Campbell Street, Millicent CT 5249/722

Cr Walshaw seconded

CARRIED

15.1.3 Delegations Update Report

[Cr Cox left the meeting at 6.36 pm]

[Cr Cox resumed the meeting at 6.36 pm]

Cr Muhovics moved that Council:

1. Receive and note the report.

Cr Cox seconded

CARRIED

Cr Walshaw moved that Council:

Delegations made under the *Local Government Act 1999*

2. Resolves to grant the delegation of powers and functions of the Council as provided for in the attached Instrument of Delegation (Attachment 1).

Delegation of powers of a Council as a Council, Designated Authority and a Designated Entity under the *Planning, Development and Infrastructure Act 2016*

3. In exercise of the power contained in Section 44 of the *Local Government Act 1999*, the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 13 June 2023 and marked Attachment 2) are hereby delegated this 13 June 2023 to the person occupying or acting in the office of the 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.
4. Such powers and function may be further delegated by the Chief Executive Officer of the Council in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegation of powers of an Assessment Panel as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016*

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 proposed Instrument of Delegation (annexed to the Report dated 13 June 2023 and marked Attachment 3) are hereby delegated this 13 June 2023 to the person occupying or acting in the office of Chief Executive 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.
6. Such powers and functions may be further delegated by the Chief Executive Officer of the Council in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegation of powers of an Assessment Manager as a Relevant Authority under the *Planning, Development and Infrastructure Act 2016*

7. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016*, the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 13 June 2023 marked Attachment 4 are hereby delegated this 13 June 2023 to the person occupying or acting in the office of Chief Executive 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.
8. Such powers and functions may be further delegated by the Chief Executive Officer of the Council in accordance with Section 100(2)(c) of the *Planning Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Cr Cox seconded

CARRIED

ADJOURNMENT OF MEETING

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.15 pm.

Cr Agnew seconded

CARRIED

The Meeting adjourned at 6.40 pm

The Meeting reconvened at 7.15 pm

15.1.4 Millicent Saleyards Consultation Report

Cr Walshaw moved that Council receive and note the report.

Cr Agnew seconded

CARRIED

Cr Price moved that Council close the Millicent Saleyards as of the 30 June 2023.

Cr Walshaw seconded

Short Term Suspension of Proceedings

The Mayor, with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period sufficient to facilitate informal discussion in relation to the Millicent Saleyards.

Cr Agnew moved that the meeting be suspended until 7.39 pm.

Cr Cassidy seconded

CARRIED

The meeting adjourned at 7.29 pm.

The meeting reconvened at 7.44 pm.

DIVISION

Cr Neagle called for a division:

The Mayor declared the result of the vote set aside.

Members voting in the affirmative:

Councillors Walshaw, Price, Dunnicliff, Drew, Castine, Cassidy and Agnew

Members voting in the negative:

Councillors Neagle, Muhovics and Cox

THE MOTION WAS PUT AND WAS CARRIED

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Muhovics moved that Council receive and note the 2022/23 May Financial Performance Report.

[Cr Walshaw left the meeting at 8.00 pm]

[Cr Walshaw resumed the meeting at 8.01 pm]

Cr Castine seconded

CARRIED

15.2.2 2023/24 Draft Annual Business Plan and Budget

Cr Cox moved that Council:

1. Receive and note the Report.

Cr Castine seconded

CARRIED

Cr Walshaw moved that Council:

2. Waives the rate for burial of Neonates.

Cr Cox seconded

CARRIED

Cr Price moved that Council:

3. Commence public consultation on the Draft Annual Business Plan and Budget 2023/24 as amended.

Cr Cox seconded

CARRIED

15.2.3 Revocation of Community Land Classification (Allotment 301, Cullens Road, Southend)

Cr Walshaw moved that Council:

1. Receive and note the submissions received in relation to the revocation of community land classification throughout the public consultation period; and
2. Pursuant to Section 194(2) of the *Local Government Act 1999*, agree to a further formal public consultation process to revoke the community land classification of land situated at:
 - Allotment 301, Cullens Road, Southend, CT 5921/66

Cr Cassidy seconded

CARRIED

15.3 Director Development Services

15.3.1 Quarterly Development Services Performance Update Report

Cr Castine moved that Council receive and note the Report.

Cr Agnew seconded

CARRIED

15.3.2 Code Amendment Project Update – Draft proposal to Initiate and Draft Engagement Plan Report

Cr Cox moved that Council:

1. Receive and note the report.

[Cr Muhovics left the meeting at 8.17 pm]

[Cr Muhovics resumed the meeting at 8.18 pm]

Cr Cassidy seconded

CARRIED

Cr Agnew moved that Council:

2. Endorse the draft Wattle Range Council Code Amendment Proposal to Initiate and draft Wattle Range Council Code Amendment Engagement Plan.
3. Authorise the CEO to lodge the final Code Amendment Proposal to Initiate and Community Engagement Plan with the Minister for Planning and undertake the subsequent Code Amendment process as outlined in the flowchart in Attachment 15.3.2.1.

Cr Drew seconded

CARRIED

15.3.3 Flinders University - Wattle Range Council Hon Terry Roberts MLC Memorial Student Scholarship

Cr Muhovics moved that Council:

1. Receive and note the report.

Cr Walshaw seconded

CARRIED

Cr Drew moved that Council:

2. Authorise the Chief Executive Officer to enter into a Deed of Gift Agreement with Flinders University for a period of three years 2024-2027, for the Hon Terry Roberts MLC Memorial Student Scholarship, funding two scholarships per year for the amount of \$5,000 per recipient.
3. Authorise the amendment of Guideline 514 Community Grants, Scholarship and Sponsorship Programs to increase Category E (i) Flinders University Scholarships from \$2,500 each to \$5,000 each.
4. Refer the increased budget commitment for the Wattle Range Council Hon Terry Roberts MLC Memorial Student Scholarship to the 2023/24 operating budget.

Cr Walshaw seconded

CARRIED

15.4 Director Engineering Services

NIL

16. CORRESPONDENCE

16.1 South East Coastal Lakes Project - Proposals Paper Released

Cr Cassidy moved that the correspondence from Kym Rumbelow – Area Manager for the National Parks and Protected Area Program for the Department for Environment and Water, dated 22 May 2023 regarding proposals for the management of the South East Coastal Lakes, be received and noted.

Cr Agnew seconded

CARRIED

[Cr Walshaw left the meeting at 8.35 pm]

[Cr Walshaw resumed the meeting at 8.36 pm]

16.2 TGS Otway 3D Seismic Survey

Cr Drew moved that the correspondence from TGS dated 4 May 2023 regarding seeking feedback about a three dimensional (3D) marine seismic survey proposed on the Otway Basin, be received and noted.

Cr Castine seconded

CARRIED

16.3 World Mountain Championships - Danni Vanderheul

Cr Cox moved that the correspondence from Danni Vanderheul dated 21 May 2023 regarding a request to Council for funding/sponsorship support for being selected to run in the World Mountain Trail Running Championships in Innsbruck, Austria from 6-10 June 2023 be received and noted.

Cr Price seconded

CARRIED

Cr Cox moved that Council contribute \$500 towards Danni Vanderheul's efforts in representing Australia in the World Mountain Trail Running Championships in Innsbruck, Austria.

Cr Castine seconded

CARRIED

16.4 Limestone Coast Local Government Association - Business Plan

Cr Castine moved that correspondence from Mr Tony Wright dated 10 May 2023 regarding the Limestone Coast Local Government Association Business Plan be received and noted.

Cr Agnew seconded

CARRIED

16.5 South Australia Police - Millicent Road Safety Centre School Holiday Program

Cr Castine moved that the correspondence from Superintendent Bob Gray dated 3 May 2023 regarding Road Safety Centre School Holiday Program be received and noted.

Cr Cassidy seconded

CARRIED

16.6 Letter from Tony Pasin MP to The Hon Tom Koutsantonis MP re Left Hand Turning Lane - Southern Ports Highway to Southend Access Road

Cr Muhovics moved that the correspondence from Tony Pasin MP dated 29 May 2023 regarding the left-hand turning lane – Southern Ports Highway to Southend Access Road be received and noted.

