Public Document Pack

CITY OF ADELAIDE

COUNCIL

Agenda and Reports

for the meeting on

Tuesday, 28 October 2025

at 5.30 pm

in the Council Chamber, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

COUNCIL
Meeting Agenda, Tuesday, 28 October 2025, at 5.30 pm

Members: The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith (Presiding)

Deputy Lord Mayor, Councillor Snape

Councillors Abrahimzadeh, Cabada, Couros, Davis, Freeman, Giles, Maher, Martin, Noon and Dr Siebentritt

Agenda

Item **Pages**

1. Acknowledgement of Country

The Lord Mayor will state:

'Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

2. Acknowledgement of Colonel William Light

The Lord Mayor will state:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

3. Prayer

The Lord Mayor will state:

'We pray for wisdom, courage, empathy, understanding and guidance in the decisions that we make, whilst seeking and respecting the opinions of others.'

4. Pledge

The Lord Mayor will state:

'May we in this meeting speak honestly, listen attentively, think clearly and decide wisely for the good governance of the City of Adelaide and the wellbeing of those we serve.'

5. Memorial Silence

The Lord Mayor will ask all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.

6. Apologies and Leave of Absence

Leave of Absence -

Councillor Giles

7. Confirmation of Minutes - 14/10/2025 & 21/10/2025

That the Minutes of the meeting of the Council held on 14 October 2025 and the Special meeting held on 21 October 2025, be taken as read and be confirmed as an accurate record of proceedings.

View public 14 October 2025 and 21 October 2025 Minutes.

8. Declaration of Conflict of Interest

9. Deputations

Granted at time of Agenda Publication – 23/10/2025

Nil

10. Petitions

10.1 Petition - Hutt Street Revitalisation project 5 - 7

Recommendation/Advice from Committee/s

11. Advice of the Audit and Risk Committee - Special Meeting 17 October 2025 8 - 10

12. Recommendations of the Infrastructure and Public Works Committee - 21 October 2025 11 - 42

13. Recommendations of the City Finance and Governance Committee - 21 October 2025 43 - 787

14. Reports for Council (Chief Executive Officer's Reports)

14.1 External Appointment 788 - 791

14.2 Section 270 - Review of Council Decision 792 - 869

15. Lord Mayor's Reports

16. Councillors' Reports

16.1 Reports from Council Members 870 - 872

16.2 Ombudsman SA - Determination 873 - 889

17. Motions on Notice

Nil

18. Motions without Notice

19. Questions on Notice

19.1 Councillor Noon - QoN - Water Quality Management and Algal Bloom Mitigation in the River Torrens Lake and City Water Bodies 890

19.2 Councillor Freeman - QoN - Integrated Transport Strategy - Implementation Plan - Increasing Active/Sustainable Transport 891

19.3 Councillor Freeman - QoN - Capital City Celebration of National Events 892

20. Questions without Notice

21. Exclusion of the Public 893 - 898

In accordance with sections 90(2),(3) and (7) of the *Local Government Act 1999 (SA)* Council will consider whether to discuss in confidence the reports contained within section 22, 23 and 24 of this Agenda.

Confidential Recommendation/Advice from Committee/s

22. Confidential Recommendations of the Infrastructure and Public Works Committee - 21 October 2025 [s 90(3) (b), (d)] 899 - 953

23. Confidential Recommendation of the City Finance and Governance Committee - 21 October 2025 [s 90(3) (b), (d)] 954 - 955

24. Confidential Reports for Council (Chief Executive Officer's Reports)

24.1 Confidential Complaint [S90(3) (a)]

To be distributed separately

24.2 Confidential Second Complaint [S90(3) (a)]

To be distributed separately

24.3 Confidential Fourth Complaint [S90(3) (a)]

To be distributed separately

24.4 Establishment of Conduct Committee [S90(3) (a)]

To be distributed separately

25. Closure

Petition – Hutt Street Revitalisation project

Tuesday, 28 October 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate Director Governance and Strategy

Approving Officer:
Anthony Spartalis, Chief Operating Officer

Public

EXECUTIVE SUMMARY

This report presents a petition for Council to receive. The petition asks Council to:

'Prioritise the **upgrade of the public realm and amenities** to create a safe, vibrant and inclusive community environment. Specifically, we request:

- Creation of public spaces for the community to socialise
- Upgrade of the public realm
- Better street lighting for pedestrian safety
- Ambient lighting to add vibrancy and evening activity
- Public art to reflect culture and identity
- Increased greenery and landscaping for shade and beauty
- Improvement to the existing public hub and village-style atmosphere to support community living.'

All petitioners are residents of Halifax Street.

RECOMMENDATION

THAT COUNCIL

1. Receives the petition containing 10 valid signatories, distributed as a separate document to Item 10.1 on the Agenda for the meeting of the Council held on 28 October 2025.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Presentation of petitions align with the Strategic Plan Key Action to listen and respond to our community, embedding their perspective to support decision-making
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with the *Local Government (Procedures at Meetings Regulations 2013 (SA)* and the Council's Code of Practice for Meeting Procedures.
Opportunities	Not as a result of this report
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. A petition containing 10 petitioners was received seeking the following action:

   'Prioritise the **upgrade of the public realm and amenities** to create a safe, vibrant and inclusive community environment. Specifically, we request:

   - Creation of public spaces for the community to socialise
   - Upgrade of the public realm
   - Better street lighting for pedestrian safety
   - Ambient lighting to add vibrancy and evening activity
   - Public art to reflect culture and identity
   - Increased greenery and landscaping for shade and beauty
   - Improvement to the existing public hub and village-style atmosphere to support community living.'

2. The Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to all Council Members separately.
3. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
4. The petition has been considered pursuant to regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* (the Regulations) and in accordance with the requirements of the Code of Practice for Meeting Procedures, the petition meets the requirements.
5. The petition is presented for Council to receive, with 10 valid signatories, who are all residents of Halifax Street.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors

- END OF REPORT -

Advice of the Audit and Risk Committee - Special Meeting 17 October 2025

Tuesday, 28 October 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate Director Governance & Strategy

Public

Approving Officer:
Anthony Spartalis, Chief Operating Officer

EXECUTIVE SUMMARY

This report presents the outcomes of the Audit and Risk Committee meeting of 17 October 2025 (Link 1).

The Audit and Risk Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference. The Committee acts to facilitate informed decision making in relation to the discharge of Council's legislative responsibilities and duties.

The Audit and Risk Committee is required to report to Council after every meeting.

RECOMMENDATION

1. **Recommendation 1 – Item 4.2** - 2025/26 Long Term Financial Plan update - Draft for Public Consultation

THAT COUNCIL:

1. Notes Audit and Risk Committee feedback on the Draft 2025/2026 – 2034/35 Long Term Financial Plan document set out in **Attachment A** to Item 4.2 on the Agenda for the meeting of the Audit and Risk Committee on 17 October 2025.
2. Notes the advice of the Audit and Risk Committee following the consideration of the Long Term Financial Plan as follows:
   2.1. That the Audit and Risk Committee considers that the Draft 2025/2026 – 2034/35 Long Term Financial Plan is a prudent plan and appropriately responds to the financial sustainability observations of the ESCOSA report.

2. **Recommendation 2 – Item 4.3 -** Integrated Climate Strategy Annual Report 2024/25

THAT COUNCIL:

1. Receives and notes the Integrated Climate Strategy 2030 – Resilient, Protected, Sustainable (ICS), Annual Report 2024/25 as contained in **Attachment A** to Item 4.3 on the Agenda for the Audit and Risk Committee held on 17 October 2025 in support of the delivery and monitoring of the ICS.
2. Receives and notes the 2025/26 Implementation Plan for the Integrated Climate Strategy 2030 – Resilient, Protected, Sustainable (ICS), Annual Report 2024/25 as contained in **Attachment B** to Item 4.3 on the Agenda for the Audit and Risk Committee held on 17 October 2025.
3. Authorises the Chief Executive Officer, or delegate, to make minor, typographical and technical amendments to the documents as contained in **Attachment A** and **Attachment B** to Item 4.3 on the Agenda for the Audit and Risk Committee held on 17 October 2025 for the purpose of finalising the document.

DISCUSSION

1. The Audit and Risk Committee met on Friday 17 October 2025 and considered the following items:

   1.1. Item 4.1 - City of Adelaide Draft 2024/25 Annual Report

   1.2. Item 4.2 - 2025/26 Long Term Financial Plan update - Draft for Public Consultation

   1.3. Item 4.3 - Integrated Climate Strategy Annual Report 2024/25

   1.4. **Item 4.4 -** Legislative Compliance Review Internal Audit

   1.5. Item 4.5 - Emergency Management Plan

   1.6. Item 4.6 - Council Administration Expenses Internal Audit

2. The Agenda with reports for the meeting can be viewed at Link 1.

3. Where the resolution of the Committee differs from the recommendation published in the Committee agenda, the Committee's recommendation to the Council is listed first, with the original recommendation provided in grey and italics.

Resolutions of the Committee

4. Item 4.1 - City of Adelaide Draft 2024/25 Annual Report

   THAT THE AUDIT AND RISK COMMITTEE

   1. Notes the City of Adelaide 2024/25 Draft Annual Report as contained in Attachment A to Item 4.1 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   2. Notes the Adelaide Central Market Authority 2024/25 Draft Annual Report as contained in Attachment B to Item 4.1 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   3. Notes the Adelaide Economic Development Agency 2024/25 Draft Annual Report as contained in Attachment C to Item 4.1 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   4. Notes the Kadaltilla / Adelaide Park Lands Authority 2024/25 Draft Annual Report as contained in Attachment D to Item 4.1 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   5. Notes the Brown Hill and Keswick Creeks Stormwater Board 2024/25 Draft Annual Report as contained in Attachment E to Item 4.1 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   6. Notes that the Chief Executive Officer or delegate can make minor or technical amendments to the City of Adelaide 2024/25 Annual Report as contained in Attachment A to Item 4.1 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October2025.

5. Item 4.2 - 2025/26 Long Term Financial Plan update - Draft for Public Consultation

   THAT THE AUDIT AND RISK COMMITTEE RECOMMENDS TO COUNCIL
   THAT COUNCIL

   1. Notes Audit and Risk Committee feedback on the Draft 2025/2026 – 2034/35 Long Term Financial Plan document set out in **Attachment A** to Item 4.2 on the Agenda for the meeting of the Audit and Risk Committee on 17 October 2025.

   2. Notes the advice of the Audit and Risk Committee following the consideration of the Long Term Financial Plan as follows:

      2.1. That the Audit and Risk Committee considers that the Draft 2025/2026 – 2034/35 Long Term Financial Plan is a prudent plan and appropriately responds to the financial sustainability observations of the ESCOSA report.

   THAT THE AUDIT AND RISK COMMITTEE RECOMMENDS TO COUNCIL
   THAT COUNCIL

1. *Notes Audit and Risk Committee feedback on the Draft 2025/2026 – 2034/35 Long Term Financial Plan document set out in **Attachment A** to Item 4.2 on the Agenda for the meeting of the Audit and Risk Committee on 17 October 2025.*

6. Item 4.3 – Integrated Climate Strategy Annual Report 2024/25

   THAT THE AUDIT AND RISK COMMITTEE RECOMMENDS TO COUNCIL
   THAT COUNCIL

   1. Receives and notes the Integrated Climate Strategy 2030 – Resilient, Protected, Sustainable (ICS), Annual Report 2024/25 as contained in **Attachment A** to Item 4.3 on the Agenda for the Audit and Risk Committee held on 17 October 2025 in support of the delivery and monitoring of the ICS.
   2. Receives and notes the 2025/26 Implementation Plan for the Integrated Climate Strategy 2030 – Resilient, Protected, Sustainable (ICS), Annual Report 2024/25 as contained in **Attachment B** to Item 4.3 on the Agenda for the Audit and Risk Committee held on 17 October 2025.
   3. Authorises the Chief Executive Officer, or delegate, to make minor, typographical and technical amendments to the documents as contained in **Attachment A** and **Attachment B** to Item 4.3 on the Agenda for the Audit and Risk Committee held on 17 October 2025 for the purpose of finalising the document.

7. Item 4.4 - Legislative Compliance Review Internal Audit

   THAT THE AUDIT AND RISK COMMITTEE

   1. Notes the Legislative Compliance Review Internal Audit report as contained in Attachment A to Item 4.4 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   2. Endorses the responses of the Administration to the Legislative Compliance Review Internal Audit report as contained in Attachment A to Item 4.4 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.

8. Item 4.5 - Emergency Management Plan

   THAT THE AUDIT AND RISK COMMITTEE

   1. Notes the Emergency Management Plan as contained in Attachment A to Item 4.5 on the agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.

9. Item 4.6 - Council Administration Expenses Internal Audit

   THAT THE AUDIT AND RISK COMMITTEE

   1. Notes the Council Administration Expenses Internal Audit report as contained in Attachment A to Item 4.6 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.
   2. Endorses the responses of the Administration to the Council Administration Expenses Internal Audit report as contained in Attachment A to Item 4.6 on the Agenda for the meeting of the Audit and Risk Committee held on 17 October 2025.

DATA AND SUPPORTING INFORMATION

Link 1 - Agenda for Audit and Risk Committee on Friday, 17th October, 2025, 9.00 am - City of Adelaide

ATTACHMENTS

Nil

- END OF REPORT -

Recommendations of the Infrastructure and Public Works Committee – 21 October 2025

Tuesday, 28 October 2025
Council

Strategic Alignment – Our Corporation

Public

Program Contact:
Rebecca Hayes, Associate Director Governance and Strategy

Approving Officer:
Anthony Spartalis, Chief Operating Officer

EXECUTIVE SUMMARY

The Infrastructure and Public Works Committee considered the following Items at its meeting held on 21 October 2025 and resolved to present to Council the following recommendations for Council determination:

- Item 7.1 – Capital Works Monthly Project Update - September 2025
- Item 7.2 – Gouger Street Revitalisation Project – 70% Design
- Item 7.3 – Speed Limit Review (Integrated Transport Strategy & City-Wide Speed Limit Review)

RECOMMENDATION

1. **Recommendation 1 –** Item 7.1 - Capital Works Monthly Project Update - September 2025

THAT COUNCIL

1. Notes the Capital Works Program Update for 30 September 2025 as contained within this report and Attachment A to Item 7.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 October 2025.

2. **Recommendation 2 –** Item 7.2 - Gouger Street Revitalisation Project – 70% Design

THAT COUNCIL

1. Notes that the Gouger Street Revitalisation Project will continue to finalise design, service coordination, value management and authority approvals prior to progressing to procurement for construction.
2. Notes that a 70% Design Overview Pack has been prepared to support Council and community understanding of the proposed works as contained in Attachment A to Item 7.2 on the Agenda for the Infrastructure and Public Works Committee held on 21 October 2025.

3. **Recommendation 3 –** Item 7.3 - Speed Limit Review (Integrated Transport Strategy & City-Wide Speed Limit Review)

THAT COUNCIL

1. Notes the existing speed limits in surrounding Council areas as contained in Attachment A to Item 7.3 on the Agenda for the Infrastructure and Public Works Committee held on 21 October 2025.
2. Endorses the reduction of speed limits to 50km/h for Park Lands roads that are currently 60km/h within the City of Adelaide, which includes Sir Donald Bradman Drive, Glover Avenue, Goodwood Road, Montefiore Road, Botanic Road, Glen Osmond Road, Wakefield Road, Bartels Road, Main

North Road and Jeffcott Road as contained in Attachment B to Item 7.3 on the Agenda for the Infrastructure and Public Works Committee held on 21 October 2025.

3. Notes the Administration will continue to progress investigations into safer speed limits on West Terrace, Anzac Highway, Mann Road (northbound) and Port Road as part of a broader network discussion and transport and safety initiatives in and around the new Women's and Children's Hospital project.

4. Notes the Administration will continue to investigate other locations for the implementation of safer speed limits as identified in the Integrated Transport Strategy and City Wide Speed Limit Review.

DISCUSSION

1. The Infrastructure and Public Works Committee met on Tuesday 21 October 2025. The Agenda with reports for the meeting can be viewed here.

2. Where the resolution of the Committee differs from the recommendation published in the Committee agenda, the Committee's recommendation to the Council is listed first, with the original recommendation provided in grey and italics.

3. The following matters were the subject of deliberation

   3.1. Item 7.1 – Capital Works Monthly Project Update - September 2025

   THAT THE INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE:

   THAT COUNCIL:

   1. Notes the Capital Works Program Update for 30 September 2025 as contained within this report and Attachment A to Item 7.1 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 21 October 2025.

   For ease, Attachment A relating to Recommendation 1, Item 7.1, has been included at the end of this recommendation report.

   3.2. Item 7.2 – Gouger Street Revitalisation Project – 70% Design

   THAT THE INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE:

   THAT COUNCIL:

   1. Notes that the Gouger Street Revitalisation Project will continue to finalise design, service coordination, value management and authority approvals prior to progressing to procurement for construction.

   2. Notes that a 70% Design Overview Pack has been prepared to support Council and community understanding of the proposed works as contained in Attachment A to Item 7.2 on the Agenda for the Infrastructure and Public Works Committee held on 21 October 2025.

   For ease, Attachment A relating to Recommendation 2, Item 7.2, has been included at the end of this recommendation report.

   3.3. Item 7.3 – Speed Limit Review (Integrated Transport Strategy & City-Wide Speed Limit Review)

   THAT THE INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE:

   THAT COUNCIL:

   1. Notes the existing speed limits in surrounding Council areas as contained in Attachment A to Item 7.3 on the Agenda for the Infrastructure and Public Works Committee held on 21 October 2025.

   2. Endorses the reduction of speed limits to 50km/h for Park Lands roads that are currently 60km/h within the City of Adelaide, which includes Sir Donald Bradman Drive, Glover Avenue, Goodwood Road, Montefiore Road, Botanic Road, Glen Osmond Road, Wakefield Road, Bartels Road, Main North Road and Jeffcott Road as contained in Attachment B to Item 7.3 on the Agenda for the Infrastructure and Public Works Committee held on 21 October 2025.

   3. Notes the Administration will continue to progress investigations into safer speed limits on West Terrace, Anzac Highway, Mann Road (northbound) and Port Road as part of a broader network discussion and transport and safety initiatives in and around the new Women's and Children's Hospital project.

   4. Notes the Administration will continue to investigate other locations for the implementation of safer speed limits as identified in the Integrated Transport Strategy and City Wide Speed Limit Review.

   For ease, Attachments A and B relating to Recommendation 3, Item 7.3, have been included at the end of this recommendation report.

DATA AND SUPPORTING INFORMATION

Link 1 – Infrastructure and Public Works Committee Public Agenda

ATTACHMENTS

- END OF REPORT -

Capital Works
September 2025 Update

Infrastructure & Public Works Committee

This report provides an overview of Capital Projects either complete or progressing for the month of September 2025.

CITY OF ADELAIDE

Central Market Arcade Redevelopment

New/Upgrade

There are 470 personnel working on site.

The Northern residential/ hotel tower has now reached Level 23 and the Southern office tower has reached Level 13 and structural works have topped out on that tower.

Façade: North Tower installation up to Level 17. Both Grote Street and Gouger Street brick façades continue and are at various stages.

Fit out works continue as well as the installation of the secondary supporting steel.

The construction contractor continues to work with the developer and utility providers for services infrastructure works along the street frontages. Council regularly meets with the builder to manage permits and regularly engages with Adelaide Central Market Authority (ACMA) to lessen any impacts of construction for the Market precinct.

O'Connell Street Main Street Revitalisation

New/Upgrade & Renewal

Footpath works between Archer Street and Tynte Street on the Eastern side were completed in October.

The works include a new look footpath with the chosen pavers that will form part of the Main Street O'Connell Street upgrade.

Additional greening elements will be installed in October.

Greening – Logan Street

New/Upgrade

We have planted 6 new trees in Logan Street.

Each tree is supported by underground strata vaults to support the growth and longevity of the tree.

The tree species planted is Lemon Scented Gum – Dwarf Cultivar.

Adelaide Town Hall Façade Conservation Works

Renewal

The restoration of the Adelaide Town Hall and Eagle Chambers façade reached Practical Completion in September 2025.

Led by the City of Adelaide's Infrastructure Delivery team, the project was undertaken by specialist contractors Duratec in consultation with heritage architects Swanbury Penglase. Over the past two years, they have completed a comprehensive program of conservation works to address structural and material issues identified in a detailed façade survey.

The works included repairing and stabilising cracking, restoring render and stonework, repointing mortar, reinstating decorative features and improving water drainage to prevent further deterioration.