[Cr Price left the meeting at 8.48 pm]

[Cr Price resumed the meeting at 8.49 pm]

Cr Castine seconded

CARRIED

16.7 Independent Strategic Review of the Infrastructure Investment Program

Cr Walshaw moved that the correspondence from Tony Pasin MP dated 26 May 2023 regarding the Independent Strategic Review of the Infrastructure Investment Program be received and noted.

Cr Castine seconded

CARRIED

17. MOTIONS ON NOTICE

17.1 Motion on Notice - Cr Moira Neagle - Millicent Saleyards

Was discussed out of sequence after Item 14.1 with leave of the meeting.

18. URGENT MOTIONS WITHOUT NOTICE

NIL

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Confidential - Arthur Street Toilets - Tender Evaluation

Cr Cassidy moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.1, excepting the following persons:

- Mr BJ Gower – Chief Executive Officer

- Mr PA Duka – Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Ms EF Clay – Director Development Services
- Ms C Allen – Executive Assistant / Minute Taker

To enable the Council to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1 tenders for the supply of goods, the provision of services and the carrying out of works.

Specifically, the present matter relates to the Arthur Street Toilet Facility Upgrade Tender.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Castine seconded

CARRIED

Cr Agnew moved that Council:

1. Receive and note the report.

Cr Dunicliff seconded

CARRIED

Cr Dunicliff moved that Council:

2. Delegate to the Chief Executive Officer (CEO) to enter into contract negotiations with Tenderer 1, ACM Plumbing for the internal renewal and upgrade of the Arthur Street Toilet Facility to the value of \$180,000.
3. Remove all urinals in the male toilets resulting in a saving of \$3,688.
4. Proceed with the additional value add items in the contract related to the external painting of the building, gutters and family room for a value of \$32,827.
5. Approve a budget variation of \$59,139 for the internal renewal and upgrade of the Arthur Street Toilet Facility including additional value add items.

Cr Agnew seconded

CARRIED

Cr Agnew moved that:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Section 90(2) and 90(3)(k) of the Act:

- **The Attachment(s) of Item 19.1 of 13 June 2023**

On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services and the carrying out of works.

Specifically, the present matter relates to the Arthur Street Toilet Facility Upgrade Tender.

This order shall operate until **13 June 2024** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Cassidy seconded

CARRIED

19.2 Confidential - Review of Visitor Information Centre Operating Hours

Cr Walshaw moved that:

1. Pursuant to Sections 90(2) and 90(3)(a) of the *Local Government Act 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.2, excepting the following persons:

- Mr BJ Gower – Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Ms EF Clay – Director Development Services
- Ms C Allen – Executive Assistant / Minute Taker

To enable the Council to consider Item 19.2 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item {item-no-do-not-remove} information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to information pertaining to the personal affairs of employees of Council.

The disclosure of this information would be unreasonable because the information is sensitive / confidential and is not a matter of public knowledge.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Castine seconded

CARRIED

Cr Agnew moved that Council:

1. Receive and note the report.

Cr Cox seconded

CARRIED

Cr Cox moved that Council:

2. Implements a 'hub and spoke' operating model where the Penola VIC will act as

the hub, maintaining current operating hours and the TICSAs accreditation, and Beachport and Millicent VICs will transition to 'satellite sites' maintaining the current operating hours.

Cr Walshaw seconded

CARRIED

[Cr Muhovics left the meeting at 9.19 pm]

Cr Drew moved that Council discuss with the Millicent Museum the introduction of a booking fee of \$2.00.

[Cr Muhovics resumed the meeting at 9.20 pm]

Cr Dunicliff seconded

CARRIED

Cr Cassidy moved that:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- **The Report of Item 19.2 of 13 June 2023**
- **The Attachment(s) of Item 19.2 of 13 June 2023**

On the grounds that the document(s) (or part) relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to information pertaining to the personal affairs of employees of Council.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Castine seconded

CARRIED

19.3 Confidential - Southern Ocean Tourist Park - Management Agreement

Cr Cox moved that:

1. Pursuant to Sections 90(2) and 90(3)(b)(h) of the *Local Government Act 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.3, excepting the following persons:
 - Mr BJ Gower – Chief Executive Officer
 - Mr PA Duka – Director Corporate Services
 - Mr PE Halton – Director Engineering Services
 - Ms EF Clay – Director Development Services
 - Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.3 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.3:

On the grounds that the document(s) (or part) relates to:

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

Specifically, the present matter relates to commercial negotiations for the Southern Ocean Tourist Park.

Legal advice;

Specifically, the present matter related to legal advice provided by Norman Waterhouse Lawyers.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Cassidy seconded

CARRIED

Cr Dunicliff moved that Council:

1. Receive and note the report.

Cr Price seconded

CARRIED

Cr Price moved that Council:

2. Enter into a contract with Belgravia Pro for the management of the Southern Ocean Tourist Park for 12 months, with an option for a 12-month extension with first right of refusal to lease the park at market rate.

Cr Cox seconded

CARRIED

Cr Muhovics moved that:

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the **following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b)(h) of the Act:

- **The Report of Item 19.3 of 13 June 2023**
- **The Attachment(s) of Item 19.3 of 13 June 2023**

On the grounds that the document(s) (or part) relates to:

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

Specifically, the present matter relates to commercial negotiations for the Southern Ocean Tourist Park.

Legal advice;

Specifically, the present matter related to legal advice provided by Norman Waterhouse Lawyers.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Castine seconded

CARRIED

19.4 Confidential - Evaluation of Tenders and approval of a 72" Front Deck Mower

Cr Dunicliff moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.4, excepting the following persons:
 - Mr BJ Gower – Chief Executive Officer
 - Mr PA Duka – Director Corporate Services
 - Mr PA Halton – Director Engineering Services
 - Ms EF Clay – Director Development Services
 - Ms C Allen – Executive Assistant / Minute Taker

To enable the Council to consider Item 19.4 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.4 tenders for the supply of goods, the provision of services and the carrying out of works.

Specifically, the present matter relates to a tender for the purchase of a 72" front deck mower.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Agnew seconded

CARRIED

Cr Dunicliff moved that Council:

1. Receive and note the report.

Cr Walshaw seconded

CARRIED

Cr Dunicliff moved that Council:

2. Approve a budget variation of \$10,073.00 so that an order can be placed with Toro Australia.

Cr Muhovics seconded

CARRIED

Cr Cassidy moved that:

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:

- **The Report of Item 19.4 of 13 June 2023**

On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender for the purchase of a 72” front deck mower.

This order shall operate until **13 June 2024** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Castine seconded

CARRIED

Meeting closed at 9.38 pm.

Taken as presented and confirmed.

.....
MAYOR

.....
DATE

Attachment 1**WATTLE RANGE COUNCIL****Instrument of delegation**

1. The Wattle Range Council (**Council**) delegates each function or power of the Council:
 - (a) listed in the attached tables to the delegate or delegates identified in respect of the function or power.
2. The delegations are granted pursuant to section 44 of the *Local Government Act 1999*.
3. The delegations granted pursuant to the Local Government Act to the Council's Chief Executive Officer (**CEO**) may be sub-delegated by the 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.
4. If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.
5. The delegations are granted subject to the following conditions and limitations:
 - (a) the delegate must exercise a delegated function or power in accordance with:
 - (i) applicable legislative and other legal requirements; and
 - (ii) due regard to relevant policies and guidelines adopted by the Council;
 - (b) 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 the budget adopted by the Council;
 - (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$150,000 per acquisition;
 - (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);
 - (c) the delegated powers and functions may only be exercised in the Council area.

6. Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.
7. If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.
8. The delegations provided for in this instrument of delegation will come into operation on the day following the date of the Council resolution.
9. Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.
10. The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.

By resolution of the Council

on:.....

Wattle Range Council (**Council**)**Delegated functions and powers**

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	Chief Executive Officer	
council	section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	Chief Executive Officer	
council	section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	Not delegated	
council	section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	Chief Executive Officer	
council	section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	Chief Executive Officer	
council	section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	Chief Executive Officer	
council	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	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		community from any hazard or other event, or that assists in the management of any area)		
council	section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	Chief Executive Officer	
council	section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	Chief Executive Officer	
council	section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	Chief Executive Officer	
council	section 7(j)	Manage, improve and develop resources available to the council	Chief Executive Officer	
council	section 7(k)	Undertake other functions and activities conferred by or under an Act	Chief Executive Officer	
council	section 12(1)	Publish a notice in the <i>Gazette</i> 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	Chief Executive Officer	
council	section 12(2)	Publish a notice in the <i>Gazette</i> 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,	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		or giving a name to, or altering the name of, a ward		
council	section 12(3)	Undertake a review under section 12 of the Local Government Act	Chief Executive Officer	
council	section 12(4)	Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations	Chief Executive Officer	
council	section 12(5)	Initiate the preparation of a representation review report and form the opinion a person is qualified to address the representation and governance issues	Chief Executive Officer	
council	Section 12(7)	Undertake public consultation	Chief Executive Officer	
council	section 12(11)	Finalise the council report	Chief Executive Officer	
council	section 12(11a)	Refer the report to Electoral Commissioner	Chief Executive Officer	
council	section 12(11e)(a)	Take such action as is necessary (including by altering report)	Chief Executive Officer	
council	section 12(11e)(b)	Comply with requirements of section 12(7)	Chief Executive Officer	
council	section 12(11e)(c)	Refer the report to the Electoral Commissioner under section 12(12)	Chief Executive Officer	
council	section 12(12)	Refer report to the Electoral Commissioner	Chief Executive Officer	
council	section 12(12a)	Include with the report copies of any written submissions if received	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	Chief Executive Officer	
council	section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	Chief Executive Officer	
council	section 12(16)(b)	Refer report back to the Electoral Commissioner	Chief Executive Officer	
council	section 12(17)	Comply with requirements of section 12(7) (unless determine alteration of report is of a minor nature only)	Chief Executive Officer	
council	section 12(24)	Undertake a review within period specified by the Electoral Commissioner	Chief Executive Officer	
council	section 13(1)	Publish a notice in the <i>Gazette</i> changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward	Chief Executive Officer	
council	section 13(2)(a)	Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward	Chief Executive Officer	
council	section 13(2)(b)	Invite written submissions	Chief Executive Officer	
council	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 13(2)(c)	Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission	Chief Executive Officer	
council	section 28(1)(c)	Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission	Chief Executive Officer	
council	section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	Chief Executive Officer	
council	section 31(10)(c)	Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed	Chief Executive Officer	
council	section 36(1)(a)	Exercise the legal capacity of a natural person, including entering into contracts or arrangements, suing and being sued and acting in conjunction with another council or authority or person	Chief Executive Officer	
council	section 36(1)(c)	Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 36(2)	Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State	Chief Executive Officer	
council	section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	Chief Executive Officer	
council	section 41(1)	Establish a committee	Chief Executive Officer	
council	section 41(2)	Determine the role of the committee	Chief Executive Officer	
council	section 41(3)	Determine the membership of the committee	Chief Executive Officer	
council	section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	Chief Executive Officer	
council	section 41(6)	Appoint the principal member as an ex officio member of the committee	Chief Executive Officer	
council	section 41(8)	Determine the reporting and other accountability requirements applying to a committee	Chief Executive Officer	
council	section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	Chief Executive Officer	
council	section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	Chief Executive Officer	
council	section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	Chief Executive Officer	
council	section 45(1)	Nominate a place as the council's principal office	Chief Executive Officer	
council	section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	Chief Executive Officer	
council	section 45(3)	Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements	Chief Executive Officer	
council	section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	Chief Executive Officer	
council	section 46(2)(a)	Establish a business in connection with a commercial project	Chief Executive Officer	
council	section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	Chief Executive Officer	
council	section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		promote and advance the interests of an industry in which local government has an interest		
council	section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	Chief Executive Officer	
council	section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	Chief Executive Officer	
council	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)	Chief Executive Officer	
council	section 49(a1)	Maintain procurement policies, practices and procedures directed towards: <ul style="list-style-type: none"> (a) obtaining value in the expenditure of public money; (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability and transparency in procurement operations 	Chief Executive Officer	
council	section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: <ul style="list-style-type: none"> (a) the contracting out of services; 	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		(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	section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	Chief Executive Officer	
council	section 50(1)	Prepare and adopt a public consultation policy	Chief Executive Officer	
council	section 50(5)	Alter or substitute the public consultation policy	Chief Executive Officer	
council	section 50(6)(c)	Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy	Chief Executive Officer	
council	section 50(6)(e)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions	Chief Executive Officer	
council	section 50(6)(d)	Consider submissions	Chief Executive Officer	
council	section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 50(8)	Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council	Chief Executive Officer	
council	section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	Chief Executive Officer	
council	section 54(1)(d)	Grant a leave of absence from council	Chief Executive Officer	
council	section 54(1)(d)	Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council	Chief Executive Officer	
council	section 57(6)	Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the members of the councils at the time the contract was made or lease was entered	Chief Executive Officer	
council	section 68(3b)	Apply to SACAT for an order disqualifying member of the council from the office of member under the Local Government Act	Chief Executive Officer	
council	section 70(a1)	Publish prescribed details contained in the Register	Chief Executive Officer	
council	section 75F(1)	Prepare and adopt behavioural support policies	Chief Executive Officer	
council	section 75F(5)	Alter or substitute a behavioural support policy	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 75F(6)	Undertake public consultation before adopting, altering or substituting a behavioural support policy	Chief Executive Officer	
council	section 75F(7)(a)	Review the operation of the behavioural support policies and consider whether to adopt additional behavioural support policies	Chief Executive Officer	
council	section 75F(7)(b)	Consider whether to adopt behavioural support policies	Chief Executive Officer	
council	section 77(1)	Provide reimbursement of prescribed expenses of a member of council	Chief Executive Officer	
council	section 80	Take out a policy of insurance insuring every member of the council and a spouse or domestic partner or another person who may be accompanying a member of the councils against the risks associated with the performance or discharge of official functions or duties by members	Chief Executive Officer	
council	section 80A(1)	Prepare a training and development policy for members	Chief Executive Officer	
council	section 80A(2b)	Suspend a member from office of member of the council for failure to comply with the prescribed mandatory requirements	Chief Executive Officer	
council	section 80A(2e)	Revoke the suspension if satisfied the member has complied with the prescribed mandatory requirements and give public notice of the revocation	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 80A(2f)	Apply to SACAT for an order disqualifying the member from office of member of the council	Chief Executive Officer	
council	section 80A(3)	Alter or substitute a training and development policy for members	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 80B(3)	Revoke a suspension	Chief Executive Officer	
council	section 80B(9)	Apply to SACAT for an order disqualifying the member from the office of member of the council	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 90A(1)	Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be involved in for the purposes of providing information or a briefing	Chief Executive Officer	
council	section 90A(4)	Order that an information or briefing session be closed to the public	Chief Executive Officer	
council	section 90A(5)	If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5)	Chief Executive Officer	
council	section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	Chief Executive Officer	
council	section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	Chief Executive Officer	
council	section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	Chief Executive Officer	
council	section 92(1)	Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act	Chief Executive Officer	
council	section 92(2)	Review code of practice	Chief Executive Officer	
council	section 92(3)	Alter or substitute a new code of practice	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	Chief Executive Officer	
council	section 93(1)	Convene a meeting of electors of the council area or part of the council area	Chief Executive Officer	
council	section 93(11)	Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors	Chief Executive Officer	
council	section 93(14)	Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act	Chief Executive Officer	
council	section 94(6)	Make submissions to the Minister	Chief Executive Officer	
council	section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	Chief Executive Officer	
council	section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management	Not Delegated	
council	section 98(3)	Invite applications including by advertising on website and take other action	Not Delegated	
council	section 98(3)	Determine website to advertise invitation for applications	Not Delegated	
council	section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	Not delegated	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	Not Delegated	
council	section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	Not Delegated	
council	section 106(2)	Pay contribution to another council	Chief Executive Officer	
council	section 106(3)	Recover a contribution from another council as a debt	Chief Executive Officer	
council	section 106(4)	Provide details of the service of an employees or former employee to another council	Chief Executive Officer	
council	section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	Chief Executive Officer	
council	section 111(b)	Declare that an officer or an officer of a class is subject to Division 2, Part 4, Chapter 7 of the Local Government Act	Chief Executive Officer	
council	section 120A(1)	Prepare and adopt employee behavioural standards	Chief Executive Officer	
council	section 120A(4)	Alter or substitute employee behavioural standards	Chief Executive Officer	
council	section 120A(5)	Consult with any registered industrial association that represents interests of employees of councils before adopting,	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		altering or substituting employee behavioural standards		