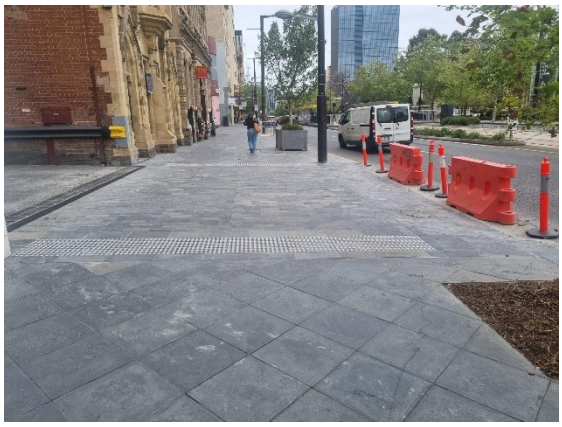
This program has ensured the Town Hall remains safe and structurally sound, while protecting its heritage significance for future

generations. The works also improve the visual amenity of the façade.

These works mark the end of the most significant conservation work since the building first opened in 1866 and will ensure that the Town Hall continues to stand proudly as a civic, cultural and community hub at the heart of the city.

Charles Street Streetscape Upgrade – David Jones Driveway Crossing

New/Upgrade & Renewal



The deteriorated driveway crossover has now been renewed, creating improved amenity on the southern side of the North Terrace footpath.

The project has now been completed.

Ward Court Road Improvements

Renewal

Road Resurfacing of Ward Court from Ward Street to the Dead End started in early August and was completed in early September.

Additional works included the replacement of the kerb ramps at the junction with Ward Street, asphalt footpath renewal and tree trimming.

Flinders Street

Renewal

Before

Deep patching and line marking works were undertaken on Flinders Street in September between Pulteney and Hutt Streets.

The installation of traffic loops is expected to be completed soon.

The purpose of this project was to extend the remaining service life of the asphalt pavement.

Franklin Street

Renewal

Before

Deep patching and line marking works were undertaken on Franklin Street in September between West Terrace and Morphett Street.

The installation of traffic loops is expected to be completed soon.

The purpose of this project was to extend the remaining service life of the asphalt pavement.

GOUGER STREET REVITALISATION

70% Design Overview Package

21 October 2025

CITY OF ADELAIDE

T.C.L

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Project Vision

“Strengthen the vibrant and distinctive character of Gouger Street as the heart of multicultural dining in Adelaide and thriving Central Market gateway, enhancing its existing heritage while fostering a safe and more inviting destination for community and visitors to explore anew.”

Design Principles

Activate and Attract

Elevate the appeal of the street as an exciting destination to visit and spend time in, with events and festivals, vibrant and welcoming spaces, public art, decorative lighting, and dynamic responses to the precinct's diverse character. Maintain a clean, safe, and attractive street through tailored waste management and hygiene strategies.

Connectivity

Pursue opportunities to safely accommodate all modes of transport support ing Gouger Street as an attractive and accessib le desti nation. Improve convenience and comfort for people to walk/wheel and cycle. Balance the functional needs of commercial activity promoting convenient parking, loading and access to services throughout the precinct, vital for a successful main street and busy market district.

Organise and Declutter

Rationalise business signage and street furniture on footpaths for increased accessibility and inclusion. Work with businesses to remove fixed outdoor dining and replace with removable furniture. Locate urban elements within activity zones.

Better Street = Better Business

Develop a more pedestrian friendly main street attracting and accommodating increased customer flow for businesses, with appealing seating and outdoor dining spaces, opportunities for enhanced social interactions, community activities, and safer overall movement.

Celebrate Culture and Identity

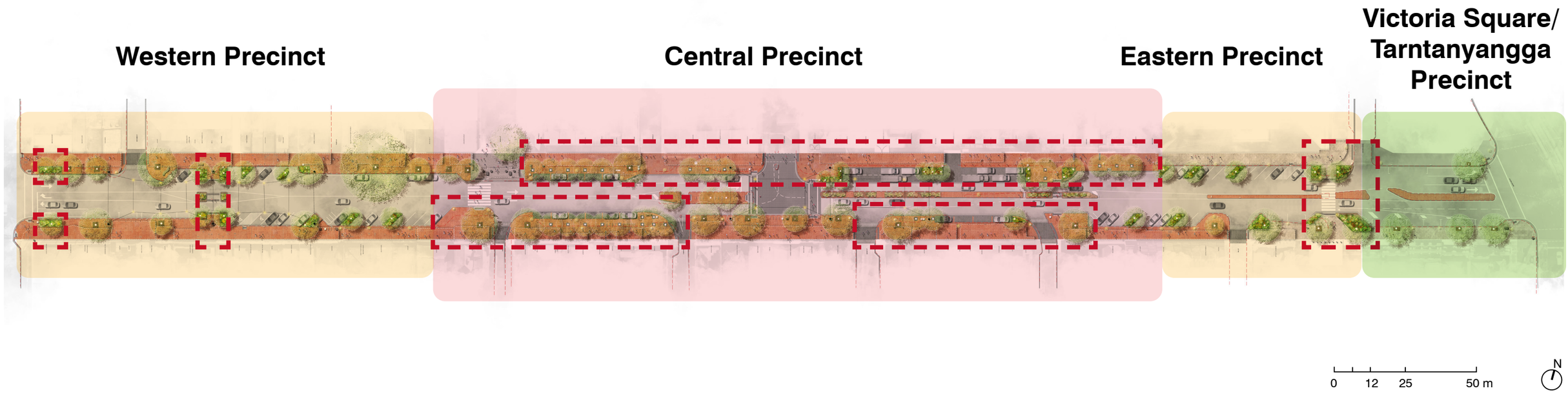
Celebrate the diversity and history of the area and promote connection with the street's unique identity as the bustling southern gateway to the Adelaide Central Market and Chinatown, through engaging urban elements, wayfinding and public art experiences. Create flexible public spaces to host cultural events and festivals.

Greener Street

Revitalise and introduce new greening to provide shade, cooling, and visual amenity for increased comfort and well-being, encouraging more people to enjoy the street for longer.

Key Development Updates

Key Design Features

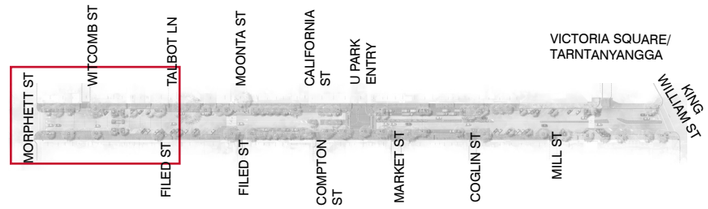


Key design features at 70% Detailed Design include the following:

- Increased DDA compliance and pedestrian safety and amenity through a minimum footpath clear zone of 2.4m, raised road thresholds in place of kerb ramps across side streets and driveways, protected north-south crossing points, improved street lighting, and additional accessible public seating and parking.
- Retention of most parking and loading zones for visitors, the market and businesses, and an increase in accessible car parking bays.
- Increased greening with canopy trees and understorey planting mitigating urban heat and improving visitor comfort levels.
- Development of a series of high amenity pedestrian nodes along the street using placemaking elements and materials including feature paving, furniture, planting, and decorative lighting.
- Increased outdoor dining areas, circulation space and flexible activity nodes through kerb realignment.
- Decluttering the street, including removal of fixed furniture and items from outdoor dining areas for better access, street cleansing and maintenance.
- Selection of footpath pavement materials with a mixture of existing red brick paving reused and new slimline clay pavers to elevate the existing paving at the Central Markets and Market Square frontage. Black granite paving is retained at Moonta Street, with grey concrete flags in place outside the Courts buildings in the Victoria Square precinct.
- Renewal of aged stormwater infrastructure, lighting and street furniture.
- Improved visibility and access to the street's existing public art and placemaking elements.

Street Plans

Western Precinct



TRAFFIC CALMING
Removal of merging lane at Morphett Street intersection

GREENING
New garden bed areas along the street adding greening and an inviting street entry

PUBLIC AMENITY
Improved street amenity through new public seating, greening, feature paving, feature trees and potential lighting creating a convenient pedestrian hub around the informal crossing

GREENING
New street trees and understory planting at key points

LIGHTING
Upgraded catenary lighting

GREENING
New garden bed areas along the street adding greening and an inviting street entry

SAFER PEDESTRIAN
Improving connections across the street

ACCESSIBLE CAR PARKING
Adding two spaces with kerb ramp to serve the street's western zone

— — Existing kerb

Flexible zone - flexible parking, event, or outdoor dining

Bins

Bike Racks

Garden bed

Existing trees

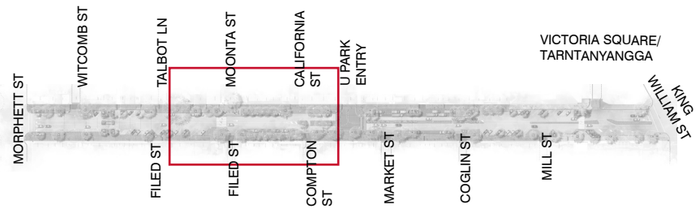
Proposed trees

0 2 6 12 m

N

Street Plans

Central Precinct (West)



GREENER STREET
Addition of medium deciduous trees to improve outdoor dining experience through pleasant shade and separation from road traffic and parking

BETTER BUSINESS
Controlled loading zone /parking retained as flexi-zones for optional added venue event and outdoor dining space

CYCLIST DESTINATION
Bike and Cargo bike racks in close proximity to market.

SAFER CROSSING
Shorter crossing distance to reduce the road safety risk and support increased local circulation

Ace Restaurant
Moonta St
Krispy Kreme
California St South
Supay
Market Plaza Arcade Entry
Westpac Bank

MATCHLINE

Gaucho's
Field St
Szechaun Valley
Pauls Seafoods and Grills
Bank SA
Compton St
Star of Siam
Meet Dessert

MATCHLINE

ACTIVITY ZONES
Kerb realignment to improve road safety provides more footpath area for outdoor dining and pedestrian circulation

PEDESTRIAN PRIORITY
Continuous footpath with flush crossings to facilitate safe pedestrian movements

BETTER BUSINESS
Controlled loading zone /parking retained as flexi-zones for optional added event zone and outdoor dining space

ACTIVITY ZONES
Open plaza with trees, seating and feature lighting for local community events, gathering and public art experiences

TREE REPLACEMENT
Replace trees to provide better shade and cooler micro-climates

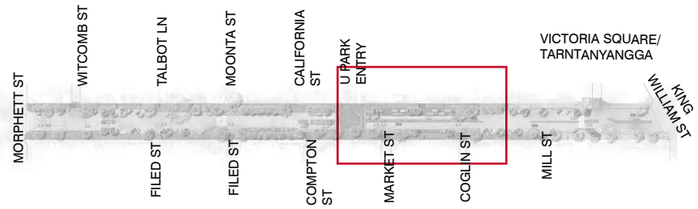
Existing kerb
Flexible zone - flexible parking, event, or outdoor dining
Bins
Bike Racks
Garden bed
Existing trees
Proposed trees

0 2 6 12 m

N

Street Plans

Central Precinct (East)



ADELAIDE CENTRAL MARKETS

MARKET SQUARE CENTRAL MARKET EXPANSION

TRAFFIC CALMING
Maintain Threshold treatment encouraging vehicles to slow down and providing safer signalised crossing points for pedestrians

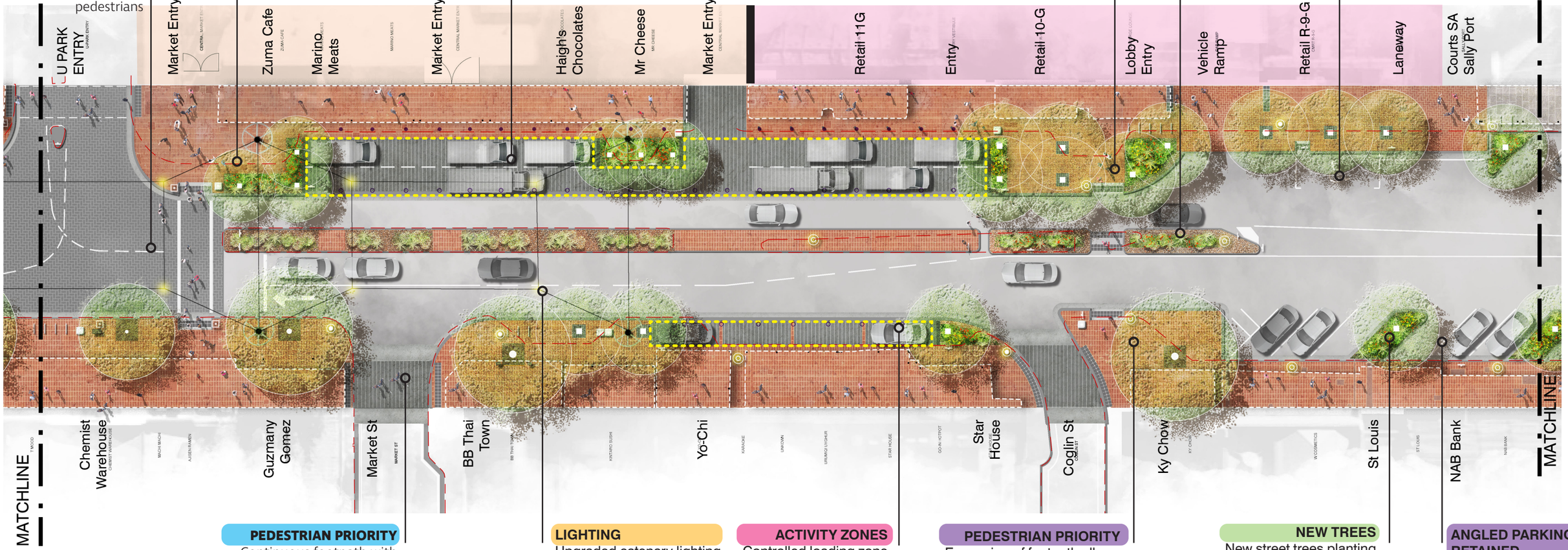
BETTER BUSINESS
Increased mobility to market by footpath extension and increased waiting capacity at intersection. Outdoor dining realigned and protected by planting

DOUBLE LOADING ZONE
Formalise current use of two lanes for unloading goods and opportunity for programmed activation of space when loading zone is not required

PEDESTRIAN ACCESS
Informal crossing to connect both sides of street and enable safer movement for pedestrians

NEW MEDIAN
Extend reconfigured median for traffic control

ACCESSIBLE DROP OFF
Full size accessible short-term parking / drop-off for with kerb ramp



PEDESTRIAN PRIORITY
Continuous footpath with flush crossings to facilitate safe pedestrian movements

LIGHTING
Upgraded catenary lighting and new feature lighting at pedestrian hubs

ACTIVITY ZONES
Controlled loading zone /parking retained as flexi-zones for optional added venue event and outdoor dining space

PEDESTRIAN PRIORITY
Expansion of footpath allows realignment of outdoor dining area to improve access to pedestrian crossing

NEW TREES
New street trees planting and garden bed areas at key points

ANGLED PARKING RETAINED
Quieter areas of street maintain parking access

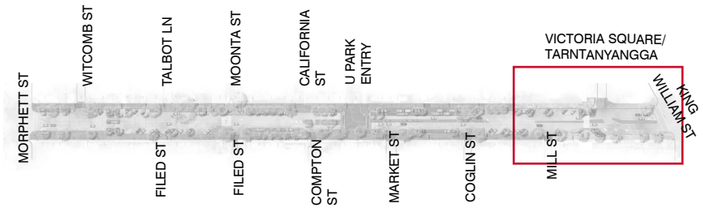
- Existing kerb
- Flexible zone - flexible parking, event, or outdoor dining
- Bins
- Bike Racks
- Garden bed
- Existing trees
- Proposed trees
- Removable Bollard (TBC)
- Bollard Sleeve

0 2 6 12 m

N

Street Plans

Eastern Precinct & Victoria Square / Tarntanyanga



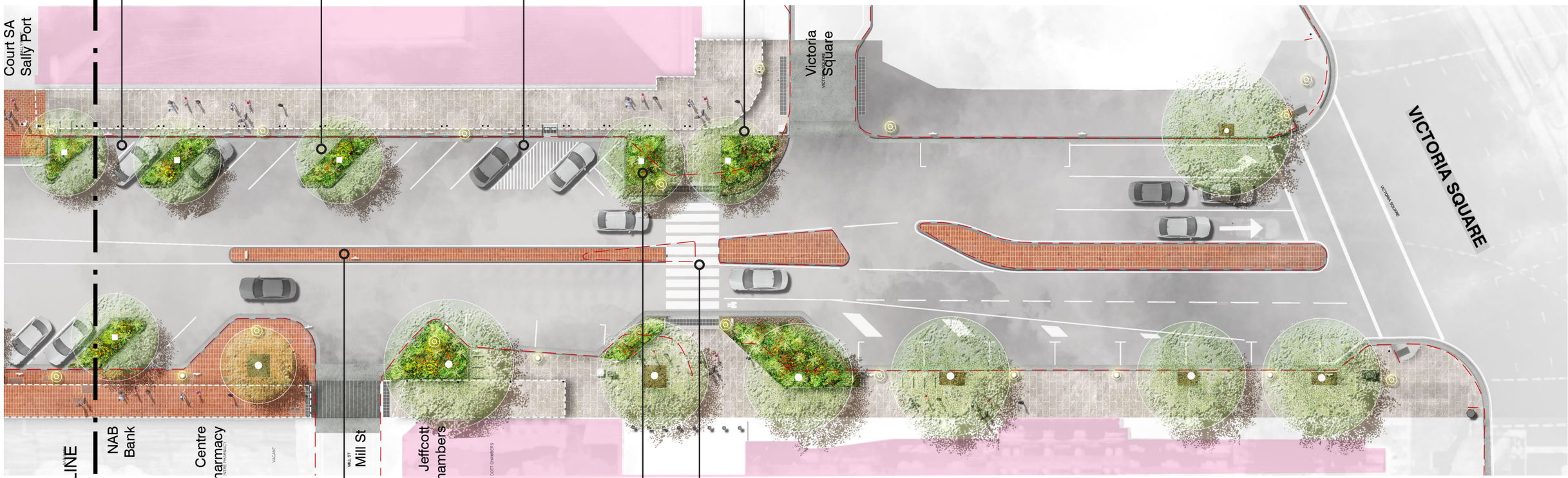
SIR SAMUEL WAY BUILDING

PERMIT CAR PARKING
Two permit vehicle spaces

MEDIA CAR PARKING
Two permit vehicle spaces

ACCESSIBLE CAR PARKING
Two accessible vehicle spaces within the court precinct close to a formal pedestrian crossing and the central market

STREET ENTRY
Directional signage to Gouger Street / Adelaide Central Market from Victoria Square/ Tarntanyanga with potential public art opportunity on the southern side



NEW MEDIAN
Close off right turn to remove pedestrian exposure to turning vehicles and reduce risk of further incidents between pedestrians and vehicles in this area

NEW TREES
New street trees planting and garden bed areas at key points with WSUD Opportunities

PEDESTRIAN PRIORITY
Formalise the pedestrian crossing to provide safer and easier movement for pedestrians