council	section 120A(6)a)	Review the operation of the employee behavioural standards	Chief Executive Officer	
council	section 120A(6)(b)	Consider whether to adopt employee behavioural standards	Chief Executive Officer	
council	section 122(1)	Develop a strategic management plan	Chief Executive Officer	
council	section 122(1a)(a)	Develop a long-term financial plan	Chief Executive Officer	
council	section 122(1a)(b)	Develop an infrastructure and asset management plan	Chief Executive Officer	
council	section 122(1c)	Provide information relating to long-term financial plan and infrastructure and asset management plan to designated authority	Chief Executive Officer	
council	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	Chief Executive Officer	
council	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)	Chief Executive Officer	
council	section 122(1j)	Provide to the designated authority within time and in manner specified in notice	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		information the designated authority reasonably requires.		
council	section 122(4)	Review strategic management plans	Chief Executive Officer	
council	section 122(6)	Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans	Chief Executive Officer	
council	section 123(3)(a)	Prepare a draft annual business plan	Chief Executive Officer	
council	section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	Chief Executive Officer	
council	section 123(5)	Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website	Chief Executive Officer	
council	section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	Chief Executive Officer	
council	section 123(9)(a)(i)	Prepare a summary of the annual business plan	Chief Executive Officer	
council	section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	Chief Executive Officer	
council	section 124(1)(a)	Keep accounting records	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 125	Implement and maintain appropriate policies, practices and procedures of internal control	Chief Executive Officer	
council	section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	Chief Executive Officer	
council	section 127(3)	Provide statements to auditor	Chief Executive Officer	
council	section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	Chief Executive Officer	
council	section 128(2)	Appoint an auditor on the recommendation of the council's audit committee	Chief Executive Officer	
council	section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	Chief Executive Officer	
council	section 130A(1)	Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives	Chief Executive Officer	
council	section 131(1)	Prepare annual report	Chief Executive Officer	
council	section 131(4)	Provide a copy of the annual report to each council member	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	Chief Executive Officer	
council	section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	Chief Executive Officer	
council	section 131A(1)	Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 133	Obtain funds as permitted by the Local Government Act or other Act	Chief Executive Officer	
council	section 135(1)	Provide security	Chief Executive Officer	
council	section 135(2)(a)	Assign a distinguishing classification to a debenture	Chief Executive Officer	
council	section 135(2)(b)	Appoint a trustee for the debenture holders	Chief Executive Officer	
council	section 137	Expend funds in the performance or discharge of the council's powers, functions or duties under the Local Government Act or other Acts	Chief Executive Officer	
council	section 139(1)	Invest money under the council's control	Chief Executive Officer	
council	section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	Chief Executive Officer	
council	section 140	Review performance of investments at least annually	Chief Executive Officer	
council	section 141(1)	Accept a gift	Chief Executive Officer	
council	section 141(2)	Carry out the terms of a trust applying to a gift	Chief Executive Officer	
council	section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 141(4)	Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court	Chief Executive Officer	
council	section 141(6)	Publish an order made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette	Chief Executive Officer	
council	section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	Chief Executive Officer	
council	section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	Chief Executive Officer	
council	section 143(1)	Write off bad debts	Chief Executive Officer	
council	section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	Chief Executive Officer	
council	section 144(2)	Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property	Chief Executive Officer	
council	section 144(2)	Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 151(5)(d)	Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	Chief Executive Officer	
council	section 151(5)(e)	Follow the relevant steps in the public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	Chief Executive Officer	
council	section 151(8)	Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act	Chief Executive Officer	
council	section 156(10)	Extend the time period for lodging an objection	Chief Executive Officer	
council	section 156(11)	Decide an objection to attribution of a particular use to land	Chief Executive Officer	
council	section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	Chief Executive Officer	
council	section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	Chief Executive Officer	
council	section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		proposed change to the differentiating factor in relation to land		
council	section 156(14e)	Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act	Chief Executive Officer	
council	section 159(1)	Determine the manner and form of an application for a rebate of rates	Chief Executive Officer	
council	section 159(3)	Grant a rebate of rates	Chief Executive Officer	
council	section 159(4)	Increase a rebate of rates	Chief Executive Officer	
council	section 159(10)	Determine that proper cause for a rebate of rates no longer applies	Chief Executive Officer	
council	section 159(11)	Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies	Chief Executive Officer	
council	section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	Chief Executive Officer	
council	section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	Chief Executive Officer	
council	section 165(2)	Grant a rebate of rates greater than 75% on land being used by a university or university	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		college to provide accommodation and other forms of support on a not-for-profit basis		
council	section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	Chief Executive Officer	
council	section 166(2)	Attach conditions to the granting of a rebate of rates or service charges under section 166(1) of the Local Government Act	Chief Executive Officer	
council	section 167(1)	Adopt valuations	Chief Executive Officer	
council	section 167(6)	Publish a notice of the adoption of valuations in the Gazette	Chief Executive Officer	
council	section 168(1)	Request the Valuer-General to value land in the council area	Chief Executive Officer	
council	section 168(2)	Furnish information to the Valuer-General requested information	Chief Executive Officer	
council	section 168(3)(b)	Enter valuation into the assessment record	Chief Executive Officer	
council	section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	Chief Executive Officer	
council	section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	Chief Executive Officer	
council	section 169(5)	Refer an objection to the valuation of land to the valuer who made the valuation with a request to reconsider the valuation	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 169(7)	Provide written notice to an objector of the outcome of the objection	Chief Executive Officer	
council	section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	Chief Executive Officer	
council	section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	Chief Executive Officer	
council	section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	Chief Executive Officer	
council	section 169(16)	Pay the prescribed fee to the Valuer-General	Chief Executive Officer	
council	section 170	Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area	Chief Executive Officer	
council	section 173(5)	Determine a review of the outcome of a request to alter the assessment record	Chief Executive Officer	
council	section 173(6)	Provide written notice of decision on review	Chief Executive Officer	
council	section 173(7)	Participate in a review of decision of council	Chief Executive Officer	
council	section 174(1)	Provide the assessment record for inspection at the principal offices of the council	Chief Executive Officer	
council	section 174(2)	Provide for the purchase of an entry in the assessment record	Chief Executive Officer	
council	section 178(3)	Recover rates as a debt	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates	Chief Executive Officer	
council	section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	Chief Executive Officer	
council	section 179(2)	Adopt a valuation of land	Chief Executive Officer	
council	section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	Chief Executive Officer	
council	section 180(1)	Provide a rates notice to the principal ratepayer	Chief Executive Officer	
council	section 181(2)	Determine the day on which an instalment of rates falls due	Chief Executive Officer	
council	section 181(3)	Adjust the months in which instalments of rates are payable	Chief Executive Officer	
council	section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	Chief Executive Officer	
council	section 181(5)	Provide rates notice to principal ratepayer	Chief Executive Officer	
council	section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	Chief Executive Officer	
council	section 181(11)	Grant discounts or other incentives in relation to the payment of rates	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 181(13)	Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates	Chief Executive Officer	
council	section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	Chief Executive Officer	
council	section 182(1)(a)	Postpone payment of rates	Chief Executive Officer	
council	section 182(1)(b)	Remit the whole or part payment of rates	Chief Executive Officer	
council	section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	Chief Executive Officer	
council	section 182(2)(b)	Impose other conditions on the postponement of rates	Chief Executive Officer	
council	section 182(2)(c)	Revoke a postponement of rates	Chief Executive Officer	
council	section 182(3)	Postpone the payment of rates	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 182(4)	Grant a remission of rates	Chief Executive Officer	
council	section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	Chief Executive Officer	
council	section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	Chief Executive Officer	
council	section 182A(1)	Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year	Chief Executive Officer	
council	section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	Chief Executive Officer	
council	section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	Chief Executive Officer	
council	section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	Chief Executive Officer	
council	section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	Chief Executive Officer	
council	section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	Chief Executive Officer	
council	section 184(2)	Send a notice to the principal ratepayer	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	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 <i>Crown Lands Act 1929</i> .	Chief Executive Officer	
council	section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	Chief Executive Officer	
council	section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	Chief Executive Officer	
council	section 184(6)	Set a reserve price for the auction	Chief Executive Officer	
council	section 184(7)	Seek the consent of the Minister who is responsible for the administration of the <i>Crown Lands Act 1929</i> to have the land sold by public auction	Chief Executive Officer	
council	section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	Chief Executive Officer	
council	section 184(9)	Call off an auction	Chief Executive Officer	
council	section 184(10)	Sell land by private contract	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 184(11)	Apply money receive in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11)	Chief Executive Officer	
council	section 184(12)	Deal with money under the <i>Unclaimed Money Act 1891</i>	Chief Executive Officer	
council	section 185(1)	Apply to the Minister who is responsible for the administration of the <i>Crown Lands Act 1929</i> for an order under section 185 of the Local Government Act	Chief Executive Officer	
council	section 186(2)(a)	Repay an amount of overpaid rates	Chief Executive Officer	
council	section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	Chief Executive Officer	
council	section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	Chief Executive Officer	
council	section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	Chief Executive Officer	
council	section 186(5)	Refund an amount to a person ceasing to be a ratepayer	Chief Executive Officer	
council	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	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		charges that is held in credit against future liabilities for rates or charges on the land		
council	section 187A(5)(b)	Receive a report from the Ombudsman	Chief Executive Officer	