— — Existing kerb

Flexible zone - flexible parking, event, or outdoor dining

Bins

Bike Racks

Garden bed

Existing trees

Proposed trees

0 2 6 12 m

N

Artist Impressions

View 01 - View from Victoria Square intersection looking west

Artist Impressions - Key Design Features

View 01 - View from Victoria Square intersection looking west

Artist Impressions

View 02 - View from Coglin St intersection looking east

Artist Impressions - Key Design Features

View 02 - View from Coglin St intersection looking east

Artist Impressions

View 03 - View from Central Market Expansion looking west

Artist Impressions - Key Design Features

View 03 - View from Central Market Expansion looking west

Proposed Trees

Informal Crossing with Median Break

Understorey Planting

Proposed Bench Seating

Proposed Bike Racks

Understorey Planting

Continuous footpath with 2.4m minimum width

Artist Impressions

View 04 - View from UPark Entry intersection looking east

Artist Impressions - Key Design Features

View 04 - View from UPark Entry intersection looking east

Artist Impressions

View 05 - View from Morphett St. looking east

Artist Impressions - Key Design Features

View 05 - View from Morphett St. looking east

Existing Tree

Existing Tree

Proposed Trees

Proposed Trees

Informal Crossing with Median Break

Continuous Footpath with 2.4m minimum width

Understorey Planting

Design Facts

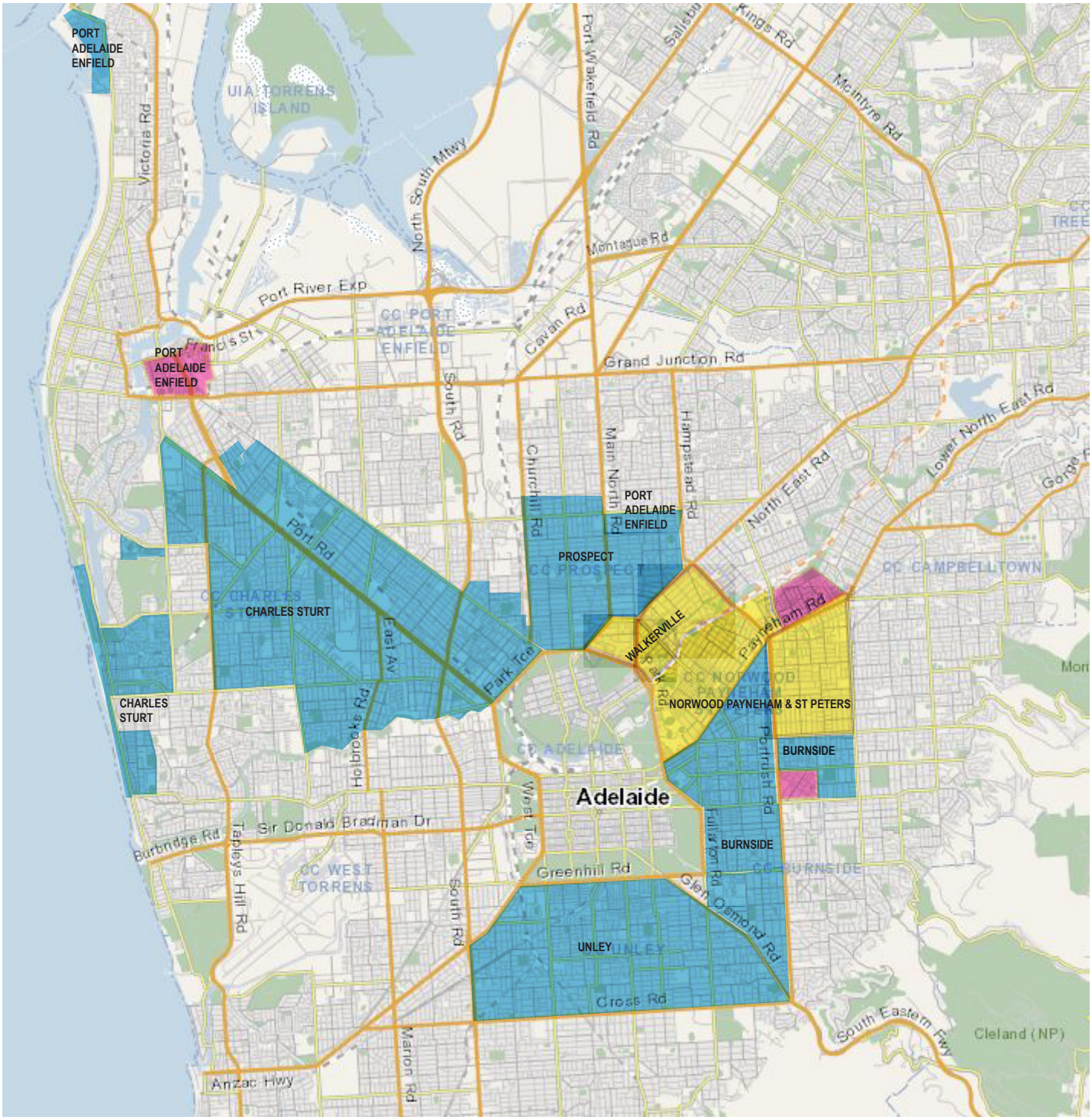
Overall	Car Parking Spaces	Activity Zone (incl. garden beds and cycle paths)	Protected Cycle Paths	Continuous Footpaths	Trees & Garden Beds	Traffic Speed limit
Existing Conditions	109 bays incl. 22 loading bays and 1 access bay	3844m2	14m	0m	Trees 37 Garden Beds 62m2 Planter Boxes 54 (CoA) + 24 (private)	50km/h
Asset Replacement	104 compliant	No change	No change	No change	No change	50km/h
Concept Design	**82** incl. 25 flexi zone bays and 4 access bays **Plus 12** double loading flexi bays for the Central Market	**4320m2** incl. flexi zone of 681m² / 25 bays	91m / 149m²	**1042m x 2.4m wide** or 2503m2 plus 565m2 in footpath links	**Trees 79** Garden beds 652m² Planter Boxes: 14+	Desirable: 30km/h
T.C.L 70% Detail Design	**79** incl. 14 flexi zone bays and 5 access bays **Plus 14** for double loading flexi bays for the Central Market	**4067m2** incl. flexi zone of 245 m²/14 bays & 344m² double loading bays	Existing conditions retained & bicycle boxes installed at signalised intersections	**892m x 2.5m wide** **150m x 2.8m wide** or 2650 m² plus 205m² in footpath links	**Trees 84** Garden beds 456m² Planter Boxes: TBC	Desirable: 30km/h

Notes

- Numbers provided for the 70% design update may change during the remaining phase of detailed design.
- The reduction in on-street car parking spaces allows for widened footpaths for outdoor dining and improved pedestrian movement in key locations.
- Changes may occur in detailed design due to Department for Infrastructure & Transport approval requirements, sight line assessments, vehicle turn path assessments and safety assessments.

CITY OF ADELAIDE

T.C.L



40KM/H EXISTING

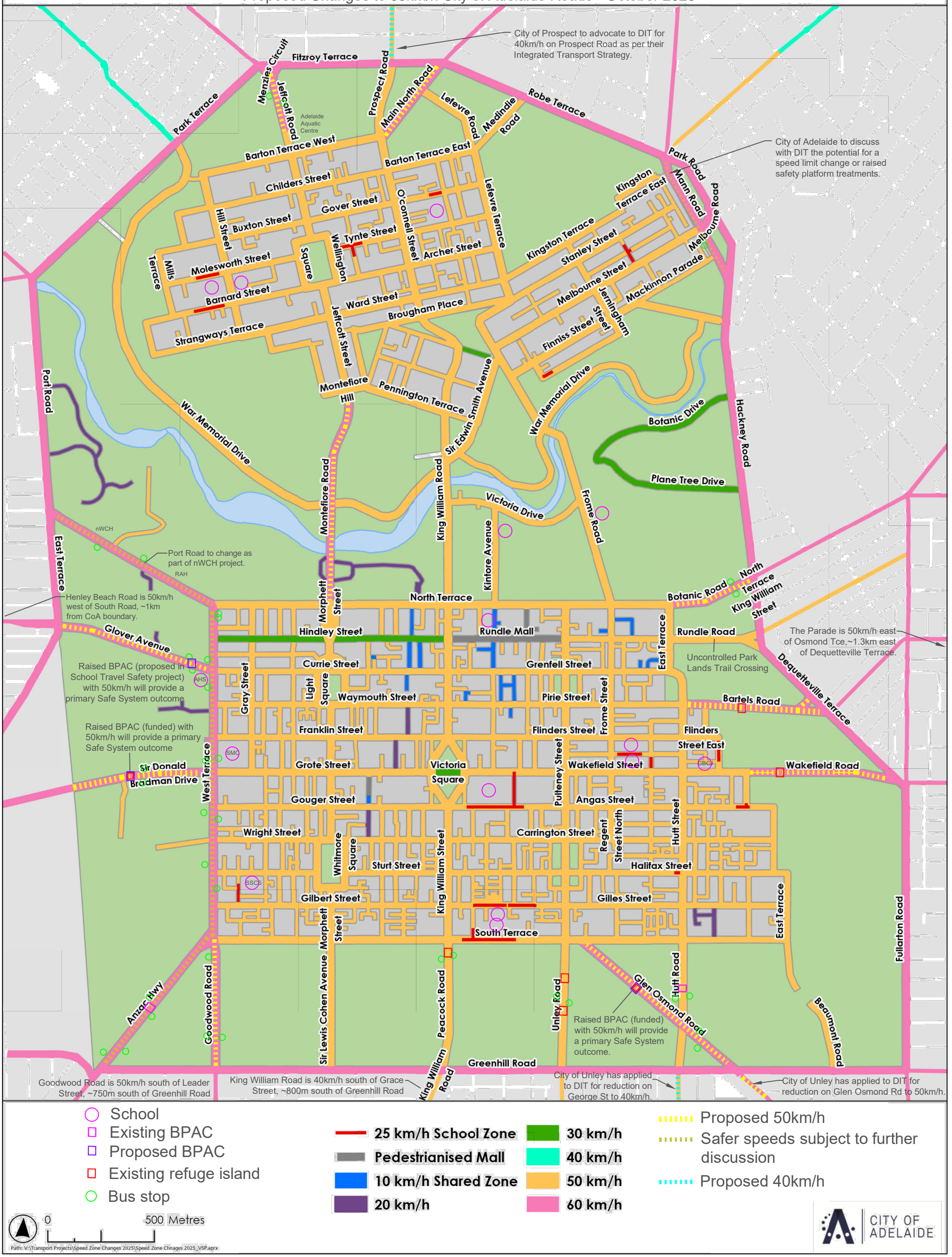
40KM/H IMPLEMENTATION IN PROGRESS

FUTURE 40KM/H CONSULTATION PLANNED

NOTE: HIGH ORDER ROADS WITHIN AREAS THAT ARE 50KM/H OR 60KM/H ARE NOT SHOWN FOR CLARITY

CURRENT STATUS OF 40KM/H AREA WIDE SPEED LIMITS IN METROPOLITAN ADELAIDE - SEPTEMBER 2024

Proposed Changes to 60km/h City of Adelaide Roads - October 2025



Recommendations of the City Finance and Governance Committee – 21 October 2025

Tuesday, 28 October 2025
Council

Strategic Alignment – Our Corporation

Public

Program Contact:
Rebecca Hayes, Associate Director Governance and Strategy

Approving Officer:
Anthony Spartalis, Chief Operating Officer

EXECUTIVE SUMMARY

The City Finance and Governance Committee considered the following Items at its meeting held on 21 October 2025 and resolved to present to Council the following recommendations for Council determination:

- Item 7.1 – City of Adelaide 2024/25 Annual Report
- Item 7.2 – Review of Council Delegations
- Item 7.3 - Review of the Behavioural Management Policy

RECOMMENDATION

1. **Recommendation 1** – Item 7.1 - City of Adelaide 2024/25 Annual Report

   THAT COUNCIL:

   1. Adopts the City of Adelaide 2024/25 Annual Report as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   2. Adopts the 2024/25 Audit and Risk Committee Presiding Member's Annual Report as contained in Attachment B to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   3. Adopts the Adelaide Central Market Authority 2024/25 Annual Report as contained in Attachment C to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   4. Adopts the Adelaide Economic Development Agency 2024/25 Annual Report as contained in Attachment D to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   5. Adopts the Kadaltilla / Adelaide Park Lands Authority 2024/25 Annual Report as contained in Attachment E to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   6. Approves that no amendments be made to the Kadaltilla 2023–2028 Strategic Plan.
   7. Adopts the Brown Hill and Keswick Creeks Stormwater Board 2024/25 Annual Report as contained in Attachment F to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   8. Notes the 2024/25 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Adelaide Economic Development Agency, Kadaltilla / Adelaide Park Lands Authority, Adelaide Central Market Authority and Brown Hill and Keswick Creeks Stormwater Board were presented to the Audit and Risk Committee at Agenda Item 8.2 of its meeting of 24 September 2025, and that the Audit and Risk Committee recommended to Council that they be included in the adopted Annual Report.

9. Authorises the Chief Executive Officer or delegate can make minor or technical amendments to the City of Adelaide 2024/25 Annual Report as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.

2. **Recommendation 2** – Item 7.2 - Review of Council Delegations

THAT COUNCIL:

1. Resolves to grant the delegation of powers and functions of the Council as provided for in the attached instrument of delegation (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025).

   Such powers may be further delegated by the Chief Executive Officer in accordance with section 44 and 101 of *the Local Government Act 1999* (SA) as the Chief Executive Officer sees fit, unless indicated herein or in the Schedule of conditions contained in each proposed Instrument of Delegation.

   Planning, Development and Infrastructure Act 2016 (Instrument A)

2. Resolves to grant the delegation of powers and functions under the *Planning, Development and Infrastructure Act 2016* (SA), exercising the power contained in section 100 of the *Planning, Development and Infrastructure Act 2016* (SA), as provided for in the attached instrument of Delegation (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025) to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

   Such powers and functions may be further delegated by the Chief Executive Officer in accordance with section 44 and 101 of the Local Government Act 1999 (SA) as the Chief Executive Officer sees fit, unless indicated herein of the Schedule of Conditions contained in the proposed Instrument of Delegation.

   Planning, Development and Infrastructure Act 2016 (SA) (Instrument B)

3. Resolves to grant the delegation of powers and functions under the *Planning, Development and Infrastructure Act 2016* (SA), exercising the power contained in section 100 of the Planning, Development and Infrastructure Act 2016 (SA), as provided for in the attached instrument of Delegation (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025) to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

   Such powers and functions may be further delegated by the Chief Executive Officer in accordance with section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* (SA) as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

   Adelaide Central Market Authority

4. Resolves to grant the delegation of powers and functions as provided for in the attached instrument of delegation (Attachment B to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025), exercising the powers contained in section 44 of the *Local Government Act 1999* (SA) to the Adelaide Central Market Authority subject to the conditions and/or limitations, if any, specified herein or in the proposed instrument of Delegation.

   Adelaide Economic Development Agency

5. Resolves to grant the delegation of powers and functions as provided for in the attached instrument of delegation (Attachment C to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025), exercising the powers contained in section 44 of the *Local Government Act 1999* (SA) to the Adelaide Economic Development Agency subject to the conditions and/or limitations, if any, specified herein or in the proposed instrument of Delegation.

   Road Traffic Act 1961 (SA) General Approval

6. Resolves to grant the sub-delegation of powers under the *Road Traffic Act 1961* (SA) as provided for in the attached instrument of delegation (Attachment D to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025).

7. Approves in accordance with the Instrument of General Approval and Delegation to Council (dated 22 August 2013) from the Minister for Transport and Infrastructure (General Approval), the following person(s) pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:

    7.1. Justine Austin

    7.2. Penelope Bennett

    7.3. Sean Howie

8. Approves, in accordance with Clause A.7 of the General Approval, that the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:

    8.1. Justine Austin

    8.2. Jarrod Armitage

    8.3. Penelope Bennett

    8.4. Christian Blias

    8.5. Sean Howie

    8.6. Darren Mitchell

    8.7. Stephanie Papandrea

    8.8. Amy Smith

9. Approves, in accordance with Clause A.7 of the General Approval, that the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval (Limited to the install, removal and maintenance of On-Street parking):

    9.1. Aaron Barnes

    9.2. Shaun Coulls

10. Approves In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:

    10.1. Justine Austin

    10.2. Jarrod Armitage

    10.3. Penelope Bennett

    10.4. Christian Blias

    10.5. Sean Howie

    10.6. Darren Mitchell

    10.7. Stephanie Papandrea

    10.8. Amy Smith

3. **Recommendation 3** – Item 7.3 - Review of the Behavioural Management Policy

    THAT COUNCIL:

    1. Adopts the Council Member Behavioural Management Policy as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.

    2. Authorises the Chief Executive Officer to make any minor editorial and formatting changes as required to finalise the Council Member Behavioural Management Policy as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.

DISCUSSION

1. The City Finance and Governance Committee met at a meeting of the Committee on Tuesday 21 October 2025. The Agenda with public reports for the meeting can be viewed here.

2. Where the resolution of the Committee differs from the recommendation published in the Committee agenda, the Committee's recommendation to the Council is listed first, with the original recommendation provided in grey and italics.

3. The following matters were the subject of deliberation:

   3.1. Item 7.1 – City of Adelaide 2024/25 Annual Report

   THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

   THAT COUNCIL:

   1. Adopts the City of Adelaide 2024/25 Annual Report as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   2. Adopts the 2024/25 Audit and Risk Committee Presiding Member's Annual Report as contained in Attachment B to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   3. Adopts the Adelaide Central Market Authority 2024/25 Annual Report as contained in Attachment C to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   4. Adopts the Adelaide Economic Development Agency 2024/25 Annual Report as contained in Attachment D to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   5. Adopts the Kadaltilla / Adelaide Park Lands Authority 2024/25 Annual Report as contained in Attachment E to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   6. Approves that no amendments be made to the Kadaltilla 2023–2028 Strategic Plan.
   7. Adopts the Brown Hill and Keswick Creeks Stormwater Board 2024/25 Annual Report as contained in Attachment F to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.
   8. Notes the 2024/25 Consolidated Financial Statements of the City of Adelaide, and the Financial Statements of the Adelaide Economic Development Agency, Kadaltilla / Adelaide Park Lands Authority, Adelaide Central Market Authority and Brown Hill and Keswick Creeks Stormwater Board were presented to the Audit and Risk Committee at Agenda Item 8.2 of its meeting of 24 September 2025, and that the Audit and Risk Committee recommended to Council that they be included in the adopted Annual Report.
   9. Authorises the Chief Executive Officer or delegate can make minor or technical amendments to the City of Adelaide 2024/25 Annual Report as contained in Attachment A to Item 7.1 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.

   For ease, Attachments A, B, C, D, E & F relating to Recommendation 1, Item 7.1, have been included at the end of this recommendation report.

   3.2. Item 7.2 – Item 7.2 - Review of Council Delegations

   THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

   THAT COUNCIL:

   1. Resolves to grant the delegation of powers and functions of the Council as provided for in the attached instrument of delegation (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025).

      Such powers may be further delegated by the Chief Executive Officer in accordance with section 44 and 101 of *the Local Government Act 1999* (SA) as the Chief Executive Officer sees fit, unless indicated herein or in the Schedule of conditions contained in each proposed Instrument of Delegation.

Planning, Development and Infrastructure Act 2016 (Instrument A)

2. Resolves to grant the delegation of powers and functions under the *Planning, Development and Infrastructure Act 2016* (SA), exercising the power contained in section 100 of the *Planning, Development and Infrastructure Act 2016* (SA), as provided for in the attached instrument of Delegation (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025) to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

   Such powers and functions may be further delegated by the Chief Executive Officer in accordance with section 44 and 101 of the Local Government Act 1999 (SA) as the Chief Executive Officer sees fit, unless indicated herein of the Schedule of Conditions contained in the proposed Instrument of Delegation.

Planning, Development and Infrastructure Act 2016 (SA) (Instrument B)

3. Resolves to grant the delegation of powers and functions under the *Planning, Development and Infrastructure Act 2016* (SA), exercising the power contained in section 100 of the Planning, Development and Infrastructure Act 2016 (SA), as provided for in the attached instrument of Delegation (Attachment A to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025) to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

   Such powers and functions may be further delegated by the Chief Executive Officer in accordance with section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* (SA) as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Adelaide Central Market Authority

4. Resolves to grant the delegation of powers and functions as provided for in the attached instrument of delegation (Attachment B to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025), exercising the powers contained in section 44 of the *Local Government Act 1999* (SA) to the Adelaide Central Market Authority subject to the conditions and/or limitations, if any, specified herein or in the proposed instrument of Delegation.

Adelaide Economic Development Agency

5. Resolves to grant the delegation of powers and functions as provided for in the attached instrument of delegation (Attachment C to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025), exercising the powers contained in section 44 of the *Local Government Act 1999* (SA) to the Adelaide Economic Development Agency subject to the conditions and/or limitations, if any, specified herein or in the proposed instrument of Delegation.

Road Traffic Act 1961 (SA) General Approval

6. Resolves to grant the sub-delegation of powers under the *Road Traffic Act 1961* (SA) as provided for in the attached instrument of delegation (Attachment D to Item 7.2 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025).

7. Approves in accordance with the Instrument of General Approval and Delegation to Council (dated 22 August 2013) from the Minister for Transport and Infrastructure (General Approval), the following person(s) pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such person(s) shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:

   7.1. Justine Austin

   7.2. Penelope Bennett

   7.3. Sean Howie

8. Approves, in accordance with Clause A.7 of the General Approval, that the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:

8.1. Justine Austin

8.2. Jarrod Armitage

8.3. Penelope Bennett

8.4. Christian Blias

8.5. Sean Howie

8.6. Darren Mitchell

8.7. Stephanie Papandrea

8.8. Amy Smith

9. Approves, in accordance with Clause A.7 of the General Approval, that the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval (Limited to the install, removal and maintenance of On-Street parking):

9.1. Aaron Barnes

9.2. Shaun Coulls

10. Approves In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:

10.1. Justine Austin

10.2. Jarrod Armitage

10.3. Penelope Bennett

10.4. Christian Blias

10.5. Sean Howie

10.6. Darren Mitchell

10.7. Stephanie Papandrea

10.8. Amy Smith

For ease, Attachments A, B, C, D & E relating to Recommendation 2, Item 7.2, have been included at the end of this recommendation report.

3.3. Item 7.3 – Review of the Behavioural Management Policy

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL:

1. Adopts the Council Member Behavioural Management Policy as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.

2. Authorises the Chief Executive Officer to make any minor editorial and formatting changes as required to finalise the Council Member Behavioural Management Policy as contained in Attachment A to Item 7.3 on the Agenda for the meeting of the City Finance and Governance Committee held on 21 October 2025.

For ease, Attachment A relating to Recommendation 3, Item 7.3, has been included at the end of this recommendation report.

DATA AND SUPPORTING INFORMATION

Link 1 – City Finance and Governance Committee Agenda

ATTACHMENTS

- END OF REPORT -

2024/25

ANNUAL REPORT

City of Adelaide

Acknowledgement of Country

City of Adelaide tampendi, ngadlu Kaurna yertangga banbabanbalyarnendi (inbarendi). Kaurna meyunna yaitya mattanya Womma Tarndanyako. Parnako yailtya, parnuko tappa purruna, parnuko yerta ngadlu tampendi. Yellaka Kaurna meyunna itto yailtya, tappa purruna, yerta kuma burro martendi, burro warriappendi, burro tangka martulyaiendi. Kumarta yaitya miyurna iyangka yalaka ngadlu tampinthi.

City of Adelaide acknowledges the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today. And we also extend that respect to other Aboriginal Language Groups and other First Nations.

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Lord Mayor's Message

What do 273 new street trees, 79,000m² of upgraded roads, and 46,000 emptied bins add up to? In the City of Adelaide, they make streets that are safer, parks that are greener, and public spaces that feel cared for.

That's why I'm starting the 2024/25 Annual Report message with numbers that illustrate the scale of work happening behind the scenes to make Adelaide a better place to live, work and play.

As I always say: you cannot operate with audacity, aspiration and ambition until you get the basics right. By mastering the core responsibilities of local government, this Council has made strong inroads on key priorities, from housing to financial management, while also earning recognition along the way.

In the face of a national housing crisis, our Adaptive Reuse City Housing Initiative (ARCHI) was launched in July 2024 to incentivise the conversion of underused spaces into new homes.

Fourteen residences have been created so far, with a further 42 in the pipeline. While not huge figures, even small numbers matter in addressing the housing supply challenge.

Progress continued on major street upgrades, with revitalisation plans for Hindley and Gouger streets advancing to their next stages.

Paving began outside North Adelaide's new 88 O'Connell Street development, and a $5 million makeover of Charles Street was unveiled, transforming it into a pedestrian-only zone with greenery, new stone paving, expanded dining space and improved lighting.

Council also completed two long-running projects: the final section of the Market to Riverbank link along Pitt Street and the North–South bikeway along Frome Street.

As caretakers of 7.6 million square metres of Park Lands, we continued maintaining 29 parks and six squares for their 10 million annual users. We also approved a long-awaited upgrade to the Adelaide Community Sports and Recreation Association (ACSARA) clubrooms at Golden Wattle Park / Mirnu Wirra (Park 21 West), after committing to revenue to improve Park Lands sporting clubs.

During the past 12 months, Council was recognised with multiple awards for work in climate strategy, tourism and landscape architecture. Most notably, we won gold at the Good Design Australia 2024 Awards for the City Plan: Adelaide 2036 urban design and strategic planning tool — recognition of our leadership in delivering evidence-based planning and tools for community progress.

None of this would be possible without the dedication of City of Adelaide staff, who work tirelessly to make our city a destination for 400,000 daily visitors. Whether planning safer streets, planting trees to cool our environment or collecting waste, their efforts are second to none.

As always, the job rolls on. I am proud of what we've achieved and look forward to building on this success in 2025/26.

Dr Jane Lomax-Smith AM
Lord Mayor

Council Members

Dr Jane Lomax-Smith AM
Lord Mayor

Arman Abrahimzadeh OAM
Area Councillor

Janet Giles
Area Councillor

Phillip Martin
Deputy Lord May (from 13/5/25)
North Ward Councillor

Mary Couros
North Ward Councillor

Carmel Noon *
Central Ward Councillor

Simon Hou *
Central Ward Councillor

David Elliott *
Deputy Lord Mayor (12/1/25-11/4/25)
Central Ward Councillor

Jing Li *
Central Ward Councillor

Keiran Snape
Deputy Lord Mayor (1/7/24-11/1/25)
South Ward Councillor

Henry Davis
South Ward Councillor

Dr Mark Siebentritt
South Ward Councillor

* until 11 April 2025

CEO Message

2024/25 was a significant year for delivering on the City of Adelaide Strategic Plan 2024–2028. With an approach that is **Bold. Aspirational. Innovative.** – delivering on our Strategic Plan will create connected communities, build a resilient environment, grow a responsive economy, shape interesting places, and deliver customer-centric services.

The 2024/25 Business Plan and Budget delivered on the first full year of the City of Adelaide Strategic Plan 2024-2028. Council identified nine annual priorities from the Strategic Plan to focus on in the year *under the themes of Our Community, Our Environment, Our Economy, Our Places and Our Corporation.* All priorities *were completed or are on track to be completed.*

The City of Adelaide advocated for **Our Community** by increasing housing supply in the city by supporting adaptive reuse and Council developments which include affordable housing. It also supported arts and culture with the development of the City of Adelaide Cultural Policy 2025–2036. Through numerous events and public art, city spaces were activated and celebrated including Aboriginal and Torres Strait Islander people and cultures.

Council continued to prioritise **Our Environment** with the rollout and commencement of the delivery of the Integrated Climate Strategy 2030, investing in the community to reduce greenhouse emissions through the Sustainability Incentives Scheme, planting over 270 street trees across Adelaide and North Adelaide increasing our tree canopy cover to 33% across the city, and reviewing the Adelaide Park Lands Management Strategy.

We supported **Our Economy** by progressing the Eighty-Eight O'Connell development, Central Market Arcade Redevelopment and master planning for the land acquisition at 218-232 Flinders Street (City East Project) in addition to implementing the Economic Development Strategy 2024-2028 which supports economic growth within the city and broader South Australia. Through the work of the Adelaide Economic Development Agency, we are stimulating the visitor economy and delivering economic data and insights to our business community.

Council continues to focus on **Our Places** to ensure assets like our roads, footpaths, lighting and community buildings are well maintained, and to have a planned approach to our growth and public spaces through the City Plan - Adelaide 2036, masterplans and an Integrated Transport Strategy.

Across the organisation we delivered a $101.115 million Capital Works Program with over 400 projects being undertaken. Highlights of the program include:

- Progressing key **Mainstreet Revitalisation projects** for Hindley Street, Gouger Street, O'Connell Street, Melbourne Street and Hutt Street, which will create active neighbourhoods that support business growth, visitation, and residential amenities.
- Completion of the final connections of the **Market to Riverbank project** in Pitt Street, with support from the State Government.
- Undertaking the final stages of the **Adelaide Town Hall Façade Restoration project** ensuring the historic structure is preserved.
- Continuing the **Central Market Arcade Redevelopment project** with works across the site taking shape quickly, including the residential and hotel tower, commercial tower and the market expansion.

Our ongoing financial planning and management over the 2024/25 financial year has delivered an operating surplus that is favourable to budget.

Our great work was recognised throughout the year winning four awards for our work: City Plan - Adelaide 2036, Place of Reflection artwork, Project Night Life pilot with its focus on prioritising women's safety, and for the iconic Adelaide Central Market.

All these achievements would not have been possible without the dedication and hard work of our over 850 staff, who ensure that our community and the greater state of South Australia have a capital city they can be proud of.

Michael Sedgman
Chief Executive Officer

City of Adelaide Profile

The City of Adelaide is a vibrant and dynamic city that consists of just over 29,000 residents and over 390,000 daily visitors. Our residents are diverse with 45% born overseas and 36% speaking a language other than English. Nearly half of our residents are aged 18 to 34 and one in five are 60 and over.

We have over 12,500 businesses contributing 18% of the state's economic value. Financial and insurance services; professional, scientific and technical services; public administration and safety; and healthcare, form the city's largest industries in terms of economic contribution.

Our city is small, only 15.6km^2 in total land area, but almost half of our size is made up of the Adelaide Park Lands and the six city squares.

15.6km^2 total land area

8km^2 of developed land & public realm (excl. Park Lands)

7.6km^2 Adelaide Park Lands incl. 29 parks & 6 squares

33% Tree canopy across the city

29,118 residents

47% aged between 18 to 34

20% aged 60 and over

45% born overseas

36% speak a language other than English

26% study at TAFE or university

129kms of roads & 292kms of footpaths

Over 27,000 rateable properties

16,995 total private dwellings

50% renting

35% owner occupier

$243 million operating income

12,717 local businesses

172,652 local jobs

$25.5 Billion GRP
18% of GSP

Sources:
Australian Bureau of Statistics, Census of Population and Housing 2021. Compiled and presented by .id (informed decisions); National Institute of Economic and Industry Research (NIEIR) 2024. Compiled and presented in economy.id by .id (informed decisions); Spendmapp by Geografia; Tourism Research Australian, unpublished data; City of Adelaide data

What We Delivered

The 2024/25 financial year saw the first full year of delivery against the Strategic Plan 2024–2028. Council has also continued to deliver on the legislatively required suite of Strategic Management Plans as articulated in the City of Adelaide Strategic Plan 2024–2028 and summarised below:

Strategic Plan	Long Term with a four year delivery focus.
Community	*Planning for the vision and aspirations of the Adelaide Capital City.*
Long Term Financial Plan	Ten year Plan, revised annually to ensure a ten year view is maintained.
Financial	*Planning for the long term financial sustainability of the City of Adelaide.*
Asset Management Plans	Suite of ten year Plans.
Infrastructure	*Planning for the sustainable renewal and maintenance of Council assets.*
City Plan	Ten year Spatial Plan.
Development/ Built Form	*Planning for the future land uses and built form of the Adelaide Capital City.*

Our Annual Focus – Business Plan and Budget

To drive the delivery of our new Strategic Plan, Council continued to focus on repairing our budget after historical financial pressures associated with frozen rates and the COVID-19 pandemic impacting our ability to renew assets, upgrade infrastructure and provide core community services.

Our expenditure of $291.842 million across operating and capital budgets focused on the prioritisation of community and civic services, activities that supported the city's cultural and economic development, and projects that maintained and upgraded infrastructure within the city and the Adelaide Park Lands.

To show progress on how we delivered on the budget, quarterly reports were provided to Council and our community throughout the year. These reports showed how we delivered on our budget and priorities and are available online. Detailed financial statements are available in this document.

To further showcase our commitment to delivering on the 2024/25 Business Plan and Budget, Council articulated nine annual priorities to be delivered.

At the end of the financial year all nine annual priorities from the 2024/25 Business Plan and Budget have been completed or are on track to be completed.

Annual highlights against our **2024/25** priorities

Our Community:

Support increased residential growth and housing affordability through partnerships and advocacy.

Reduce rental pressures by increasing housing supply and unlocking properties for long-term tenants.

- Council and its stakeholders have progressed the Flinders Street Housing project, including engagement with State and Federal governments. This project will contribute towards increasing housing supply in the east of the city.
- A submission was made to the State Planning Commission to support changes to reduce barriers to adaptive reuse for housing. This would enable more certainty for developers and lending institutions, leading towards an increase in the City of Adelaide's population, in line with the growth targets in the Strategic Plan 2024-2028 and City Plan – Adelaide 2036.
- In partnership with Renewal SA, progress was made on the Tapangka (Old Bus Station site) project. At the end of 2024/25, negotiations with the shortlisted parties for the development were being undertaken. The project has a commitment of delivering 35% affordable housing.

Support belonging through an inclusive and welcoming community that recognises diversity and enables people of all abilities living, working and visiting the city.

- Council adopted the new Cultural Policy on 10 June 2025. The policy guides Council's approach to promote and support the city's unique cultural identity and opportunities to strengthen Adelaide's role as a global cultural capital.
- The City of Adelaide's Access and Inclusion Advisory Panel provided feedback on a range of Council's projects, policies and strategy developments, supporting inclusion and the objectives of the Disability Access and Inclusion Plan 2024-2028. This included input on the Draft Cultural Policy, Draft Integrated Transport Strategy, Hutt Street Mainstreet Revitalisation Consultation Options, and inclusive Council Meetings, amongst others.

Our Environment:

Work with our partners to plan for, lead and educate our community on a climate resilient future.

- 123 Sustainability Incentives Scheme applications were approved resulting in an estimated emissions reduction of over 12,000 tonnes of CO^2 equivalent over the lifespan of the products and services provided.
- 273 new street trees planted across Adelaide and North Adelaide, exceeding the annual target of 200 new street trees planted annually.

Work with partners to create innovative ways to create or convert underutilised areas to green space.

- Council worked with the State Government on funding arrangements to enable master planning for Helen Mayo Park.

Our Economy:

Work with partners, universities and businesses to attract investment and improve employment opportunities.

- AEDA's investment attraction program engaged with 86 businesses on relocation and investment opportunities in the City of Adelaide. Through this engagement, there is potential for an additional 3,850+ jobs to be brought into the city.

Our Places:

Encourage repurposing, adaptive reuse and improvement of buildings and facilities.

- Through the Adaptive Reuse City Housing Initiative (ARCHI), opportunities were identified and building owners were supported in converting suitable spaces for reuse into residential dwellings. Incentive Agreements to deliver 14 dwellings were achieved in 2024/25, with a further 12 projects in the Incentives Scheme pipeline with the potential to deliver 42 dwellings.

Deliver quality street and laneway upgrades, mainstreets, precincts, and neighbourhood revitalisation and improvements that make Adelaide well-designed, safe and unique.

- The Hindley Street Revitalisation revised Concept Design was finalised and has now progressed to Detailed Design in preparation for stakeholder consultation.
- The Gouger Street Revitalisation Detailed Designs progressed.
- Paving upgrade works were undertaken, adjacent to the new 88 O'Connell Street development, in line with the completion of the development.
- An extensive stakeholder engagement process was undertaken to understand community aspirations for on-street parking.

Our Corporation:

Focus on budget repair and ensure responsible financial management through the principle of intergenerational equity while delivering quality services.

- The 2024/25 Business Plan and Budget was delivered within the adopted parameters, with a final end of year operating position of $9.475 million, and a Capital Works program of $101.115 million – consisting of an Asset Renewal program of $53.606 million, and a New and Upgrade program of $47.509 million.
- The Essential Services Commission of SA (ESCOSA) undertook a review of City of Adelaide's financial performance, finding it to be mostly sustainable.
- At the end of the financial year, all of our nine Key Financial Indicators were on track, showing responsible management of community funds.

Recognition of our work in **2024/25**

During 2024/25, we were recognised through the following awards:

- City Plan – Adelaide 2036: A Place-Based Blueprint for Growth awarded as a Gold Winner in the Good Design Australia 2024 Awards, in partnership with Arup – September 2024
- Place of Reflection won the Small Project category-Landscape Architecture Award at the Australian Institute of Landscape Architecture (AILA) National Awards – October 2024
- Project Night Light won the 2024 Minister for Health and Wellbeing's Excellence in Public Health Awards, for the pilot program that prioritises women's safety and aims to enhance Adelaide's status as a safer city for all to enjoy – November 2024
- Adelaide Central Market won the Silver Award in the Tourism Retail, Hire & Services category at the 2024 South Australian Tourism Awards – November 2024
- The Integrated Climate Strategy and City Plan received commendations at the Planning Institute of Australia, SA Division, Planning Awards – December 2024.
- Friday nights at the Adelaide Central Market voted Australia's Favourite Food Experience in the 2025 delicious 100 Awards - March 2025

Our **2025/26** Business Plan and Budget

Towards the conclusion of the 2024/25 Business Plan and Budget, following a series of workshops, reports and community consultation, Council adopted the 2025/26 Business Plan and Budget, which will deliver on the second year of the Strategic Plan 2024-2028, and other key Council strategies and subsidiary plans.

Highlights include:

- Investing over $46 million into capital new and upgrade projects including converting the previous Adelaide Aquatic Centre site into a community playing field, upgrading James Place, progressing the Central Market Arcade redevelopment and continuing greening through the city.
- Undertaking over $67 million in asset renewal for the $2 billion plus owned Council assets (roads, footpaths, parks, buildings etc).
- Continuing our commitment to upgrading Park Lands buildings ensuring that sporting clubs and our community have the facilities they need now and for future generations, with works commencing at the sporting clubs at Golden Wattle Park / Mirnu Wirra (Park 21 West) and Mary Lee Park / Tulya Wardli (Park 27B).
- Implementing the Mainstreet Revitalisation Program with construction works progressing in Gouger Street, Hindley Street, Hutt Street and Melbourne Street, and finalising the design of O'Connell Street.
- Stimulating growth in the city's economy through the implementation of the Economic Development Strategy and the Adelaide Economic Development Agency's Strategic Plan.
- Improving active transport and safety with a pedestrian crossing being installed at Franklin Street, traffic signal upgrades on Morphett Street and cycling path improvements along Peacock Road and the Adelaide Park Lands Trail.
- Focusing on maintaining our open space and Park Lands with an investment of $25.5 million on maintenance of open space and the Adelaide Park Lands.
- Funding priorities, projects and services through responsible principles of financial sustainability reflecting a general rates revenue increase of 5.6%.

Our Strategic Focus – Strategic Plans

The Strategic Plan 2024-2028 presents a long-term vision of Our Adelaide. Bold. Aspirational. Innovative.

Delivery of the Strategic Plan 2024-2028 occurs via five aspirations:

- Our Community: Vibrant, connected and inclusive
- Our Environment: Resilient, protected and sustainable
- Our Economy: Growing, innovative and responsive
- Our Places: Interesting, purposeful and safe
- Our Corporation: High performing, customer-centric and bold.

Across all aspirations in the Strategic Plan, there are 102 Indicators of Success/ Measures/ Targets which we use to track our delivery. At the end of 2024/25, across the entire Strategic Plan, of the Indicators of Success/ Measures/ Targets:

- 37 were achieved
- 52 were on track for delivery
- Nine were at risk, requiring further attention to deliver
- Four had no update, as there is no data currently available.

Further information on Council's Strategic and Business Planning can be found online:

cityofadelaide.com.au/strategicplan
cityofadelaide.com.au/budget

Administration

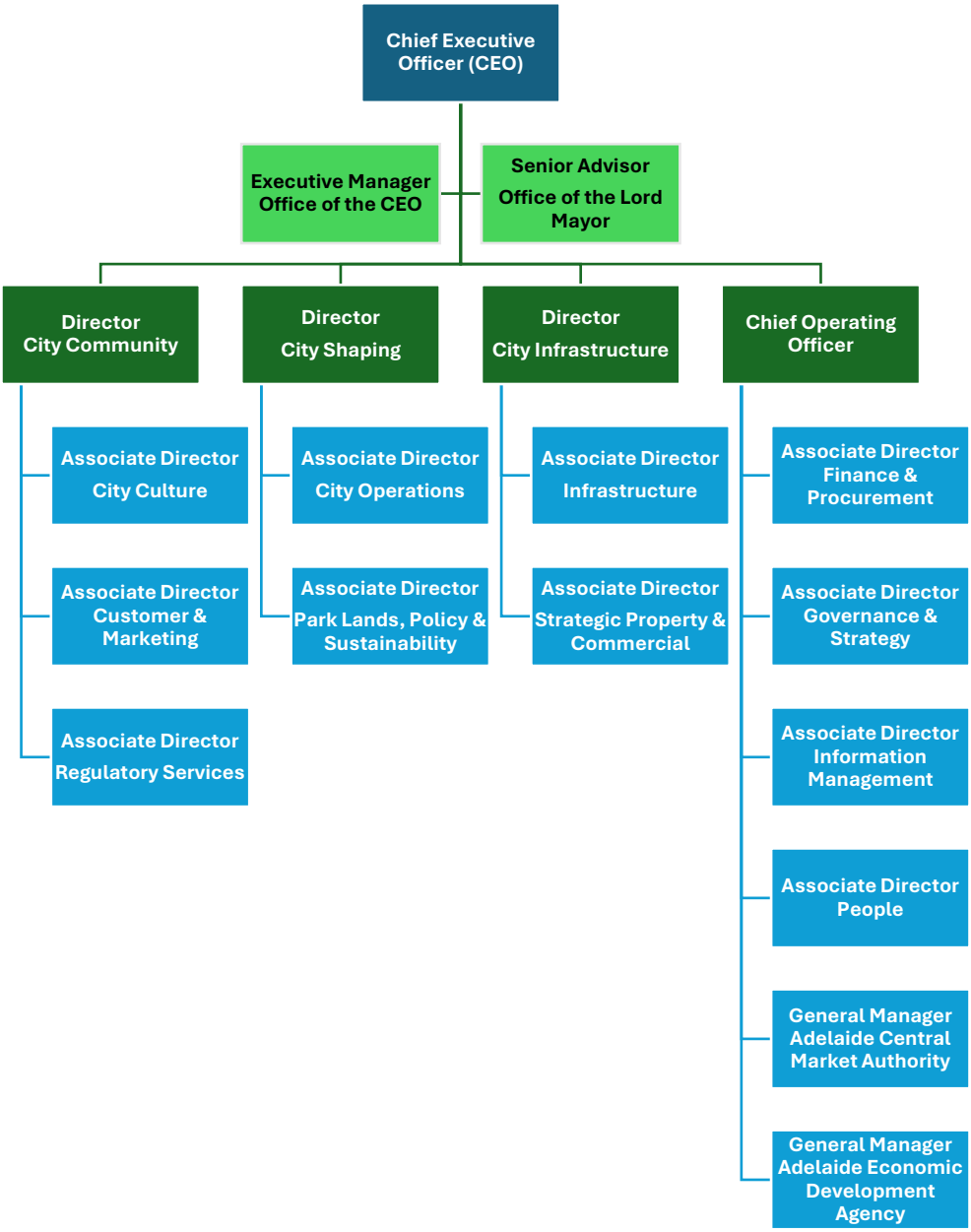
At the City of Adelaide, unique, knowledgeable and passionate people work together to deliver extraordinary experiences across the city and are integral to the successful delivery of services. They also work to create a welcoming, inclusive, and safe environment that celebrates difference. City of Adelaide values and embraces diverse perspectives and recognises the value diversity has in fuelling innovation and enabling brilliant experiences.