council	section 187B(5)	Receive a report from the Ombudsman	Chief Executive Officer	
council	section 187B(6)	Provide a written response to the Ombudsman and complainant	Chief Executive Officer	
council	section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	Chief Executive Officer	
council	section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	Chief Executive Officer	
council	section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	Chief Executive Officer	
council	section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	Chief Executive Officer	
council	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;	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		(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	section 188(5)(b)	Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 190	Agree to acquire land	Chief Executive Officer	
council	section 191(1)	Seek the Minister's consent to acquire land compulsorily	Chief Executive Officer	
council	section 191(1)	Acquire land compulsorily	Chief Executive Officer	
council	section 191(2)	Acquire land compulsorily	Chief Executive Officer	
council	section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	Chief Executive Officer	
council	section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	Chief Executive Officer	
council	section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 193(6)	Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land	Chief Executive Officer	
council	section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	Chief Executive Officer	
council	section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	Chief Executive Officer	
council	section 194(3)(a)	Submit the proposal to revoke the classification of land as community land with a report on all submissions made in respect of the proposal to the Minister	Chief Executive Officer	
council	section 194(4)	Participate in consultation with the Minister	Chief Executive Officer	
council	section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	Chief Executive Officer	
council	section 196(1)	Prepare and adopt a management plan for community land	Chief Executive Officer	
council	section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	Chief Executive Officer	
council	section 197(1)(a)	Make copies of a proposed management plan available or inspection of purchase at the council's principal office	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	Chief Executive Officer	
council	section 197(3)	Give public notice of the adoption of the management plan	Chief Executive Officer	
council	section 198(1)	Amend or revoke a management plan	Chief Executive Officer	
council	section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	Chief Executive Officer	
council	section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	Chief Executive Officer	
council	section 199	Manage community land in accordance with any relevant management plan	Chief Executive Officer	
council	section 200(1)	Approve the use of community land for a business purpose	Chief Executive Officer	
council	section 200(3)	Impose conditions on an approval to use community land for a business purpose	Chief Executive Officer	
council	section 201(1)	Sell or otherwise dispose of an interest in land	Chief Executive Officer	
council	section 202(1)	Grant a lease or licence over community land	Chief Executive Officer	
council	section 202(2)	Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 207(1)	Keep a register of community land in the council area	Chief Executive Officer	
council	section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	Chief Executive Officer	
council	section 208(4)	Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette	Chief Executive Officer	
council	section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	Chief Executive Officer	
council	section 210(1)	Declare a private road to be a public road	Chief Executive Officer	
council	section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	Chief Executive Officer	
council	section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	Chief Executive Officer	
council	section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	Chief Executive Officer	
council	section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	Chief Executive Officer	
council	section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 211(1)(a)	Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway	Chief Executive Officer	
council	section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	Chief Executive Officer	
council	section 212(1)	Carry out roadwork in the council area	Chief Executive Officer	
council	section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	Chief Executive Officer	
council	section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	Chief Executive Officer	
council	section 212(3)(b)	Consult with the Commissioner of Highways	Chief Executive Officer	
council	section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	Chief Executive Officer	
council	section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	Chief Executive Officer	
council	section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	Chief Executive Officer	
council	section 212(3)(d)	Obtain the agreement of the owner of private land	Chief Executive Officer	
council	section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 213(2)	Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road	Chief Executive Officer	
council	section 213(3)(a)	Recover the cost of roadwork on private land or a contribution to the cost of the work determined by the council as a debt from the owner of the private land	Chief Executive Officer	
council	section 214(2)(a)	Agree the amount of contribution to roadwork with another council	Chief Executive Officer	
council	section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	Chief Executive Officer	
council	section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	Chief Executive Officer	
council	section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	Chief Executive Officer	
council	section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	Chief Executive Officer	
council	section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork	Chief Executive Officer	
council	section 217(2)(a)	Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment	Chief Executive Officer	
council	section 217(2)(a)	Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment	Chief Executive Officer	
council	section 218(1)	Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land	Chief Executive Officer	
council	section 219(1)	Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place	Chief Executive Officer	
council	section 219(1a)	Assign a name to a public road created by land division	Chief Executive Officer	
council	section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 219(2)(b)	Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act	Chief Executive Officer	
council	section 219(3)(a)	Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 219(4)	Provide public notice on the assigning or changing of a road name	Chief Executive Officer	
council	section 219(5)	Prepare and adopt a policy on the assigning of road names	Chief Executive Officer	
council	section 219(6)	Alter or substitute a policy on the assigning of road names	Chief Executive Officer	
council	section 219(7)	Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive	Chief Executive Officer	
council	section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	Chief Executive Officer	
council	section 220(2)	Alter or substitute a new numbering system	Chief Executive Officer	
council	section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	Chief Executive Officer	
council	section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	Chief Executive Officer	
council	section 220(6)	Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council	Chief Executive Officer	
council	section 221(1)	Grant an authorisation to alter a public road	Chief Executive Officer	
council	section 222(1)	Grant a permit authorising the use of a public road for business purposes	Chief Executive Officer	
council	section 223(1)	Follow the relevant steps in the council's public consultation policy	Chief Executive Officer	
council	section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	Chief Executive Officer	
council	section 224(1)	Attach conditions to an authorisation or permit	Chief Executive Officer	
council	section 224(2)	Comply with any requirements prescribed by the regulations in relation to attaching	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		conditions under section 224(1) of the Local Government Act		
council	section 225(1)	Cancel an authorisation or permit	Chief Executive Officer	
council	section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	Chief Executive Officer	
council	section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	Chief Executive Officer	
council	section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	Chief Executive Officer	
council	section 231(1)	Keep a register of public roads in the council area	Chief Executive Officer	
council	section 232	Plant vegetation on a road	Chief Executive Officer	
council	section 232	Authorise the planting of vegetation on a road	Chief Executive Officer	
council	section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road of structure belonging to the councils associated with a road	Chief Executive Officer	
council	section 234(1)	Remove and dispose of any structure, object or substance from a road	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 234(2)	Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road	Chief Executive Officer	
council	section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	Chief Executive Officer	
council	section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	Chief Executive Officer	
council	section 234A(5)	Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place	Chief Executive Officer	
council	section 234A(6)	Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act	Chief Executive Officer	
council	section 236(2)	Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle	Chief Executive Officer	
council	section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	Chief Executive Officer	
council	section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 237(5)	Sell a vehicle by public auction or public tender	Chief Executive Officer	
council	section 237(6)	Dispose of a vehicle	Chief Executive Officer	
council	section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	Chief Executive Officer	
council	section 238(3)	Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land	Chief Executive Officer	
council	section 242(3)	Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act	Chief Executive Officer	
council	section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	Chief Executive Officer	
council	section 243(1)	Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act	Chief Executive Officer	
council	section 245(2)	Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an approval under the <i>Planning, Development and Infrastructure Act 2016</i> which could cause damage to any local government land (including a road) within the vicinity of the site of the development	Chief Executive Officer	
council	section 245A(3)	Participate in the hearing of an appeal by a person against the requirements to enter and agreement of the terms or conditions of the agreement	Chief Executive Officer	
council	section 246(4a)	Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area	Chief Executive Officer	
council	section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	Chief Executive Officer	
council	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)	Chief Executive Officer	
council	section 249(2)	Consider submissions made on a proposed by-law	Chief Executive Officer	
council	section 249(4)	Obtain a certificate signed by a legal practitioner	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 249(5)	Publish a by-law in the Gazette	Chief Executive Officer	
council	section 249(7)	Publish a notice of making a by-law	Chief Executive Officer	
council	section 250(5)	Publish a resolution adopting a model by-law in the Gazette	Chief Executive Officer	
council	section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	Chief Executive Officer	
council	section 252(1)	Maintain a register of the by-laws made or adopted by the council	Chief Executive Officer	
council	section 252(5)	Provide for purchase a certified copy of a by-law	Chief Executive Officer	
council	section 254(1)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer	
council	section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	Chief Executive Officer	
council	section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	Chief Executive Officer	
council	section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 255(3)(a)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer	
council	section 255(3)(b)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer	
council	section 255(3)(c)	Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer	
council	section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	Chief Executive Officer	
council	section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	Chief Executive Officer	
council	section 255(11)	Vary an order	Chief Executive Officer	
council	section 255(12)	Make an order	Chief Executive Officer	
council	section 256(3)	Participate in a review of an order by the South Australian Civil and Administrative Tribunal	Chief Executive Officer	
council	section 257(1)	Take action required by an order made under section 255 of the Local Government Act	Chief Executive Officer	
council	section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	Chief Executive Officer	
council	section 257(5)	Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act	Chief Executive Officer	
council	section 257(5)(b)	Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act	Chief Executive Officer	
council	section 259(1)	Prepare and adopt policies concerning the operation of Part 2, Chapter 12 of the Local Government Act	Chief Executive Officer	
council	section 259(2)(a)	Prepare a draft policy	Chief Executive Officer	
council	section 259(2)(b)	Give notice in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions	Chief Executive Officer	
council	section 259(3)	Consider submissions	Chief Executive Officer	
council	section 259(4)	Amend a policy	Chief Executive Officer	
council	section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	Chief Executive Officer	
council	section 260(1)	Appoint an authorised person	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 260(2)	Impose conditions or limitations on the appointment of an authorised person	Chief Executive Officer	
council	section 260(3)	Issue an identity card to an authorised person	Chief Executive Officer	
council	section 260(5)	Revoke the appointment of an authorised person	Chief Executive Officer	
council	section 262A(3)	Deal with a complaint in accordance with the council's behavioural management policy	Chief Executive Officer	
council	section 262B(1)	Prepare and adopt a behavioural management policy	Chief Executive Officer	
council	section 262B(6)	Alter or substitute a behavioural management policy	Chief Executive Officer	
council	section 262B(7)	Review the operation of the behavioural management policy	Chief Executive Officer	
council	section 262D	Provide complainant with written reasons for refusal or determination	Chief Executive Officer	
council	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 	Chief Executive Officer	
council	section 263B(1)(a) and (3)	To act in accordance with a recommendation of the Ombudsman	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 264(1)(a)	Authorise a person in writing for the purposes of this section to lodge a complaint with SACAT	Chief Executive Officer	
council	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	Chief Executive Officer	
council	section 270(1)	Establish procedures for the review of decisions	Chief Executive Officer	
council	section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision	Chief Executive Officer	
council	section 270(3a)	Reduce, waive or refund a fee	Chief Executive Officer	
council	section 270(4)	Refuse an application for the review of a decision	Chief Executive Officer	
council	section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	Chief Executive Officer	
council	section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	Chief Executive Officer	
council	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	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		with under a scheme involving mediation, conciliation or neutral evaluation		
council	section 271(2)	Constitute panels of mediators, conciliators and evaluators	Chief Executive Officer	
council	section 271(7)	Pay costs of mediation, conciliation and evaluation	Chief Executive Officer	
council	section 271A(1)	Provide requested information to the Minister	Chief Executive Officer	
council	section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation	Chief Executive Officer	
council	section 271B(1)(b)	Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister	Chief Executive Officer	
council	section 272(3)	Provide an explanation and make submissions to the Minister	Chief Executive Officer	
council	section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	Chief Executive Officer	
council	section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	Chief Executive Officer	
council	section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	Chief Executive Officer	
council	section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	Chief Executive Officer	
council	section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	Chief Executive Officer	
council	section 279(1)	Serve a document	Chief Executive Officer	
council	section 281(1)	Notify a lessee or licensee of land to pay the council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council	Chief Executive Officer	
council	section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	Chief Executive Officer	
council	section 282(1)	Approve an occupier of land undertaking work	Chief Executive Officer	
council	section 294(1a)	Provide notice to an owner or occupier of land	Chief Executive Officer	
council	section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	Chief Executive Officer	
council	section 294(3)(c)(i)	Remedy damage to land caused by the council	Chief Executive Officer	
council	section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	Chief Executive Officer	
council	section 294(5)	Erect a fence	Chief Executive Officer	
council	section 294(7)	Comply with the relevant requirements of the <i>Mining Act 1971</i>	Chief Executive Officer	
council	section 296(1)	Recover the cost or a portion of the costs of works as a debt	Chief Executive Officer	
council	section 296(3)	Give notice of a valuation to the owner of land	Chief Executive Officer	
council	section 296(5)	Participate in an objection or review to a valuation	Chief Executive Officer	
council	section 297	Sell or dispose of rubbish collected by the council	Chief Executive Officer	
council	section 298(1)	Order action in response to flooding or imminent flooding	Chief Executive Officer	
council	section 300(1)	Pay the cost of advertising	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	Chief Executive Officer	
council	clause 17(1), Schedule 1A	Prepare a stormwater management plan	Chief Executive Officer	
council	clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	Chief Executive Officer	
council	clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	Chief Executive Officer	
council	clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	Chief Executive Officer	
council	clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 20(1), Schedule 1A of the Local Government Act	Chief Executive Officer	
council	clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	Chief Executive Officer	
council	clause 20(6), Schedule 1A	Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 24(1), Schedule 1A	<p>Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(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; 	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
		<p>(g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner;</p> <p>(h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water;</p> <p>(i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation);</p> <p>(j) undertaking any testing, monitoring or evaluation; and</p> <p>(k) undertaking any other activity of a prescribed kind.</p>		
council	clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	Chief Executive Officer	
council	clause 24(2)(b), Schedule 1A	Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the <i>Land Acquisition Act 1969</i> and any other applicable laws	Chief Executive Officer	
council	clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 25(2), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	Chief Executive Officer	
council	clause 25(3)(b), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	Chief Executive Officer	
public authority	clause 26(3), Schedule 1A	Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council	Chief Executive Officer	
public authority	clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	Chief Executive Officer	
council	clause 2(1), Schedule 1B	Enter a building upgrade agreement	Chief Executive Officer	
council	clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	Chief Executive Officer	
council	clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	Chief Executive Officer	
council	clause 6(1), Schedule 1B	Declare a building upgrade charge	Chief Executive Officer	
council	clause 6(2), Schedule 1B	Provide written notice of the declaration of a building upgrade charge	Chief Executive Officer	
council	clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	Chief Executive Officer	
council	clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	Chief Executive Officer	
council	clause 7(3)(b), Schedule 1B	Pay money to the finance provider	Chief Executive Officer	
council	clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	Chief Executive Officer	
council	clause 9(2), Schedule 1B	Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act	Chief Executive Officer	
council	clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the <i>Unclaimed Moneys Act 1891</i>	Chief Executive Officer	
council	clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	Chief Executive Officer	
council	clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	Chief Executive Officer	
council	clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	Chief Executive Officer	
council	clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	Chief Executive Officer	
council	clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 13(3), Schedule 1B	Provide the register of building upgrade agreements for inspection at the principal office of the council	Chief Executive Officer	
council	clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	Chief Executive Officer	
council	clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	Chief Executive Officer	
council	clause 3(1), Schedule 2	Prepare a charter for a subsidiary	Chief Executive Officer	
council	clause 3(4), Schedule 2	Review a charter for a subsidiary	Chief Executive Officer	
council	clause 3(5)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	Chief Executive Officer	
council	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	Chief Executive Officer	
council	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	Chief Executive Officer	
council	clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	Not Delegated	
council	clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	Not Delegated	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 4(6), Schedule 2	Appoint a deputy of a board member	Not Delegated	
council	clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	Not Delegated	
council	clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter	Not Delegated	
council	clause 5(12), Schedule 2	Direct the board of management as to procedures	Not Delegated	
council	clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	Chief Executive Officer	
council	clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	Chief Executive Officer	
council	clause 8(5), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	Chief Executive Officer	
council	clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	Not Delegated	
council	clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	Not Delegated	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 9(5), Schedule 2	Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year	Chief Executive Officer	
council	clause 10(1), Schedule 2	Give a direction to a subsidiary	Not Delegated	
council	clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	Chief Executive Officer	
council	clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	Chief Executive Officer	
council	clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	Chief Executive Officer	
council	clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	Chief Executive Officer	
council	clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	Chief Executive Officer	
council	clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	Chief Executive Officer	
council	clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	Not Delegated	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 14(2), Schedule 2	Approve borrowing by a subsidiary	Not Delegated	
council	clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	Not Delegated	
council	clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	Chief Executive Officer	
council	clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	Not Delegated	
council	clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	Not Delegated	
council	clause 19(5)(a), Schedule 2	Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister	Chief Executive Officer	
council	clause 19(5)(b), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a website determined by the chief executive officer	Chief Executive Officer	
council	clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	Not Delegated	
council	clause 20(7), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility	Not Delegated	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	Not Delegated	
council	clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	Not Delegated	
council	clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	Not Delegated	
council	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	Chief Executive Officer	
council	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	Chief Executive Officer	
council	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	Chief Executive Officer	
council	clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary	Not Delegated	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	Not Delegated	
council	clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	Chief Executive Officer	
council	clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	Not Delegated	
council	clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	Chief Executive Officer	
council	clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	Chief Executive Officer	
council	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	Not Delegated	
council	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	Chief Executive Officer	