Leadership

As at 30 June 2025, the Executive team consisted of five Senior Executive Officer positions; Chief Executive Officer, Chief Operating Officer, Director City Community, Director City Shaping and Director City Infrastructure.

Members of Executive are responsible for leading and developing the City of Adelaide's delivery program and supporting organisational and employee capabilities.

As at 30 June 2025 remuneration packages, comprising of salary and superannuation, for the members of Executive ranged from $305,000 to $425,000 per annum. In addition, Executive remuneration packages include a car park (where applicable), an allowance for membership fees for two relevant professional associations, and a professional development allowance of $2,500 per member of Executive and $5,000 for the Chief Executive Officer. For further detail, refer to the Audited Financial Statements.



Senior Leadership Team by Gender

Representing the Chief Executive Officer, Chief Operating Officer, Directors, Associate Directors, and General Managers.

Senior	Number	Percentage
Female Employees	8	44%
Male Employees	10	56%
TOTAL	18	100%

Employees

The table below provides the full time equivalent (FTE) and headcount figures for the City of Adelaide employees, trainees/apprentices, and labour hire staff as at 30 June 2025.

	As at 30 June 2025		Headcount		2024/25 Cost (million)
	FTE	Headcount	Female	Male	
Employees (Permanent)	641.5	685	311	374	$63.839
Temporary employees (fixed term)	41.3	45	24	21	$6.918
Common Law Contract	39.8	40	14	26	$6.910
Casual Employees	N/A	103	48	55	$2.395
Trainees/Apprentices*	N/A	29	N/A	N/A	$1.655
Labour hire*	N/A	38	N/A	N/A	$6.101
TOTAL	**722.6**	**940**	**397**	**476**	**$87.818**

*Resource provided by an external provider and do not contribute to FTE count

During 2024/25 there was an average employee turnover of 34.4% (inclusive of casual staff). Of the 304 total leavers, 100 were voluntary and 204 were involuntary. Involuntary turnover includes end of contract, end of temporary contract, terminations, and redundancies.

The figure of 34.4% includes the turnover associated with the closure of Adelaide Aquatic Centre on 1 August 2024. Excluding the closure of Adelaide Aquatic Centre, in 2024/25 there was an average turnover of 15.0% (132 people) including casuals and 12.2% (95 people) excluding casuals.

The following tables provide the City of Adelaide's workforce diversity demographics as at 30 June 2025. This data captures permanent and fixed-term employees and includes casual employees.

Gender	Number*	Percentage
Female employees	397	45%
Male employees	476	55%
TOTAL	**873**	**100%**

*includes casuals

Years of Service	Female	Male
Over 20 years	47	87
10-20 years	80	68
5-10 years	55	61
2-5 years	131	161
1-2 years	49	55
Less than 12 months	35	44
TOTAL	**397**	**476**

Age	Female	Male
65+	22	30
55-64	50	98
45-54	124	110
35-44	112	121
25-34	75	92
Under 25	14	25
TOTAL	**397**	**476**

Workforce	Female	Male
Indoor	379 (54%)	322 (46%)
Outdoor	18 (10%)	154 (90%)
TOTAL	**397**	**476**

Aboriginal and Torres Strait Islander Employment

As at 30 June 2025, 1.1% of the workforce identified as Aboriginal and/or Torres Strait Islander. The City of Adelaide is committed to an Aboriginal and Torres Strait Islander employment target of 2%, as part of the City of Adelaide's Stretch Reconciliation Action Plan 2024–2027. The Aboriginal and Torres Strait Islander population in South Australia is 2.4% of the population, noting that for Adelaide it is 1.4%*.

The City of Adelaide's Reconciliation Officer collaborates closely with the People team in improving awareness of employment opportunities with the City of Adelaide among the Aboriginal and Torres Strait Islander communities. Connection is maintained with State and Federal agencies to undertake more targeted recruitment of Aboriginal and Torres Strait Islander candidates.

*Source: Australian Bureau of Statistics, Census of Population and Housing 2021. Compiled and presented by.id (informed decisions)

Administration Travel

Under Regulation 35(2), *Local Government (General) Regulations 2013* (SA) the City of Adelaide is required to provide a summary of the details, including the cost, of any interstate and international travel, excluding prescribed interstate travel, undertaken by employees of the council during the relevant financial year funded in whole or part by the council. Cost of travel includes accommodation costs and other costs and expenses associated with the travel.

Date	Purpose	Total (excl GST)
Representing the Corporation – travel required to represent CoA at a meeting or networking event		
17/07/2024	Attendance x 1 Council of Capital City Lord Mayors meeting – Darwin	$2,070.73
6/08/2024	Attendance x 1 George Town Sister City 50th anniversary	$3,660.95
7/09/2024	Attendance x 1 Carbon Neutral Cities Alliance (CNCA) Annual Meeting	$1,986.99
20/09/2024	Attendance x 3 2024 Australian Good Design Awards Ceremony	$3,841.63
23/10/2024	Attendance x 1 Waste Expo Australia	$379.44
23/10/2024	Attendance x 1 National Landscape Architecture Awards Announcement Event	$1,950.89
13/02/2025	Attendance x 1 Workforce Planning Project Sponsors & Forum on Night Time Economy	$1,513.59
18/03/2025	Attendance x 1 Tourism Australia's Destination Australia Conference and the Regional Tourism Organisation Forum	$1,300.05
27/04/2025	Attendance x 2 Australian Tourism Expo	$10,060.38
28/05/2025	Attendance x 1 2025 PIA Congress	$3,747.60
Attending a Conference – travel required to attend a conference as part of an approved learning and development plan		
27/08/2024	Attendance x 2 Infor Public Sector User annual ANZ conference	$2,591.18
2/09/2024	Attendance x 1 Irrigation Australia Conference and Exhibition	$1,541.20
13/10/2024	Attendance x 1 National Economic Development Conference	$6,188.06
20/10/2024	Attendance x 1 Public Venue Safety & Security 2024 Conference	$1,145.66
29/10/2024	Attendance x 1 National Roads & Traffic Expo & Parking Australia Awards Dinner	$2,069.49
11/11/2024	Attendance x 1 Cisco Technologies Conference	$1,751.73
11/02/2025	Attendance x 2 City Nation Place Australasia 2025 Conference	$3,583.67
19/02/2025	Attendance x 2 10th Annual Affordable Housing Development & Investment Summit	$5,908.77
14/05/2025	Attendance x 2 Visitor Information Services Network conference	$1,450.90
19/05/2025	Attendance x 1 2025 Australasian Fleet Management Association Fleet Education & Leadership Summit	$1,540.17
16/06/2025	Attendance x 1 Hubspot Conference	$1,009.98
16/06/2025	Attendance x 2 Gartner Data and Analytics Conference	$8,913.43
Project and Research Related – travel required for CoA projects and/or research for upcoming work		
6/03/2025	Attendance x 1 2025 Melbourne Fashion Festival	$1,633.36
15/05/2025	Attendance x 1 Australian Fashion Week	$1,691.23
11/06/2025	Attendance x 1 REMIX Summit	$1,518.57
Speaker at a conference – travel required to present at a forum or event		
26/08/2024	Attendance x 1 LGInfor2024 conference	$669.01
Other		
27/03/2025	Attendance x 1 Information System hardware audit	$947.73
28/05/2025	Attendance x 1 2025 PIA Congress	$3,747.60
17/06/2025	Attendance x 1 Homelessness Australia Conference	$1,401.50
TOTAL		**$79,815.49**

Administration Gifts and Hospitality Register

Under Regulation 35(2), *Local Government (General) Regulations 2013* (SA) the City of Adelaide is required to provide a summary of the details, including the cost, of any gifts or hospitality equal to or above the value of $50 provided to employees of the council during the relevant financial year funded in whole or in part by the council.

Gifts and Hospitality	Value
Local Government Professionals Gala Dinner	$3,900.00
Service Recognition Certificates	$437.25
Annual Awards Trophies	$1,128.60
Catering (staff induction and connection event)	$605.40
TOTAL	**$6,071.25**

Administration Credit Card Transactions

In accordance with the *Local Government Act 1999* (SA) (the Act) and Regulation 35(2), *Local Government (General) Regulations 2013* (SA), Council advises the expenditure incurred from 1 July 2024 to 30 June 2025 on credit cards by its employees amounts to $921,881.61 inclusive of GST.

Purchase types where a credit card was used for payment includes promotional activities, City of Adelaide events, advertising, catering, stationery, fleet management and maintenance, web hosting services, and training.

A detailed listing of the expenditures can be found on the City of Adelaide's website via the following link cityofadelaide.com.au/freedom-of-information

Legal Expenditure

Under Section 131, *Local Government Act 1999* (SA) (1a) the City of Adelaide is required to report annually the total expenditure on legal costs by the council. The expenditure between 1 July 2024 to 30 June 2025 was $1.449 million. This is included as a line item in the City of Adelaide Financial Statements.

Expenditure on legal costs across the organisation during 2024/25 consisted of: legislative obligations and compliance, commercial leasing and property development activities, management of employee relations requirements, management of Council requests and investigations, response to community member queries, intellectual property matters, local government election matters, and project related risks and contractual management.

Governance

Memberships and Meetings

The Council is established to provide leadership, strategy, governance and management of the City of Adelaide area while meeting legislative responsibilities. Council's role is to:

- Act as a representative, and undertake informed and responsible decision-making in the interests of the City of Adelaide community, including ensuring financial sustainability
- Provide and coordinate various public services and facilities
- Develop its community and resources in a socially just and ecologically sustainable manner
- Encourage and develop initiatives within its community for improving the quality of life of the community
- Represent the interests of the community to the wider community
- Exercise, perform and discharge the powers, functions and duties of local government in relation to its area.

Council is accountable for city leadership, strategy development and delivery of efficient and effective local government services. The Council comprises a Lord Mayor and 11 Councillors (two Area Councillors, three South Ward Councillors, four Central Ward Councillors, two North Ward Councillors) who have been elected by the community to represent the interests of Adelaide's residents, businesses and daily city users. Local Government elections in South Australia are conducted every four years in accordance with the legislative framework provided in the *Local Government (Elections) Act 1999* (SA). The most recent Local Government elections were held in November 2022.

Council Representation Quota

The total representation quota is the number of electors for each Council Member, including the Lord Mayor. At 30 June 2025, the total representation quota for the City of Adelaide was 1:2,547 and the total number of electors was 30,575 on the combined Council and State Roll.

Council's representation quota by way of comparison with other similar councils (using the Australian Classification of Local Governments and data sourced from the Electoral Commission SA) as set out in the following table:

Council	Number of Electors	Representation Quota
Adelaide	30,575	1:2,547
Charles Sturt	91,431	1: 5,378
Marion	69,237	1: 5,325
Port Adelaide Enfield	91,409	1: 5,078
Salisbury	98,968	1: 6,597

Council Membership

Presiding Member
Lord Mayor, Dr Jane Lomax-Smith AM

Deputy Lord Mayor
Councillor Keiran Snape appointment from 1 July 2024 to 11 January 2025

Councillor David Elliott appointed from 12 January 2025 to 11 April 2025

Councillor Phillip Martin appointed from 13 May 2025.

Area Councillors
Arman Abrahimzadeh OAM, Janet Giles

North Ward Councillors
Phillip Martin, Mary Couros

*Central Ward Councillors
Carmel Noon, Simon Hou, David Elliott, Jing Li

South Ward Councillors
Keiran Snape, Henry Davis, Dr Mark Siebentritt

*until 11 April 2025

On 11 April 2025 the Court of Disputed Returns ruled, in the matter *of Alexander Hyde v Electoral Commissioner of South Australia & Jing Li (No 3) [2025]*, that the Central Ward result during the November 2022 City of Adelaide general election was affected by "illegal practices". As a result of this ruling, the election results for the Central Ward Councillors were declared void. This required a supplementary election to be undertaken, with results announced in September 2025.

Meetings

The City of Adelaide Council's responsibilities are derived from the *Local Government Act 1999* (SA) and the *City of Adelaide Act 1998*.

All meetings of the Council, Committees, Council Assessment Panel (CAP) and Kadaltilla/Adelaide Park Lands Authority are open to the public unless there is a resolution to exclude the public based on the relevant legislative provisions.

As part of its Strategic Plan 2024–2028, the City of Adelaide has committed to transparent decision-making based on data and evidence, and robust financial management as key enabling priorities. All Council items are assessed with the objective of ensuring transparency to ratepayers, while adhering to strict legislative provisions, such as those outlined in Section 90(3) of the *Local Government Act 1999* (SA) and honouring all contractual requirements.

Documentation for each meeting (agenda with reports/attachments, minutes and meeting documents released from confidence) is available and accessible on the City of Adelaide's website cityofadelaide.com.au

Council met twice a month (the second Tuesday and fourth Tuesday of the month), except December and January, and Council's core committees (City Finance and Governance, Infrastructure and Public Works, City Community Services and Culture and City Planning, Development and Business Affairs) met monthly, except December and January. Additional special Council and core committee meetings were held as required.

Other Committee meetings: Kadaltilla/Adelaide Park Lands Authority met monthly, except December and January, the Audit and Risk Committee met eight times, the Council Assessment Panel (CAP) met six times, the Reconciliation Committee, and the CEO Performance Review Panel met quarterly.

Public Involvement at Meetings

Public are welcome to attend meetings of Council and Committees. Meetings live streamed to the City of Adelaide website are meetings of Council and Council's core committees (City Finance and Governance, Infrastructure and Public Works, City Community Services and Culture and City Planning, Development and Business Affairs). The meeting live stream is suspended for the duration of the item when the meeting is moved into confidence in accordance with the confidentiality provisions under the Act.

Members of the public can request to speak at a meeting of Council or Core Committee of Council (deputation) or Kadaltilla/Adelaide Park Lands Authority (representation). A deputation or representation must be on matters that are the subject of deliberation at the meeting, or over which Council or Kadaltilla/Adelaide Park Lands Authority has a direct interest or responsibility. Registration and conditions are available on the City of Adelaide's website cityofadelaide.com.au

Members of the public are welcome to attend meetings of the CAP. A member of the public who has lodged a representation regarding a development application and has indicated that they wish to be heard regarding their representation, is able to appear before the CAP, either in person or by an agent.

City of Adelaide is fully committed to the principle of open and accountable government, a commitment that recognises that on some occasions it may be necessary to restrict public access to discussions or documents. Due diligence and professional consideration are applied to ensure compliance.

In accordance with Section 90(1) of the Act, all meetings held by Council are conducted in a place open to the public and operate in accordance with the provisions of the Act, Code of Practice and Parts 1, 2 and 4 in the *Local Government (Procedures at Meetings) Regulations 2013* (SA).

On every occasion that the provision to exclude the public within Sections 90(2) and (3) of the Act was exercised, the minutes of the meeting included proceedings making the order and the grounds on which the order was made in accordance with Section 90(7) of the Act.

The City of Adelaide considers that possible embarrassment, loss of confidence, discussion of a controversial matter or being susceptible to adverse criticism in the Council or a committee is irrelevant when considering whether to exclude the public from a meeting. On every occasion that a meeting used the provision contained in Section 91(7) of the Act to order that a document or part of it be kept confidential, each order contained an instruction on the requirements, namely the duration of the order, the review date and the delegation to review/revoke, as identified in Section 91(9) of the Act.

In addition to the *Local Government Act 1999* (SA), items discussed at a CAP meeting may be discussed in confidence under Regulation 13 of the *Planning, Development and Infrastructure (General) Regulations 2017* (SA).

Structure

Pursuant to Section 41 of the *Local Government Act 1999* (SA), Council may establish committees to:

- Assist it in the performance of its functions
- Inquire into, and report on, matters within the ambit of its responsibilities
- Provide advice
- Exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Sections 42 and 43 of the Act, Council may establish subsidiaries to:

- Provide a specified service or services
- Manage or administer property, facilities or activities on behalf of the Council (Section 42 only)
- Perform a function of the Council under the Act (or another Act).

In summary, the structure of Council is:

- Council
- Council Committees
- Other Council Committees
- Council Assessment Panel
- Subsidiaries

Council Committees

- City Community Services and Culture Committee
- City Finance and Governance Committee
- City Planning, Development and Business Affairs Committee
- Infrastructure and Public Works Committee

Committees are formed under Section 41 of the Act as an advisory committee to Council and an informal discussion forum.

On 25 February 2025 Council resolved to continue with the Committee structure of the previous financial year, including the City Community Services and Culture Committee, the City Finance and Governance Committee, the City Planning, Development and Business Affairs Committee and the Infrastructure and Public Works Committee, until the conclusion of the 2022-26 Council Term.

These committees report directly to Council and provide recommendations. Each Committee meets monthly, on the first or third Tuesday of the month (excluding January or December). The purposes of these Committees are as follows:

- City Community Services and Culture Committee – To make recommendations to Council on strategies, services, policies, and programs that assist Council to create a thriving city that is welcoming and accessible to all and that supports and celebrates its natural and cultural heritage.
- City Finance and Governance Committee – To assist and guide Council in undertaking strategic planning, monitor the performance of Council's finances, programs, projects and services (including subsidiaries) and review and make recommendations on delegations, policies and Policy Framework.
- City Planning, Development and Business Affairs Committee – To provide advice to the Council in relation to strategic, planning and development policy issues (including city-wide economic development strategy and a local heritage strategy and policy), guide and oversee the implementation of major projects, review changes to the Planning and Design Code and advise on strategies regarding its strategic property holdings.
- Infrastructure and Public Works Committee – To guide the development of an asset management policy framework for the city, make recommendations for consideration in forward financial estimates and to deal with matters in respect of Council's asset management program.

All committees operate in accordance with the provisions of the Act, its Terms of Reference and Parts 1, 3 and 4 in the *Local Government (Procedures at Meetings) Regulations 2013* (SA).

Other Council Committees

- Audit and Risk Committee
- CEO Performance Review Committee
- Chief Executive Officer Selection Panel
- Reconciliation Committee

Audit and Risk Committee

The Audit and Risk Committee is established pursuant to Section 41 and in accordance with Section 126 of the Act addressing legislative functions to provide independent assessment of Council and Corporation activities.

The Audit and Risk Committee conducted its business in accordance with the provisions of the Act, its Terms of Reference and the provisions of Parts 1, 3 and 4 in the *Local Government (Procedures at Meetings) Regulations 2013* (SA) and is comprised of the Lord Mayor (*ex officio*), one City of Adelaide Councillor and four External Independent Members and one Proxy City of Adelaide Member.

Further information and details of committee membership including agendas and minutes of meetings is available online at cityofadelaide.com.au

CEO Performance Review Committee

The CEO Performance Review Committee (CEOPRC) is formed pursuant to Section 41 of the Act to develop, monitor and assess key performance indicators and establish a process by which CEO performance is measured. The CEOPRC operated in accordance with the provisions of the Act and Parts 1, 3 and 4 in the *Local Government (Procedures at Meetings) Regulations 2013* (SA) and comprised of the Lord Mayor, the Deputy Lord Mayor, one Councillor and two independent Members, with support from a Human Resource Specialist.

Further information and details of committee membership including agendas and minutes of meetings is available online at cityofadelaide.com.au.

Chief Executive Officer Selection Panel

The Chief Executive Officer Selection Panel is a formally appointed committee of Council pursuant to section 41 of the Act to undertake the appointment process of a Chief Executive Officer, when required.

Further information and details of committee membership including agendas and minutes of meetings is available online at cityofadelaide.com.au

Reconciliation Committee

The Reconciliation Committee is formed pursuant to Section 41 of the Act and works to advance reconciliation in the city and seek broad Aboriginal and Torres Strait Islander participation in activities and events of the City of Adelaide. The Reconciliation Committee operated in accordance with the provisions of the Act and Parts 1, 3 and 4 in the *Local Government (Procedures at Meetings) Regulations 2013* (SA) and is comprised of the Lord Mayor (*ex officio*), three Council Members, three strategic agency representatives, three Aboriginal and/or Torres Strait Islander representatives, one Kaurna specific (with one proxy) and two proxies.

Further information and details of committee membership including changes and current membership are available online at cityofadelaide.com.au/community/reconciliation/reconciliation-committee.