Local Government Act 1999				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	Not Delegated	
council	clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	Not Delegated	
council	clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	Not Delegated	
council	clause 3(1)(b), Schedule 6	Exercise the powers of a mortgagee given by the <i>Real Property Act 1886</i> under a mortgage in respect of which default has been made in payment of money secured by the mortgage	Not Delegated	
council	clause 4(1), Schedule 6	Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge	Not Delegated	

<i>Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014</i>				
Capacity of council	Statutory provision	Power/function	Delegate	Sub-delegate
council	regulation 17(2)	Determine for the purposes of rule 185 of the Australian Road Rules: (a) the class of permits required for vehicles to stop in the permit zone; (b) the persons entitled to such permits; (c) any fees to be paid for such permits; (d) the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles)	Chief Executive Officer	
council	regulation 17(2)	Vary a determination under regulation 17(2)	Chief Executive Officer	
council	regulation 17(3)	Issue for the purposes of rule 185 of the Australian Road Rules permits in respect of the permit zone to persons entitled to them	Chief Executive Officer	
council	regulation 17(3)	Determine conditions to apply to permits issued under regulation 17(3)	Chief Executive Officer	
council	regulation 22(2)	Determine for the purpose of rule 207(2) of the Australian Road Rules the fees payable for parking in the length of road or the area by – (a) operation of parking ticket-vending machines or parking meters installed or to be installed in or near the length of road or area; or	Chief Executive Officer	

		(b) the use of an electronic device or an electronic method of payment determined by the council that is indicated on or with the sign or a meter, ticket or ticket vending machine		
council	regulation 22(2)	Vary a fee determined under regulation 22(2)	Chief Executive Officer	
council	regulation 22(2)(b)	Determine the electronic method of payment	Chief Executive Officer	

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
328107	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)	<p>30.Certificates of Occupancy</p> <hr/> <p>30.2The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.</p>	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
610023	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(3)	<p>79.Required Documentation</p> <p>79.3The 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 1January2024, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –</p> <p>79.3.1the 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>79.3.2it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>	CEO	
328274	Planning, Development and Infrastructure (General)	r109(1)(b)	<p>84.Mining Production Tenements</p> <p>84.1The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.</p>	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2017				
328275	Planning, Development and Infrastructure (General) Regulations 2017	r111(2)	85.Register of Land Management Agreements (Section 193) 85.1The 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.	CEO	
328276	Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	85.Register of Land Management Agreements (Section 193) 85.2The 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.	CEO	
328277	Planning, Development and Infrastructure (General)	r112(1)	86.Authorised Officers and Inspections 86.1The 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:	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2017		<p>86.1.1who is an accredited professional who is:</p> <p>86.1.1.1an Accredited professional - building level 1; or</p> <p>86.1.1.2an Accredited professional - building level 2; or</p> <p>86.1.1.3an Accredited professional - building level 3; or</p> <p>86.1.1.4an Accredited professional - building level 4; or</p> <p>86.1.2who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or</p> <p>86.1.3who holds an approval from the Chief Executive.</p>		

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
328236	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	<p>87. Calculation of Assessment of Fees</p> <p>87.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):</p> <p>87.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</p> <p>87.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</p>	CEO	
328237	Planning, Development and Infrastructure (Fees, Charges and Contributions)	r5(2)	<p>87. Calculation of Assessment of Fees</p> <p>87.2 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.</p>	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2019				
328238	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	87. Calculation or Assessment of Fees 87.3 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.	CEO	
328239	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	88. Waiver or Refund of Fee 88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 88.1.1 waive the payment of the fee, or the payment of part of the fee; or 88.1.2 refund the whole or a part of the fee.	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
386089	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(1)	<p>89. Requirements in Relation to Preparing an Engagement Plan</p> <p>89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that:</p> <p>89.1.1 meets the principles and performance outcomes of the Charter;</p> <p>89.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p> <p>89.1.2.3 who must be consulted with under the Charter;</p> <p>89.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>89.1.4 describes the evaluation framework for the engagement.</p>	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
386090	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(2)	89. Requirements in Relation to Preparing an Engagement Plan 89.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal.	CEO	
386092	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(2)	90. Preparation of an Engagement Report (Following Consultation) 90.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report: 90.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan; 90.1.2 the outcome of the engagement including a summary of the written submission or feedback made; 90.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>90.1.3.1 where changes are proposed to the DesignatedInstrument based on or as a result of the engagement; and</p> <p>90.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>		
386094	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1)	<p>91. Initiating a Code Amendment</p> <p>91.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate withtheDepartment via the SA Planning Portal that sets out:</p> <p>91.1.1 Code Policy– an outline of:</p> <p>91.1.1.1 any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or</p> <p>91.1.1.2 the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;</p> <p>91.1.2 Affected Area</p>	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>91.1.2.1 a map or description of the Affected Area;</p> <p>91.1.3 State Planning Policies</p> <p>91.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;</p> <p>91.1.4 Regional Plan</p> <p>91.1.4.1 identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;</p> <p>91.1.5 Consultation -</p> <p>91.1.5.1 and/or a relevant Joint Planning Board on the Proposal to Initiate;</p> <p>91.1.5.2 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;</p>		