Council Assessment Panel (CAP)

The CAP is established in accordance with Section 83 of the *Planning, Development and Infrastructure Act 2016* (SA) as the relevant authority to exercise or perform its powers and functions. The role of the CAP is to facilitate the expeditious assessment of development applications made to the Council. All meetings of CAP are open to the public unless the meeting decides to exclude the public having considered the relevant requirements.

The CAP operated in accordance with the provisions of the *Development Act 1993* (SA), *Planning, Development and Infrastructure Act 2016* (SA), *Planning, Development and Infrastructure (General) (Assessment Panels) Variation Regulations 2017* (SA), its Terms of Reference, Code of Conduct, Meeting Procedures, Instrument of Delegation and a Policy for Applying Delegations.

It is comprised of one City of Adelaide Council Member and four independent members having qualifications and experience in one or more of the following disciplines: urban planning, architecture and/or urban design, environmental and/or heritage management, property management and/or development, planning law or environmental law and/or corporate governance and strategic, transport, infrastructure and/or social planning.

Further information and details of committee membership including agendas and minutes of meetings is available online at cityofadelaide.com.au

Subsidiaries and associated entities

The City of Adelaide manages our two wholly owned subsidiaries, the Adelaide Central Market Authority and the Adelaide Economic Development Agency, the Kadaltilla/Adelaide Park Lands Authority subsidiary – which is a partnership with the State Government, and supports the Brown Hill Keswick Creeks Stormwater Board.

Adelaide Central Market Authority

The Adelaide Central Market Authority (ACMA) is established pursuant to Section 42 of the *Local Government Act 1999* (SA) and is a body corporate with the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with the Act and its Charter.

The purpose of ACMA is to oversee the management and operation of the Adelaide Central Market (the Market) in accordance with the ACMA Charter.

ACMA's Strategic Plan and Headlease is to be responsible for maintaining and enhancing the iconic standing of the Market for the benefit of all stakeholders, and to be responsible for the Market being locally and internationally recognised as a leading, vibrant, diverse and unique fresh produce market community that is commercially sustainable for traders and the City of Adelaide, and contributes to the development of the wider market district.

The Board comprised of up to seven Board Members including the Chairperson, appointed by the Council, who collectively have a range of knowledge, skills and experience across the following areas: retail, food supply chain (with retail emphasis), retail property management, marketing, board governance, business acumen, people leadership, strategic management and knowledge of the Market. One Board Member must be a Council Member.

Further information and details of board membership including changes and current membership are available in the Subsidiary Annual Report.

Adelaide Economic Development Agency

The Adelaide Economic Development Agency (AEDA) is established pursuant to Section 42 of the *Local Government Act 1999* (SA) with activities undertaken in accordance with Schedule 2 (parts 1 and 3) of the *Local Government Act 1999* (SA) and its Charter.

Working closely with businesses, industry groups, State Government agencies and other relevant organisations, AEDA delivers a range of programs designed to stimulate the city's economic growth with a focus on investment attraction, growing the visitor economy, residential growth, marketing the city as a whole and promoting Rundle Mall as Adelaide's premier shopping destination.

Up to nine Board Members are appointed by the Council, including the Lord Mayor, and Chairperson, who collectively have a range of expertise across hospitality, property development, place making, business development, investment, events and tourism.

Further information and details of board membership including changes and current membership are available in the Subsidiary Annual Report.

Kadaltilla / Adelaide Park Lands Authority

Kadaltilla/Adelaide Park Lands Authority is a partnership between the State Government and the City of Adelaide to protect and foster the interests of the Adelaide Park Lands as set out in the Statutory Principles of the *Adelaide Park Lands Act 2005* (SA). Section 5 of the Act establishes the Kadaltilla/ Adelaide Park Lands Authority as a subsidiary of the City of Adelaide under the provisions of the *Local Government Act 1999* (SA). The Authority is the principal advisor to both the City of Adelaide and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands and is responsible for:

- Preparing and maintaining the Adelaide Park Lands Management Strategy (APLMS),
- Delivering the APLMS by providing policy advice on the full range of issues involving the Adelaide Park Lands,
- Guiding the City of Adelaide and the State Government agencies in the management of the Adelaide Park Lands,
- Ensuring that appropriate specialist expertise is brought to bear in advising on the Adelaide Park Lands.

Kadaltilla/Adelaide Park Lands Authority operates in accordance with legislative provisions, its Charter and Code of Practice.

Pursuant to legislation, membership of Kadaltilla/ Adelaide Park Lands Authority comprises of the Lord Mayor or, if the Lord Mayor chooses not to be a member of Kadaltilla/Adelaide Park Lands Authority, a person appointed by Council; and five members appointed by the relevant State Government Minister responsible, one of whom will be the Deputy Presiding Member.

Further information and details of board membership including changes and current membership are available in the Subsidiary Annual Report.

Brown Hill and Keswick Creeks Stormwater Board

The Brown Hill and Keswick Creeks Stormwater Board (the Board) was established in February 2018 as a regional subsidiary pursuant to Section 43 of and schedule 2 to the *Local Government Act 1999* (SA).

Participation is a joint effort between the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens.

The Board is responsible for the administration of the affairs of the Regional Subsidiary. It is responsible for ensuring 'the Regional Subsidiary observes the objectives set out in the Charter, that information provided to the Constituent Councils is accurate and that Constituent Councils are kept informed of the solvency of the Regional Subsidiary as well as any material developments which may affect the operating capacity and financial affairs of the Regional Subsidiary'.

Five independent members are appointed following recommendations made by a Nominations Committee of representatives from each of the constituent councils. Each Board member contributes a unique set of skills and experience. Board members are appointed for a term of three years and are eligible for reappointment at the conclusion of their term.

Further information and details of board membership including changes and current membership are available in the Subsidiary Annual Report.

Member Behaviour

Under Regulation 35(a1), 35(2a) and 35(2b) *Local Government (General) Regulations 2013* (SA) the City of Adelaide is required to provide a summary of the number of contraventions against the section of the *Local Government Act 1999* (SA) relating to Member behaviour (Chapter 5 Part 4 Division 2) and Health and Safety Duties (Chapter 5 Part 4 Division 3), and the total costs incurred by the council in relation to dealing with complaints alleging contraventions.

The total number of contraventions of Chapter 5 (Members of council) Part 4 (Member integrity and behaviour) Division 2 (Member behaviour) during the relevant financial year	Nil
Total costs incurred by the council in relation to dealing with complaints alleging contravention of Chapter 5 Part 4 Division 2	$62,054.30
Referrals of complaints to the Behavioural Standards Panel during the relevant financial year (Chapter 5 Part 4 Division 2)	2

The total number of contraventions of section 75G (Health and Safety duties) during the relevant financial year as it relates to Member behaviour	Nil
The total costs incurred by the council in relation to dealing with complaints alleging contravention or failure to comply with section 75G as it relates to Member behaviour	$10,745.90
Referrals of such complaints to the Behavioural Standards Panel during the relevant financial year (section 75G)	1

Policies and Procedures

The City of Adelaide is required to provide information in relation to procurement, risk and controls, access to information and records on select policies, codes and procedures. This section outlines those requirements for:

- Procurement
- National Competition Policy
- Risk Management
- Codes of Conduct or Practice
- *Local Nuisance and Litter Control Act and Regulations*
- Freedom of Information applications
- Section 270 internal reviews of Council decisions

Procurement

The City of Adelaide's Procurement Policy is consistent with the requirements of the *Local Government Act 1999* (SA) and ensures that all procurement activities deliver the following key objectives:

- Providing for equitable and ethical behaviour in all procurement activities and fair treatment of suppliers
- Obtaining value for money
- Negotiated outcomes
- Ensuring probity, accountability and transparency
- Effective management of the end-to-end procurement lifecycle
- Identification and management of risks
- Consideration of community impact, including social, environmental, aboriginal and cultural considerations and the use of local goods and services.

When the City of Adelaide is purchasing goods, works or services where the estimated level of expenditure is between $10,000 and $150,000, formal quotations will usually be obtained. Where the estimated level of expenditure exceeds $150,000 City of Adelaide will usually call for formal tenders, however, the City of Adelaide reserves the right to undertake open or select tenders when it is considered appropriate.

The City of Adelaide is committed to achieving value for money in the procurement of goods and services that provide benefit to the community, and to supporting the economic, environmental, cultural, and social life of the city. The Procurement Policy includes a focus on social benefit and procurement outcomes, with the inclusion of Aboriginal, cultural, environmental, and local economic and social enterprise outcomes to deliver on Council's Strategic Plan 2024–2028.

The Procurement Policy allows for each procurement to be strategically planned to encompass weighted evaluation criteria, which ensures policy objectives are being achieved through successful procurement outcomes.

The Procurement Policy is designed to drive processes that are consistent, transparent and cultivate a competitive environment. The policy also seeks to advance good ethical practice and ensure an open, fair and competitive process that provides equal opportunities to participants.

The policy supports the Principles of the State Government's Industry Participation Policy through an employment contribution test that may be applied to tenders where appropriate and the Procurement Policy allows for the assigned weighting to be varied for each procurement.

Contract Management

The City of Adelaide is committed to high standards of corporate governance and accountability, and a central team provides support and advice across the City of Adelaide to promote a high standard of contract management to optimise contractor performance throughout the life of a contract and drive value for money.

National Competition Policy

Principles of competitive neutrality are designed to neutralise any net competitive advantage that a government or local government agency engaged in significant business activities would otherwise have, by virtue of its control by the government or local government, over private business operating in the same market. The City of Adelaide has a complaints mechanism in place and in 2024/25, no complaints were received with regard to competitive neutrality.

Significant Business Activities

The Adelaide Aquatic Centre closed on 1 August 2024, with the site being returned to open space, which includes a community playing field. A new aquatic centre is currently under construction, adjacent to the previous aquatic centre. This new facility is being built and will be operated by the Government of South Australia and due to open in 2025/26.

There have been no other changes in the significant business activities controlled by City of Adelaide and competitive neutrality principles relevant to each significant business activity continue to apply. All City of Adelaide business activities include checks for competitive neutrality. In setting fees and charges, relevant government legislation and policies, market rates, community service obligations and impact on residents, ratepayers and visitors to the city, efficient allocation of resources and funds to reflect best value practices, impact on competitors–actual and potential–and local, state and national economies, and organisational policies are considered.

Business Activity	Type	Category	Comments
UPark	Council	COM	Provision of off-street parking services across the city.
Adelaide Aquatic Centre*	Council	COM	Recreation, leisure and aquatics sports facility.
North Adelaide Golf Course	Council	COM	Three golf courses (two 18-hole and one par 3) and clubhouse.
Adelaide Town Hall	Council	COM	Venue hire for a range of events and catered functions.
Adelaide Central Market	Subsidiary	COM	A world-renowned food market with over 70 stalls and ancillary car parking.

* Until 1 August 2024 | COM = Commercialisation

Risk Management

The Audit and Risk Committee was established pursuant to Section 126 of the *Local Government Act 1999* (SA), to assist the Council discharge its responsibilities. Reporting to City of Adelaide, the Audit and Risk Committee provides advice and recommendations on matters relevant to its Terms of Reference in order to facilitate decision making by Council in regard to financial reporting, internal controls, risk management, management plans and business plans, service planning and performance, internal audit and external audit.

The City of Adelaide maintains an Internal Audit function which reports to Management and the Audit and Risk Committee. The role of the Internal Auditor is to identify more efficient and effective processes and to assist Council and the Chief Executive Officer meet their assurance obligations. The Internal Audit function was contracted to KPMG and this contract concluded on 30 June 2025. The Internal Audit plan is reviewed and endorsed by the Audit and Risk Committee which also reviews internal audit report findings on a quarterly basis.

Pursuant to Section 128 of the *Local Government Act 1999* (SA), the External Auditors appointed by Council are BDO Audit Partnership (SA). To maintain the highest standards of corporate governance in relation to auditor independence, the External Auditors are excluded from providing non-audit services to Council. Non-audit services are defined as any service provided by the External Auditors under engagement with the Council outside the scope of the external audit. The Audit and Risk Committee reviews the scope and progress of the annual audit in accordance with its Terms of Reference.

Enterprise Risk Management

City of Adelaide manages strategic, emerging, project, operational, and financial risks through its Enterprise Risk Management Framework which has been developed in accordance with International Standard ISO 31000:2018.

The framework ensures risks are identified, assessed and properly managed and reported on. Such a process supports Council to achieve its strategic goals and that the Lord Mayor and Councillors fulfil their legislative roles.

The success of the Enterprise Risk Management model is a result of strong Executive involvement through monthly reporting of risk and internal audit matters to the Strategic Risk and Internal Audit Group, and quarterly reporting to the Audit and Risk Committee.

Internal Control Framework

Pursuant to Section 125 of the *Local Government Act 1999* (SA), the City of Adelaide must ensure that appropriate policies and procedures of internal controls are implemented and reviewed to assist Council to carry out its activities in an efficient manner to achieve its strategic objectives. The City of Adelaide's Internal Controls are essentially processes for assuring its achievement of objectives in operational effectiveness and efficiency, reliable financial reporting, and compliance with laws, regulations and policies. Internal Controls include a range of activities such as approvals, delegations, security of assets and segregation of duties.

Codes & Policies

Available online at cityofadelaide.com.au, codes of Conduct or Practice required to be kept under the *Local Government Act 1999* (SA), *Local Government (Elections) Act 1999* (SA), and the *City of Adelaide Act 1998* (SA) are:

- Code of Practice for Access to Council and Committee Meetings and Documents
- Code of Practice for Meeting Procedures
- Council Member Behavioural Support Policy
- Council Member Complaints Policy
- Employee Behavioural Standards

Local Nuisance and Litter Control Act and Regulations

During 2024/25 Council investigated 347 reports of local nuisance and 734 reports of littering under the *Local Nuisance and Litter Control Act 2016* (SA) (the Act). One expiation notice was issued for local nuisance pursuant to Section 18(2) – (person who carries on an activity resulting in a local nuisance) and three expiation notices were issued for Litter pursuant to Section 22(1) – (that a person must not dispose of litter on any land or into any waters). 32 Local Nuisance Exemptions were issued under Section 19 of the Act. Two Nuisance Abatement Notices were issued. One Litter Abatement Notice was issued and no civil penalties were negotiated under Section 34 of the Act.

Freedom of Information Applications

Types of requests made under the *Freedom of Information Act 1991* (SA)	Number
New applications	24
Applications brought forward from previous year	1
Access granted in full	2
Access granted in part	10
Access refused (includes records which do not exist)	-
Transferred	4
Closed/withdrawn	6
Undetermined as at 30 June 2025	3
Internal review – decision confirmed	-
Internal review – decision varied	1

The Freedom of Information Statement is available online at cityofadelaide.com.au. Enquiries or requests for information under the *Freedom of Information Act 1991* (SA) should be forwarded to the Freedom of Information Officer, City of Adelaide, GPO Box 2252, Adelaide SA 5001 or FOI@cityofadelaide.com.au

Section 270 Internal Reviews of Council Actions

During 2024/25, the City of Adelaide managed three applications under Section 270 of the *Local Government Act 1999* (SA), for the review of decisions made by the Council, its employees, and persons acting on Council's behalf. The details of these reviews are as follows:

Matter	Outcome
19/08/2024 – Review of the decision regarding damage to a car following a tree branch fall	Decision Affirmed
19/08/2024 – Review of the decision by Council in relation to the Boer War Memorial	Ongoing – not yet resolved
13/12/2024 – Review of a decision regarding Pay by Plate metered parking system	Ongoing – not yet resolved
01/03/2025 – Review of a decision regarding "prescribed works" under section 29(6) of the *Strata Titles Act 1968* (SA)	Not Accepted

Attachment A

Registers

Council is legislatively required to maintain a list of registers, as articulated in the table below:

Register	Access
Members Register of Allowances and Benefits	Available online – Council Member allowances and benefits | City of Adelaide
Members Register of Training and Development	Available on page 28
Members Register of Gifts and Benefits	Available online – Council Member gifts and benefits | City of Adelaide
Members Register of Interests	Available online – Register of interests | City of Adelaide
Officers Register of Remuneration, Salaries and Benefits	Available online – Register of salaries | City of Adelaide
Officers Register of Gifts and Benefits	Available online – Employee gifts and benefits register | City of Adelaide
Register of Community Land	Available online – Adelaide Park Lands Community Land Register
Register of Public Roads	Available online – City of Adelaide - Public Road Register
By-Laws and Certified Copies	Available online –City of Adelaide By-laws | City of Adelaide
Register of Delegations	Available online – Delegations register | City of Adelaide
Campaign Donations and Expenses Returns	Available online – ecsa.sa.gov.au
Officers Register of Interests	Available upon request
Register of building upgrade agreements	Available upon request

Council also provides in this section the legislatively required information on:

- Members Register of Gifts and Hospitality
- Remuneration amounts per the Council Committee or Subsidiary
- Lord Mayor and Council Members Credit Card Transactions
- Overseas and Interstate Travel Activities for Council Members
- Community Land and Council Facilities
- Confidentiality Provisions

Members Register of Allowances

Council Member allowances were set by the Remuneration Tribunal in its Determination 7 of 2018 and adjusted in accordance with provisions set out in the *City of Adelaide Act 1998* (SA). Allowances are set annually and are paid to Council Members on a monthly basis. There is a base allowance for the Lord Mayor and Councillors, and a higher allowance for Councillors appointed to the position of Chair of a Committee and for the role of Deputy Lord Mayor. The table on page 29 outlines the additional remuneration amounts for the membership/attendance for committee meetings. Panel meetings and Subsidiary board positions, which are included in the figures below.

Council Member	Allowance received for 2024-2025
Lord Mayor Dr Jane Lomax-Smith AM	$223,289.59
Councillor Keiran Snape (Deputy Lord Mayor from 1 July 2024 – 11 January 2025)	$46,383.74
Councillor Philip Martin (Deputy Lord Mayor from 14 May 2025)	$39,935.08
Councillor Arman Abrahimzadeh OAM	$32,103.26
Councillor Janet Giles	$36,794.27
Councillor Mary Couros	$31,003.26
Councillor Carmel Noon	$39,088.02
Councillor Simon Hou	$25,777.10
Councillor David Elliott (Deputy Lord Mayor from 12 January 2025 – 11 April 2025)	$34,581.62
Councillor Jing Li	$25,777.10
Councillor Henry Davis	$31,003.26
Councillor Dr Mark Siebentritt	$38,754.08
TOTAL	**$604,490.38**

Members Register of Training and Development

Section 80A of the *Local Government Act 1999* (SA) *and Regulation 8AA* of the *Local Government (General) Regulations 2013* (SA) (the General Regulations), sets out the legal requirements for training and development for Council Members. In addition to the mandatory training required under legislation, Council Members undertake training based on Council business and their own professional development requirements.

Council Member	Training
Simon Hou	University of Adelaide – MBA (contribution to course fees)
David Elliott	LGA Deputy Mayor's Forum 2025
Dr Jane Lomax-Smith	LGA Mayor's Forum 2024
Dr Jane Lomax-Smith, Janet Giles, Philip Martin, Dr Mark Siebentritt *(offered to all Council Members)*	Social Media Training
Philip Martin, Carmel Noon	Commonwealth Club – A Crisis in Leadership, Martin Hamilton-Smith
Philip Martin	Commonwealth Club – One Curious Doctor, Milton Koppe MBBS
Philip Martin	Commonwealth Club – Life of a Diplomat, Mr Rod Bunten

Members Register of Gifts and Hospitality

In accordance with Regulation 35(2), *Local Government (General) Regulations 2013(e)* the City of Adelaide is required to provide a summary of the details, including the cost, of any gifts and hospitality equal to or above the value of $50 provided to Council Members during the relevant financial year funded in whole or in part by the council.

Gifts and Hospitality	Value
Meals and catering for members post Council and Committee meetings	$8,514.16
TOTAL	**$8,514.16**

Renumeration Amounts Per Council Committee or Subsidiary

Committee/Subsidiary	Role	Allowance
City Community Services and Culture Committee	Chair, Councillor Giles to 31 March 2025, Councillor Snape from 1 April 2025	$633.02 per month, from 1 July 2024 to 11 November 2024 $653.27 per month, in addition to the Council Allowance, from 12 November 2024
City Finance and Governance Committee	Chair, Councillor Siebentritt	$633.02 per month, from 1 July 2024 to 11 November 2024 $653.27 per month, in addition to the Council Allowance, from 12 November 2024
City Planning, Development and Business Affairs Committee	Chair, Councillor Noon to 11 April 2025, position vacant from 12 April to 12 May 2025, Councillor Martin from 13 May 2025	$633.02 per month, from 1 July 2024 to 11 November 2024 $653.27 per month, in addition to the Council Allowance, from 12 November 2024
Infrastructure and Public Works Committee	Chair, Councillor Elliott to 11 April 2025, position vacant from 12 April to 12 May 2025, Councillor Martin from 13 May 2025	$633.02 per month, from 1 July 2024 to 11 November 2024 $653.27 per month, in addition to the Council Allowance, from 12 November 2024
Audit and Risk Committee	Chair	$600.00 per meeting; $100 when required to attend Council or Committee meetings
	Independent Members	$500.00 per meeting
	Council Members	$Nil
CEO Performance Review Panel	Chair	$Nil
	Deputy Chair	$Nil
	Independent Members	$500.00 per meeting
	Council Member	$Nil
Chief Executive Officer Selection Panel	Chair	$Nil
	Independent Members	$500.00 per meeting
	Council Member	$Nil
Reconciliation Committee	Dual Chair	$650.00 per meeting
	Committee Member	$550.00 per meeting
	Council Member	$Nil
Kadaltilla/Adelaide Park Lands Authority	All Members	$82.72 per hour + $249.08 meeting preparation fee per meeting
Adelaide Central Market Authority	Chair	$25,750 per annum
	Board Member	$15,450 per annum
	Council Member	$15,450 per annum
Adelaide Economic Development Agency	Chair	$25,000.00 annually
	Deputy Chair	$1,150.00 per meeting
	Board Member	$950.00 per meeting
	Council Member	$950.00 per meeting
Council Assessment Panel	Chair	$650.00 per meeting
	Independent Member	$550.00 per meeting
	Deputy Independent Member	$550.00 per meeting (only if attendance required)
	Council Member	$550.00 per meeting
	Deputy Council Member	$550.00 per meeting (only if attendance required)

Meeting fees are only paid if attended is recorded for the meeting.

Lord Mayor and Council Members Credit Card Transactions

In accordance with the *Local Government Act 1999* (SA) and Regulation 35(2) of the *Local Government (General) Regulations 2013* (SA), the expenditure incurred from 1 July 2024 to 30 June 2025 on credit cards by Council Members was $0. The Lord Mayor and Council Members do not have delegation to receive credit cards.

Overseas and Interstate Travel Activities for Council Members

Under Regulation 35(2) of the *Local Government (General) Regulations 2013*, the City of Adelaide is required to provide details, including the cost, of any interstate and international travel, excluding prescribed interstate travel, undertaken by members of the council during the relevant financial year funded in whole or in part by the council. Cost of travel includes accommodation costs and other costs and expenses associated with the travel.

The table below shows the Overseas and Interstate Activities for Council Members:

Date	Council Member	Description	Value
July 2024	Dr Jane Lomax-Smith, Lord Mayor	Council of Capital City Lord Mayors Meeting – Darwin	$2,346.50
July 2024	Councillor Janet Giles	Representing City of Adelaide at the Australian Local Government Association National General Assembly 2024 – Accommodation	$756.00
August 2024	Dr Jane Lomax-Smith, Lord Mayor	Penang Sister City Outbound Delegation	$3,553.86
February 2025	Dr Jane Lomax-Smith, Lord Mayor	Night Time Economy Meeting – Melbourne	$204.17
March 2025	Councillor Janet Giles	Representing City of Adelaide at the Australian Local Government Association National General Assembly 2025 – Flights	$1,146.86
TOTAL			**$8,007.39**

Community Land and Council Facilities

Under the *Local Government Act 1999* (SA), Council is required to appropriately manage its property and infrastructure assets. The City of Adelaide primarily does so through Community Land Management Plans (CLMP) and Asset Management Plans and coordinates these efforts through infrastructure, facilities management, property management and policy coordination.

In 2024/25, the City of Adelaide continued to undertake a review and seek community input into key strategic and legislatively required documents for community land and assets, including:

- Community Land Management Plan - Adelaide Central Market, Adelaide Town Hall Complex, Community (Social) Housing, Gawler Place Car Park and Parc Arcade, North Adelaide Library and North Adelaide Community Centre, North Adelaide Post Office Complex
- Adelaide Park Lands Community Buildings (Sport and Recreation) Policy and Investment Plan
- Adelaide Park Lands Management Strategy - Towards 2036

Planning, expenditure and works to be undertaken in the public realm were considered through the development of the Annual Business Plan and Budget process. A range of activities in the public realm were also engaged on throughout the year:

- Community Facilities Policy
- Gouger Street Main Street Revitalisation
- Hutt Street Main Street Revitalisation
- Light Square Masterplan Design
- O'Connell Street Main Street Revitalisation
- Park Lands Community Buildings Policy
- Street tree planting

All local government land (except roads) that is owned by a council or under a council's care, control and management, is classified as community land, unless the council resolves to exclude the land from classification as community land. The City of Adelaide keeps a record of all CLMPs and a Community Land Register for the Adelaide Park Lands online at cityofadelaide.com.au

Confidentiality Provisions

Section 90(2) of the *Local Government Act 1999* (SA) (the Act) enables a meeting of Council or a committee to determine an order that the public be excluded from attendance at so much of a meeting as is necessary to receive and discuss, or consider in confidence, any information or matter as prescribed in Section 90(3) of the Act, this is an "Order to exclude".

Section 91(7) of the Act enables a meeting of Council, or a committee, having considered a matter on a confidential basis to determine an order that the document of part be kept confidential; these are "Confidentiality orders".

Section 13(2) of the *Planning, Development & Infrastructure (General) Regulations 2017* (PDI Regs) enables a meeting of the Council Assessment Panel committee to determine an order that the public be excluded from attendance at so much of a meeting as is necessary to receive and discuss, or consider in confidence, any information or matter as prescribed in Section 13(2) of the PDI Regs.

The table below identifies the total number of these provisions being used in 2024/25:

Meeting	Section 90(2) Order to Exclude	Section 91(7) Confidentiality Order	Section 13 (2) PDI Regs
Council	39	39	-
City Finance & Governance Committee	8	8	-
City Planning, Development & Business Affairs Committee	8	8	-
Audit & Risk Committee	6	6	-
Infrastructure & Public Works Committee	3	3	-
City Community Services & Culture Committee	3	3	-
CEO Performance Review Committee	1	1	-
Reconciliation Committee	1	1	-
Kadaltilla/Adelaide Park Lands Authority	1	1	-
Council Assessment Panel	-	-	1
TOTAL	**70**	**70**	**1**

Availability of Items held in Confidence 2024/25	Number
Items Retained in Confidence	34
Items Revoked in Full	15
Items Revoked in Part/Retained in Part	22
TOTAL	**71**

The table below identifies the number of times a provision under Section 90(3) of the *Local Government Act 1999* (SA) was utilised to exclude the public:

Provision	Number
(a) Information, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)	11
(b) Information, the disclosure of which (i) Could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and (ii) would, on balance, be contrary to the public interest	4
(c) Information, the disclosure of which would reveal a trade secret	-
(d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and (ii) would, on balance, be contrary to the public interest	5
(e) Matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person	1
(f) Information, the disclosure of which, could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial	-
(g) Matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty	1
(h) Legal advice	-
(i) Information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of the Council	6
(j) Information, the disclosure of which would (i) divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council), and (ii) would on balance, be contrary to the public interest	6
(k) Tenders for the supply of goods, the provision of services or the carrying out of works	1
(m) Information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the *Planning, Development and Infrastructure Act 2016* before the draft instrument or amendment is released for public consultation under that Act;	7
(n) Information relevant to the review of a determination of a Council under the *Freedom of Information Act 1991*	-
(o) Information relating to a proposed award recipient before the presentation of the award	2
(b) & (d) Combination of provisions above	20
(b), (d) & (j) Combination of provisions above	2
(b), (d) & (m) Combination of provisions above	1
(g) & (j) Combination of provisions above	4
TOTAL	**71**

Use of these provisions is provided in the following tables including where any remain operative in part or in full, dated from 15 November 2010 to 30 June 2025.

Provisions utilised from 1 July 2024 to 30 June 2025				
Date	**Meeting**	**Order to Exclude**	**Confidentiality**	**Availability**
9/07/2024	Council	Harvest Rock III Update – Item 21.1 Section 90(3) (d)	*	Revoked
16/07/2024	City Finance and Governance Committee	Capital City Committee Update – Item 10.1 Section 90(3) (j) (g)	*	Revoked in part/ Retained in part
16/07/2024	Council	Harvest Rock 2024 – Item 5.1 Section 90(3) (d)	*	Revoked
23/07/2024	Council	Confidential Recommendation of the City Finance and Governance Committee – 16 July 2024 – Item 21 Section 90(3) (j) (g)	*	Revoked in part/ Retained in part
13/08/2024	Council	Appointment of Adelaide Economic Development Agency Board Member – Item 21 Section 90(3) (a)	*	Revoked
27/08/2024	City Finance and Governance Committee	Delegation to Award Contract – Item 10.1 Section 90(3) (b) (d)	*	Retained
27/08/2024	Council	Confidential Recommendation of the City Finance and Governance Committee - 27 August 2024 – Item 23 Section 90(3) (b) (d)	*	Retained
3/09/2024	City Community Services and Culture Committee	Adelaide Park Lands Community Buildings (Sport and Recreation) Policy and Investment Plan – Item 10.1 Section 90(3) (b)	*	Revoked in part/ Retain in part
3/09/2024	City Planning Development and Business Affairs Committee	Code Amendment – Historic Area Statement Update – Item 10.1 Section 90(3) (m)	*	Revoked
10/09/2024	Council	Confidential Recommendation of the City Community Services and Culture Committee – 3 September 2024 – Item 21 Section 90(3) (b)	*	Revoked
10/09/2024	Council	Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 3 September 2024 – Item 22 Section 90(3) (m)	*	Revoked in part/ Retain in part
17/09/2024	City Finance and Governance Committee	Capital City Committee Update – Item 10.1 Section 90(3) (g) (j)	*	Revoked in part/ Retained in part
24/09/2024	Council	Confidential Recommendation of the City Finance and Governance Committee – 17 September 2024 – Item 23 Section 90(3) (g) (j)	*	Revoked in part/ Retained in part
27/09/2024	Audit and Risk Committee	Confidential Meeting with External Auditors – Item 7.1 Section 90(3) (b)	*	Revoked in part/ Retained in part
27/09/2024	Audit and Risk Committee	Confidential Meeting with Internal Auditors – Item 7.2 Section 90(3) (b)	*	Revoked in part/ Retained in part
8/10/2024	Council	Civic recognition – Item 23.1 Section 90(3) (a)	*	Retained
15/10/2024	City Finance and Governance Committee	Delegation to Award Contract - Electric Vehicle (EV) Charging Station Network – Item 10.1 Section 90(3) (b) (d)	*	Retained

*Same as order to exclude

Provisions utilised from 1 July 2024 to 30 June 2025				
Date	**Meeting**	**Order to Exclude**	**Confidentiality**	**Availability**
15/10/2024	City Finance and Governance Committee	Delegation to Award Contract – Item 10.2 Section 90(3) (b) (d)	*	Retained
22/10/2024	Council	Delegation to Award Contract - Electric Vehicle (EV) Charging Station Network – Item 21 Section 90(3) (b) (d)	*	Retained
22/10/2024	Council	Leasing Matter Rundle Street – Item 22.1 Section 90(3) (b) (d)	*	Retained
5/11/2024	City Planning Development and Business Affairs Committee	Proposal to Initiate Waste Code Amendment – Item 10.1 Section 90(3) (m)	*	Revoked
5/11/2024	City Planning Development and Business Affairs Committee	City of Adelaide Property Strategy – Item 10.2 Section 90(3) (b) (d)	*	Retained
8/11/2024	Audit and Risk Committee	Strategic Risk & Internal Audit Update – Item 11.1 Section 90(3) (i)	*	Revoked in part/ Retained in part
12/11/2024	Council	Confidential Recommendations of the City Planning, Development and Business Affairs Committee – Item 22 Section 90(3) (b) (d) (m)	*	Revoked in part/ Retained in part
12/11/2024	Council	Adelaide Central Market Authority Appointment of Board Members – Item 23.1 Section 90(3) (a)	*	Revoked
26/11/2024	Council	Confidential Audit and Risk Committee Report - 8 November 2024 – Item 22 Section 90(3) (i)	*	Revoked in part/ Retained in part
26/11/2024	Council	Appointment of Adelaide Economic Development Agency Board Member – Item 23.1 Section 90(3) (a)	*	Revoked
10/12/2024	Council	Leasing Matter – Item 24.1 Section 90(3) (i)	*	Retained
10/12/2024	Council	Adelaide Aquatic Centre Redevelopment Update – Item 24.2 Section 90(3) (b) (d) (j)	*	Retained
3/12/2024	City Community Services and Culture Committee	Citizen of the Year Awards – Item 7.1 Section 90(3) (o)	*	Revoked
10/12/2024	Council	Confidential Recommendation of the City Community Services and Culture Committee - 3 December 2024 – Item 23 Section 90(3) (o)	*	Revoked
10/12/2024	Council	Leasing Matter – Item 24.1 Section 90(3) (i)	*	Retained
10/12/2024	Council	Adelaide Aquatic Centre Redevelopment Update – Item 24.2 Section 90(3) (b) (d) (j)	*	Revoked
28/01/2025	Council	Delegation to Award Contract – Item 20.2 Section 90(3) (b) (d)	*	Retained
28/01/2025	Council	Capital City Committee Annual Report and Update – Item 20.1 Section 90(3) (g)	*	Revoked in part/ Retained in part
29/01/2025	Council Assessment Panel	108 Gilbert Street Adelaide – Item 8.1 Section 13(2) (a) (xi)	*	Revoked

*Same as order to exclude

Provisions utilised from 1 July 2024 to 30 June 2025				
Date	**Meeting**	**Order to Exclude**	**Confidentiality**	**Availability**
25/02/2025	Council	Park Lands Licence Request – Item 21.1 section 90(3) (j)	*	Revoked
25/02/2025	Council	Update from Lord Mayor – Verbal – Item 21.2 Section 90(3) (j)	*	Revoked in part/ Retained in part
4/03/2025	City Planning Development and Business Affairs Committee	Confidential Workshop: New Historic Areas in City Living Zone Section 90(3) (m)	*	Retained
5/03/2025	Reconciliation Committee	Statues Commemorating South Australian Aboriginal Leaders Proposal – Item 9.1 Section 90(3) (j)	*	Retained
11/03/2025	Council	Capital City Committee Update – Item 25.1 Section 90(3) (j)	*	Revoked in part/ Retained in part
18/03/2025	Infrastructure and Public Works Committee	Confidential Workshop – Library Services Section 90(3) (b) (d)	*	Retained
27/03/2025	Kadaltilla	Statues Commemorating South Australian Aboriginal Leaders Proposal – Item 10.1 Section 90(3) (j)	*	Retained
1/04/2025	City Community Services and Culture Committee	Arts and Culture Music Festival 2025, Bartels Road Closure – Item 10.1 Section 90(3) (d)	*	Revoked in part/ Retain in part
1/04/2025	City Planning Development and Business Affairs Committee	New Historic Areas (City Living Zone) Code Amendment Proposal to Initiate – Item 10.1 Section 90(3) (m)	*	Retained
8/04/2025	Council	Confidential Recommendation of the City Community Services and Culture Committee – 1 April 2025 – Item 21 Section 90(3) (d)	*	Revoked in part/ Retain in part
8/04/2025	Council	Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 1 April 2025 – Item 22 Section 90(3) (m)	*	Retained
11/04/2025	Audit and Risk Committee	Strategic Risk and Internal Audit Update – Item 12.1 Section 90(3) (i)	*	Revoked in part/ Retain in part
15/04/2025	Infrastructure and Public Works Committee	Assignment of Lease and Sublease – Item 10.1 Section 90(3) (b) (d)	*	Retained
22/04/2025	Council	Confidential Audit and Risk Committee Report – 11 April 2025 – Item 22 Section 90(3) (i)	*	Revoked in part/ Retain in part
22/04/2025	Council	Confidential Recommendation of the Infrastructure and Public Works Committee – 15 April 2024 – Item 23 Section 90(3) (b) (d)	*	Retained
6/05/2025	City Planning Development and Business Affairs Committee	Strategic Property Matter – Rundle Street Upark – Item 10.1 Section 90(3) (b) (d)	*	Retained
13/05/2025	Council	Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 6 April 2025 – Item 23 Section 90(3) (b) (d)	*	Retained
13/05/2025	Council	Confidential Complaint – Item 24.1 Section 90(3) (a)	*	Retained

*Same as order to exclude

Provisions utilised from 1 July 2024 to 30 June 2025				
Date	**Meeting**	**Order to Exclude**	**Confidentiality**	**Availability**
20/05/2025	City Finance and Governance Committee	Delegation to Award Contract (Traffic Signals Maintenance) – Item 10.1 Section 90(3) (b) (d)	*	Retained
20/05/2025	Infrastructure and Public Works Committee	Library Lease Update – Item 10.1 Section 90(3) (d)	*	Retained
27/05/2025	Council	Confidential Recommendation of the Infrastructure and Public Works Committee - 20 May 2025 – Item 23 Section 90(3) (b) (d)	*	Retained
27/05/2025	Council	Confidential Recommendations of the City Finance and Governance Committee - 20 May 2025 – Item 24 Section 90(3) (b) (d)	*	Retained
27/05/2025	Council	Adelaide Central Market Authority Appointment of Board Members – Item 25.1 Section 90(3) (a)	*	Revoked
27/05/2025	Council	Adelaide Economic Development Agency Appointment of Board Members – Item 25.2 Section 90(3) (a)	*	Revoked
2/06/2025	CEO Performance Review Panel	2024/25 Q3 KPI Progress Report – Item 4.1 Section 90(3) (a)	*	Retained
3/06/2025	City Planning Development and Business Affairs Committee	20th Century Local Heritage Listing Code Amendment – Item 10.1 Section 90(3) (m)	*	Retained
3/06/2025	City Planning Development and Business Affairs Committee	Leasing Matter – Sydney Place – Item 11.1 Section 90(3) (b) (d)	*	Revoked in part/ Retain in part
10/06/2025	City Finance and Governance Committee	Precinct Review – Item 10.2 Section 90(3) (a)	*	Retained
10/06/2025	Council	Confidential Recommendation of the City Planning, Development and Business Affairs Committee – 3 June 2025 – Item 24 Section 90(3) (b) (d)	*	Revoked in part/ Retain in part
10/06/2025	Council	Capital City Committee Update – Item 25.1 Section 90(3) (j)	*	Revoked in part/ Retain in part
13/06/2025	Audit and Risk Committee	Confidential - Payment Card Industry (PCI) Compliance Review – Item 11.11 Section 90(3) (e)	*	Retained
13/06/2025	Audit and Risk Committee	Confidential - Appointment of Internal Auditor – Item 11.2 Section 90(3) (k)	*	Revoked in part/ Retain in part
24/06/2025	City Finance and Governance Committee	Delegation to Award Contract (Legal Services Panel) – Item 10.1 Section 90(3) (b) (d)	*	Retained
24/06/2025	Council	Confidential Recommendation of the Reconvened City Finance and Governance Committee – 10 June 2025 – Item 22 Section 90(3) (a)	*	Retained
24/06/2025	Council	Confidential Recommendation of the Reconvened City Finance and Governance Committee – 24 June 2025 – Item 22 Section 90(3) (b) (d)	*	Retained

*Same as order to exclude

Previous orders still in operation		
Date		**Subject matter and basis**
Operative Confidentiality Orders 2010/2011		
1	19/01/2011	India Pty Ltd – Legal Dispute [s90(3) (b), (d), (h) & (i)]
2	31/01/2011	India Pty Ltd – Legal Dispute [s90(3) (b), (d), (h) & (i)]
3	15/03/2011	India Pty Ltd Legal Dispute [s90(3) (b), (d), (h) & (i)]
Operative Confidentiality Orders 2011/2012		
1	26/07/2011	City Development & Sustainability Committee Meeting Recommendation - Balfours Bus Station Redevelopment Project Progress Report [s90(3) (b) & (d)]
2	6/12/2011	Balfours Update [s90(3) (b) & (d)]
3	20/12/2011	City Development & Sustainability Committee Meeting Recommendation - Balfours Update [s90(3) (b) & (d)]
4	14/02/2012	Balfours Update [s90(3) (b) & (d)]
5	21/03/2012	Structure Planning and Development Policy [s90(3) (j)]
6	27/03/2012	Appointment of Board Members for the Adelaide Central Market Authority [s90(3) (a)]
7	1/05/2012	Development Policy Considerations [s90(3) (m)]
8	8/05/2012	Waste Management Service Obligations [s90(3) (h)]
9	22/05/2012	Community Services, Events & Facilities Committee Meeting Recommendation - Waste Management Service Obligations [s90(3) (h)]
10	5/06/2012	Shop WR7 – Adelaide Central Market [s90(3) (b) & (d)]
11	5/06/2012	Shop WR7 - Adelaide Central Market [Item 6] [s90(3) (b) & (d)]
12	26/06/2012	Balfours / Bus Station Site Update – Re-presented from City Development & Sustainability Committee 5 June 2012 [s90(3) (b) & (d)]
Operative Confidentiality Orders 2012/2013		
1	18/09/2012	Appointment of Chair for the Rundle Mall Management Authority [s90(3) (a)]
2	16/10/2012	Appointment of Board Members for the Rundle Mall Management Authority [s90(3) (a)]
3	23/10/2012	Appointment of Board Members for the Rundle Mall Management Authority [s90(3) (a)]
4	23/01/2013	To close and transfer Fenn Place to University of South Australia and to close the northern portion of Fenn Place to traffic [s90(3) (h)]
5	29/01/2013	City Infrastructure & Public Works Committee Meeting Recommendation - To close and transfer Fenn Place to University of South Australia and to close the northern portion of Fenn Place to traffic [s90(3) (b) & (h)]
6	16/04/2013	Urgent Business – Confidential Report Tabled by the Lord Mayor – Presiding Members Report – Capital City Committee Update [s90(3) (j)]
Operative Confidentiality Orders 2013/2014		
1	9/07/2013	Confidential Report tabled by the Lord Mayor – Capital City Committee [s90(3) (j)]
2	20/08/2013	Determination of the Issues for Resolution – 17-19 Gawler Place, Adelaide City Council [s90(3) (d), (h) & (i)]
3	27/08/2013	City Infrastructure & Public Works Committee Meeting Recommendation - Determination of the Issues for Resolution – 17-19 Gawler Place, Adelaide City Council [s90(3) (d), (h) & (i)]
4	12/11/2013	Capital City Committee [s90(3) (j)]
5	21/01/2014	Lease Agreement for 165-171 Rundle Street, Adelaide [s90(3) (b) & (d)]
6	28/01/2014	City Infrastructure & Public Works Committee Meeting Recommendation – Lease Agreement for 165-171 Rundle Street, Adelaide [s90(3) (b) & (d)]
7	18/03/2014	Assignment of Lease 86 Grote Street, Adelaide [s90(3) (b) & (d)]
8	18/03/2014	Leasing Arrangements – 235 Hutt Street, Adelaide – Hutt Street Library [s90(3) (b) & (d)]
9	15/04/2014	Capital City Committee [s90(3) (j)]
10	22/04/2014	Lease Agreement for a Stall in the Adelaide Central Market [s90(3) (b) & (d)]
11	20/05/2014	Capital City Committee Update [s90(3) (j)]
Operative Confidentiality Orders 2014/2015		
1	15/07/2014	Franklin Street Site Activation [s90(3) (b) & (d)]