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>91.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;</p> <p>91.1.6 Investigations -</p> <p>91.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment</p> <p>91.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;</p> <p>91.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;</p> <p>91.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment</p> <p>91.1.7 Timetable</p>		

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>91.1.7.1 identification of a consultation start date; 91.1.7.2 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that time frames will not be met.</p>		
386095	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(4)	<p>91.3 Initiating a Code Amendment</p> <p>The power pursuant to clause 7(4) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:</p> <p>91.3.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <p>91.3.1.1 all relevant property details and descriptions (including images);</p> <p>91.3.1.2 historical background and thematic analysis;</p>	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>91.3.1.3 a statement of heritage value;</p> <p>91.3.1.4 an assessment against the Local Heritage Criteria; and</p> <p>91.3.1.5 the extent of listing (including any exclusions);</p> <p>91.3.2 includes an analysis of historic themes of importance to the area;</p> <p>91.3.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>91.3.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.</p>		
502550	State Planning Commission Practice Direction - 2 Preparation	cl 7(5)	<p>91. Initiating a Code Amendment</p> <p>91.4 The power pursuant to clause 7(5) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which:</p>	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		<p>91.4.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)</p> <p>91.4.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;</p> <p>91.4.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.</p>		
386096	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(1)	<p>92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>92.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:</p> <p>92.1.1 carry out investigations and obtain such information:</p> <p>92.1.1.1 as provided in the Proposal to Initiate approved by the Minister;</p> <p>92.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and</p> <p>92.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;</p>	CEO	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>92.1.2 provide the Department with:</p> <p>92.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>92.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable</p> <p>the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;</p> <p>92.1.3 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> <p>92.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and</p> <p>92.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.</p>		

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
386097	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(2)	<p>92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>92.2 The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal</p>	CEO	
386098	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl9(1)	<p>93. Requirements For a Draft Code Amendment</p> <p>93.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>93.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)</p> <p>93.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>93.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant</p>	CEO	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>strategic plans;</p> <p>93.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>93.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.</p>		
386099	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl11(1)	<p>94. Complying Changes to the Code</p> <hr/> <p>94.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department:</p> <p>94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p>	CEO	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment;</p> <p>and</p> <p>94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>		
386100	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl12(1)	<p>95. Early Commencement of a Code Amendment</p> <p>95.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:</p> <p>95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:</p> <p>95.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and</p> <p>95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed</p>	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>Code Amendment) a head of the outcome of consideration of the Code Amendment;</p> <p>95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>95.1.3 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 Code Amendment</p>		
386101	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	<p>96. Responsibility to Undertake Notification</p> <p>96.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.</p>	CEO	
386102	State Planning Commission	cl2(2)	<p>97. Mandatory Inspections</p> <p>97.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice</p>	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction (Council Inspections) 2020		<p>Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:</p> <p>97.1.1 primary structural elements;</p> <p>97.1.2 structural framing and roof trusses;</p> <p>97.1.3 wet areas and waterproofing;</p> <p>97.1.4 barriers to prevent falls;</p> <p>97.1.5 cladding;</p> <p>97.1.6 egress provisions;</p> <p>97.1.7 bushfire protection systems;</p> <p>97.1.8 passive and active fire safety elements;</p> <p>97.1.9 private bushfire shelters; and</p> <p>97.1.10 performance solutions.</p>		
386103	State Planning Commission Practice	cl3(2)	<p>98. Additional Inspections</p> <p>98.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in</p>	CEO	

Wattle Range Council

Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Direction (Council Inspections) 2020		addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.		
386104	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	99. Inspections Generally 99.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.	CEO	
386105	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	100. 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 clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.	CEO	
386106	State Planning Commission	cl5(2)	101. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 101.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10	CEO	

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Instrument A: Instrument of Delegation under *Planning, Development and Infrastructure Act 2016*: Powers of Council as a Council, a Designated Authority and a Designated Entity

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020		(Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.		

Wattle Range Council

Instrument C: Delegation of Powers of an Assessment Panel as a Relevant Authority under the *Planning Development and Infrastructure Act 2016*:

Attachment 3

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
638658	Urban Tree Canopy Off-set Scheme	cl 9	<p>66. Use of Money from Fund</p> <p>66.1 The power pursuant to clause 9 of the UTCOS to use money distributed from the fund for any of the following purposes (and for no other purpose):</p> <p>66.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>66.1.2 the purchase of land within a designated local government area to ensure:</p> <p>66.1.2.1 the preservation of trees; or</p> <p>66.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>	CEO	

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
638706	Urban Tree Canopy Off-set Scheme	cl 9	<p>55. Use of Money from Fund</p> <p>55.1 The power pursuant to clause 9 of the UTCOS to use money distributed from the fund for any of the following purposes (and for no other purpose):</p> <p>55.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>55.1.2 the purchase of land within a designated local government area to ensure:</p> <p>55.1.2.1 the preservation of trees; or</p> <p>55.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>	CEO	

Wattle Range Council

Positions

Position	Abbreviation
Administration Officer	AO
Administration Officer Development Services	AODS
Assessment Manager	AM
Audit and Risk Committee	ARC
Building Consultant	BC
Building Services Officer	BSO
Building Surveyor	BS
Building Surveyor (special projects)	BS (SP)
Building Surveyor Cadet	BSC
Chief Executive Officer	CEO
Committee Presiding Member (Greenrise Lake Advisory Committee)	CPMGL
Committee Presiding Member (Lake McIntyre Management Committee)	CPMLM
Committee Presiding Member (Millicent Saleyards Advisory Committee)	CPMMS
Committee Presiding Member (Rendelsham Community Hall Advisory Committee)	CPMRCH
Committee Secretary (Greenrise Lake Advisory Committee)	CSGL
Committee Secretary (Lake McIntyre Management Committee)	CSLM
Committee Secretary (Millicent Saleyards Advisory Committee)	CSMS
Committee Secretary (Rendelsham Community Hall Advisory Committee)	CSRCH
Communications Officer	CO
Community Development Officer	CDO
Construction Team Leader	CTL
Council	Council
Council Assessment Panel	CAP
Director Childcare Services	DCCS
Director Corporate Services / Deputy CEO	DCS
Director Development Services	DDS
Director Engineering Services	DES
Engineer	ENG
Environmental Health Officer	EHO
Environmental Services Officer	ESO
Executive Assistant	EA
Executive Support Corporate Services	ESCS
Executive Support Development Services	ESDS
Finance Officer - Accounts Payable	FOAP

Finance Officer - Accounts Receivable	FOAR
Finance Officer - Payroll	FOP
Finance Officer - Rates	FOR
Financial Planning Analyst	FPA
Fire Prevention Officer	FPO
General Inspector	GI
Governance Officer	GO
Human Resources & Risk Co-ordinator	HRRC
Human Resources & Risk Manager	HRRM
Human Resources & Risk Officer	HRRO
Information Communication & Technology Coordinator	ICTC
Manager Administration	MA
Manager Assets	MAS
Manager Assets & Environment	MAE
Manager Community Development	MCD
Manager Development & Regulatory Services	MDRS
Manager Financial Services	MFS
Manager Libraries & Cultural Services	MLCS
Manager Operations	MO
Mechanical Team Leader	MTL
Not Delegated	ND
Planning Consultant	PC
Planning Officer	PO
Program Manager (Procurement)	PMP
Project Manager	PM
Rapid Response Officer	RRO
Records Management Officer	RMO
Senior Asset Management Officer	SAMO
Senior Engineer	SE
Senior General Inspector	SGI
Team Leader Maintenance	TLM
Team Leader Parks and Gardens	TLPG
Technical Officer	TO
Tourism and Customer Support Officer	TCSO
Tourism Events Coordinator	TEC