Previous orders still in operation		
Date		**Subject matter and basis**
2	22/07/2014	Confidential Report – Capital City Committee Update [s90(3) (j)]
3	5/08/2014	Balfours Update [s90(3) (b) & (d)]
4	12/08/2014	City Planning and Development Committee Recommendation - Balfours Update [s90(3) (b) & (d)]
5	19/08/2014	Lease Agreement for 110 Pirie Street, Adelaide [s90(3) (b) & (d)]
6	26/08/2014	Capital City Committee Update [s90(3) (j)]
7	2/09/2014	Property Investigation [s90(3) (d)]
8	9/09/2014	City Planning & Development Committee Recommendation – Property Investigation - Dunn Street Car Park Investigation [s90(3) (b) & (d)]
9	16/09/2014	Out of Session Information Papers to Note – Attachment 1 – Legal Advice - Clipsal and trade during event [s90(3) (h)]
10	23/09/2014	Confidential Report tabled by the Lord Mayor – Capital City Committee Update [s90(3) (j)]
11	25/09/2014	Construction of the Convention Centre - Stage 2 – lease for works compound [s90(3) (b) & (d)]
12	14/10/2014	Adelaide Park Lands Authority Advice - Construction of the Convention Centre - Stage 2 – lease for works compound [s90(3) (b) & (d)]
13	21/10/2014	Out of Session Information Papers to Note – Education Adelaide - Lease Proposal [s90(3) (d)]
14	16/12/2014	Tabled Presiding Member's Report – Property Purchase Opportunity [s90(3) (b)]
15	20/01/2015	Audit Committee Appointment of Independent Members [s90(3) (a)]
16	10/02/2015	Capital City Committee [s90(3) (j)]
17	7/04/2015	Confidential Report of the ACEO Selection Panel - Process for the Selection and Appointment of ACEO [s90(3) (a)]
18	7/04/2015	Out of Session Information Paper to Note - DAP - Appointment of Independent Members for the Next Term [s90(3) (a)]
19	28/04/2015	Commercial Property Investigation [s90(3) (d)]
20	9/06/2015	Property Lease Registers [s90(3) (b) & (d)]
Operative Confidentiality Orders 2015/2016		
1	21/07/2015	Amendment to Adshel Advertising Contract [s90(3) (b) & (d)]
2	28/07/2015	FBS Ctee Recommendation - Amendment to Adshel Advertising Contract [s90(3) (b) & (d)]
3	18/08/2015	Public Art Round Table - Interim Composition [s90(3) (a)]
4	1/09/2015	Lease Agreement for Hungry Jacks [s90(3) (b) & (d)]
5	7/09/2015	IPS Committee recommendation - Lease Agreement for Hungry Jacks [s90(3) (b) & (d)]
6	15/09/2015	Capital City Committee Update [s90(3) (j)]
7	3/11/2015	Telstra Lease Agreement [s90(3) (b) & (d)]
8	10/11/2015	IPS Ctee Recommendation - Telstra Lease Agreement [s90(3) (b) & (d)]
9	15/03/2016	Central Market Arcade Redevelopment [s90(3) (b)]
10	22/03/2016	FBS Committee Recommendation - Central Market Arcade Redevelopment [s90(3) (b)]
11	26/04/2016	FBS Committee Recommendation - Options for the Community Land at 159-161 O'Connell Street, North Adelaide [s90(3) (b) & (d)]
12	10/05/2016	Capital City Committee Update [s90(3) (g)]
13	17/05/2016	Confidential Workshop Adelaide Town Hall Business Operations [s90(3) (b) & (d)]
14	14/06/2016	Capital City Committee Update [s90(3) (g)]
Operative Confidentiality Orders 2016/2017		
1	20/09/2016	Central Market Arcade Interim Leasing and Management [s90(3) (b) & (d)]
2	27/09/2016	Progress on Confidential Motions by Elected Members [s90(3) (b) & (d)]
3	27/09/2016	FBS Committee Recommendations - Central Market Arcade Interim Leasing and Management [s90(3) (d) & (j)]

Previous orders still in operation		
Date		**Subject matter and basis**
4	18/10/2016	Review of Off-Street Parking Initiatives [s90(3) (b) & (d)]
5	18/10/2016	Town Hall Cafe [s90(3) (d) & (i)]
6	25/10/2016	Capital City Committee Update [s90(3) (g)]
7	25/11/2016	Update on Activites of the Strategic Risk & Internal Audit Group Meetings [s90(3) (i)]
8	29/11/2016	Legal Matter [s90(3) (a), (h) & (i)]
9	29/11/2016	Advice of the Adelaide City Council Audit Committee meeting held in confidence on 25 November 2016 [s90(3) (d) & (i)]
10	12/12/2016	Strategic Property Investigations [s90(3) (b) & (d)]
11	13/12/2016	Capital City Committee Update [s90(3) (g)]
12	31/01/2017	Assignment of Lease - 110 Pirie Street [s90(3) (b) & (d)]
13	28/02/2017	Lease Renewal Star Car Park [s90(3) (d)]
14	14/03/2017	Capital City Committee Update [s90(3) (g)]
15	15/03/2017	Update on Activities of the Strategic Risk & Internal Audit Group [s90(3) (i)]
16	28/03/2017	Lease - Town Hall Court Yard [s90(3) (d)]
17	28/03/2017	Audit Committee Report - 15/3/2017 [s90(3) (i)]
18	21/04/2017	Approach to Managing Vexatious Activity [s90(3) (a) & (h)]
19	21/04/2017	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
20	26/04/2017	Councillor Martin - Question on Notice - Capital City Committee [s90(3) (g)]
21	16/05/2017	Lease Vodafone Rundle Street [s90(3) (d)]
22	27/06/2017	Prudential Issues Report - Bikeways Project [s90(3) (b)]
23	27/06/2017	Capital City Committee Update [s90(3) (g)]
Operative Confidentiality Orders 2017/2018		
1	15/08/2017	Electric Vehicle Charging Stations - Off-street [s90(3) (b), (d) & (j)]
2	18/08/2017	Leasing Review - Council Property [s90(3) (i)]
3	18/08/2017	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
4	22/08/2017	Electric Vehicle Charging Stations - Off-street [s90(3) (b), (d) & (j)]
5	22/08/2017	Legal Matter [s90(3) (h) & (i)]
6	22/08/2017	Quarterly Open Confidential Council Decision Update [s90(3) (g)]
7	22/08/2017	Advice of the Adelaide City Council Audit Committee - 18 August 2017 [s90(3) (i)]
8	5/09/2017	O-Bahn City Access Project - Bus Stop Changes [s90(3) (j)]
9	19/09/2017	Ten Gigabit Adelaide Update [s90(3) (d)]
10	26/09/2017	Progress of Confidential Motions by Elected Members [s90(3) (b) & (d)]
11	5/10/2017	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
12	10/10/2017	Audit Committee Report - 5 October 2017 [s90(3) (d) & (i)]
13	10/10/2017	Capital City Committee Update [s90(3) (g)]
14	24/10/2017	Progress of Confidential Motions by Elected Members [s90(3) (b) & (d)]
15	24/10/2017	Strategic Property Matter [s90(3) (d)]
16	25/10/2017	Ten Gigabit Adelaide Update [s90(3) (d)]
17	1/11/2017	Ten Gigabit Adelaide Update [s90(3) (d)]
18	28/11/2017	Strategic Property Investigation [s90(3) (b) & (d)]
19	28/11/2017	Ten Gigabit Adelaide Update [s90(3) (d)]
20	28/11/2017	Quarterly Open Confidential Council Decision Update [s90(3) (g)]
21	5/12/2017	Ten Gigabit Adelaide Project [s90(3) (d)]
22	30/01/2018	Legal Matter [s90(3) (h) & (i)]

Previous orders still in operation		
Date		**Subject matter and basis**
23	6/02/2018	Transport Matter [s90(3) (b) & (d)]
24	6/02/2018	City Safety Briefing [s90(3) (e) & (g)]
25	20/02/2018	Central Market Arcade Redevelopment Retail Study [s90(3) (b) & (d)]
26	20/02/2018	Strategic Property Investigation [s90(3) (b) & (d)]
27	23/02/2018	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
28	27/02/2018	Quarterly Open Confidential Council Decision Update [s90(3) (g)]
29	27/02/2018	Audit Committee Report – 23/2/2018 [s90(3) (i)]
30	6/03/2018	Confidential CEO Update – Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
31	13/03/2018	Central Market Arcade Redevelopment Retail Study [s90(3) (b) & (d)]
32	13/03/2018	Strategic Property Matter [s90(3) (d)]
33	20/03/2018	Strategic Partnership Opportunity [s90(3) (b) & (d)]
34	20/03/2018	Strategic Review of UPark – Part 1 [s90(3) (b) & (d)]
35	27/03/2018	Delegation of Authority – Award of Contract – Market to Riverbank Stage 2 [s90(3) (b)]
36	27/03/2018	Strategic Property Matter [s90(3) (d)]
37	3/04/2018	Strategic Procurement Matter [s90(3) (b)]
38	17/04/2018	CEO Update [s90(3) (g)]
39	20/04/2018	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
40	24/04/2018	Adelaide City Council Audit Committee - 20/4/2018 [s90(3) (d) & (i)]
41	24/04/2018	Strategic Procurement Matter [s90(3) (b)]
42	24/04/2018	Lease Rundle Street [s90(3) (d)]
43	1/05/2018	Central Market Arcade Redevelopment [s90(3) (b) & (d)]
44	22/05/2018	UPark Business Initiative Update [s90(3) (b) & (d)]
45	22/05/2018	Quarterly Confidential Council Decision Update [s90(3) (g)]
46	24/05/2018	Tennis SA Landlord Consent [s90(3) (b), (d) & (h)]
47	5/06/2018	Event Request [s90(3) (d), (h) & (j)]
48	12/06/2018	APLA Advice - 24/5/2018 [s90(3) (b), (d) & (h)]
49	12/06/2018	Tennis SA Leasing Matters [s90(3) (b), (d) & (h)]
50	12/06/2018	Open Space Development Opportunity [s90(3) (b) & (d)]
51	16/06/2018	Strategic Property Matter [s90(3) (b) & (d)]
52	19/06/2018	Golf Course Masterplan [s90(3) (b) & (d)]
53	26/06/2018	Open Space Development Opportunity [s90(3) (b) & (d)]
54	26/06/2018	Strategic Procurement Matter [s90(3) (b)]
Operative Confidentiality Orders 2018/2019		
1	10/07/2018	Open Space Development Opportunity [s90(3) (b) & (d)]
2	19/07/2018	Strategic Property Matter [s90(3) (b) & (d)]
3	24/07/2018	APLA Advice – 19/7/2018 [s90(3) (b) & (d)]
4	24/07/2018	Strategic Property Investigation [s90(3) (b) & (d)]
5	24/07/2018	Draft North Adelaide Golf Course Master Plan for Public Consultation [s90(3) (b)]
6	24/07/2018	Bonython Park EOI Results [s90(3) (d)]
7	7/08/2018	CEO Update - Central Market Arcade Redevelopment [s90(3) (b) & (d)]
8	14/08/2018	Adelaide City Council Audit Committee – 27 July 2018 [s90(3) (b) & (i)]
9	21/08/2018	Strategic Procurement Matter [s90(3) (b)]
10	21/08/2018	Strategic Property Matter [s90(3) (d)]
11	23/08/2018	Torrens Water Licence EOI Results [s90(3) (d)]

Previous orders still in operation		
Date		**Subject matter and basis**
12	28/08/2018	APLA Advice – 23/8/2018 [s90(3) (d)]
13	28/08/2018	Torrens Water Licence EOI Results [s90(3) (d)]
14	28/08/2018	Quarterly Open Confidential Council Decision Update [s90(3) (g)]
15	4/09/2018	Strategic Property Matter [s90(3) (b) & (d)]
16	4/09/2018	CEO Update - Telstra Smart Phone Booths [s90(3) (d) & (h)]
17	11/09/2018	Open Space Development Opportunity [s90(3) (b) & (d)]
18	11/09/2018	Strategic Property Matter [s90(3) (b) & (h)]
19	11/09/2018	CEO Performance Report [s90(3) (a)]
20	11/09/2018	Extension of Licence and Permit Department of Planning, Transport and Infrastructure [s90(3) (d)]
21	11/09/2018	Leasing Matter [s90(3) (d)]
22	20/09/2018	EOI Results for Mary Lee Park (Park 27B) [s90(3) (d)]
23	25/09/2018	Advice 1 – EOI Results for Mary Lee Park (Park 27B) [s90(3) (d)]
24	25/09/2018	EOI Results for Mary Lee Park (Park 27B) [s90(3) (d)]
25	9/10/2018	Capital City Committee Update [s90(3) (g)]
26	18/10/2018	Strategic Licence Request [s90(3) (d) & (d)]
27	23/10/2018	APLA Advice 18/10/2018 [s90(3) (d)]
28	23/10/2018	Strategic Licence Matter [s90(3) (d)]
29	26/10/2018	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
30	27/11/2018	Audit Committee - Special Meeting 26/10/2018 [s90(3) (b), (e) & (i)]
31	11/12/2018	UPark Refurbishment and Façade Remediation Gawler Place - Prudential and Award of Contract Report [s90(3) (b), (d) & (h)]
32	21/01/2019	Various Locations throughout Adelaide and North Adelaide [s90(3) (h)]
33	24/01/2019	Strategic Lease Matter [s90(3) (d)]
34	29/01/2019	Advice of the Adelaide Park Lands Authority in Confidence - Advice 1 to Note – Strategic Lease Matter [s90(3) (d)]
35	29/01/2019	Strategic Lease Matter [s90(3) (d)]
36	4/02/2019	Strategic Property Development [s90(3) (b) & (d)]
37	19/02/2019	Strategic Property Development [s90(3) (b) & (d)]
38	19/02/2019	Strategic Property Matter [s90(3) (d)]
39	22/02/2019	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
40	23/02/2019	Strategic Property Matter [s90(3) (b) & (d)]
41	26/02/2019	Strategic Property Matter [s90(3) (b) & (d)]
42	26/02/2019	Advice/Recommendation of the Audit Committee in Confidence – 22/1/2019 – Advice 1 - Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
43	5/03/2019	City of Music Laneway Naming [s90(3) (a) & (b)]
44	5/03/2019	Strategic Property Matter [s90(3) (b) & (d)]
45	5/03/2019	Funding Submissions [s90(3) (b)]
46	12/03/2019	Strategic Property Matter [s90(3) (g)]
47	12/03/2019	Strategic Property Matter [s90(3) (g)]
48	12/03/2019	City of Music Laneway Naming [s90(3) (g)]
49	19/03/2019	Capital City Committee Update [s90(3) (g)]
50	16/04/2019	Adelaide Town Hall [s90(3) (b) & (d)]
51	3/05/2019	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
52	7/05/2019	City of Music Laneway Naming [s90(3) (a) & (b)]
53	14/05/2019	Recommendation of The Committee in Confidence – 7/5/2019 [s90(3) (a) & (b)]

Previous orders still in operation		
Date		**Subject matter and basis**
54	14/05/2019	Recommendation/Advice of the Audit Committee – 3/5/2019 [s90(3) (i)]
55	4/06/2019	Strategic Property Matter [s90(3) (b) & (d)]
56	11/06/2019	Capital City Committee update [s90(3) (g)]
Operative Confidentiality Orders 2019/2020		
1	19/07/2019	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
2	23/07/2019	Strategic Property Review [s90(3) (b) & (d)]
3	23/07/2019	Strategic Event Matter [s90(3) (j)]
4	30/07/2019	Recommendation of the Audit Committee in Confidence – 19/7/2019 [s90(3) (b) & (d)]
5	30/07/2019	Advice of the Adelaide Park Lands Authority in Confidence – 25/7/2019 [s90(3) (d)]
6	30/07/2019	Recommendation of The Committee in Confidence – 23/7/2019 [s90(3) (j)]
7	6/08/2019	Strategic Property Investigations [s90(3) (b) & (d)]
8	6/08/2019	Property Matter [s90(3) (b)]
9	6/08/2019	Rymill Park Kiosk EOI Results [s90(3) (d)]
10	13/08/2019	Property Matter [s90(3) (b)]
11	20/08/2019	Strategic Procurement Matter [s90(3) (b) & (d)]
12	20/08/2019	Capital City Committee Update [s90(3) (g)]
13	27/08/2019	Strategic Procurement Matter [s90(3) (b) & (d)]
14	3/09/2019	Strategic Property Matter Update [s90(3) (b) & (d)]
15	3/09/2019	Strategic Property Matter [s90(3) (b) & (d)]
16	24/09/2019	Appointment of Independent Council Assessment Panel Members [s90(3) (a)]
17	24/09/2019	CEO Performance Review [s90(3) (a)]
18	1/10/2019	Strategic Property Matter [s90(3) (b) & (d)]
19	8/10/2019	Strategic Procurement Matter [s90(3) (b) & (d)]
20	15/10/2019	Expression of Interest - Activating Eighty-Eight O'Connell [s90(3) (d)]
21	22/10/2019	Advice of the Audit Committee in Confidence – 22/10/2019 [s90(3) (i) & (k)]
22	22/10/2019	Expression of Interest - Activating Eighty-Eight O'Connell [s90(3) (d)]
23	22/10/2019	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
24	22/10/2019	Appointment of Internal Auditor [s90(3) (k)]
25	24/10/2019	Additional Information – EOI Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18) [s90(3) (d)]
26	7/11/2019	Eighty-Eight O'Connell [s90(3) (b) & (d)]
27	12/11/2019	EOI Results - Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18) [s90(3) (d)]
28	18/11/2019	Eighty-Eight O'Connell [s90(3) (b) & (d)]
29	19/11/2019	Audit Committee Appointment of Independent Members [s90(3) (a)]
30	19/11/2019	Advice of the Adelaide Park Lands Authority in Confidence – 24/10/2019, Advice 1 - EOI Results - Pelzer Park / Pityarilla (Park 19) & Peppermint Park / Wita Wirra (Park 18)] [s90(3) (d)]
31	19/11/2019	Access Indenture Topham Mall 2019 [s90(3) (d)]
32	26/11/2019	Moonta Street Funding [s90(3) (a)]
33	28/11/2019	Central Market Arcade Redevelopment [s90(3) (b) & (d)]
34	28/11/2019	Recommendation of The Committee in Confidence – Special - 28/11/2019, Recommendation 1 - Central Market Arcade Redevelopment [s90(3) (b) & (d)]
35	10/12/2019	Confidential Recommendation of The Committee – Recommendation 1 - Moonta Street Funding [s90(3) (j)]
36	28/01/2020	E-Scooter Mobility Services Update – Legal Advice [s90(3) (h)]
37	28/01/2020	Rundle Street U-Park Remediation Award of Contract [s90(3) (k)]

Previous orders still in operation		
Date		**Subject matter and basis**
38	4/02/2020	2019-20 Planning and Development Fund Projects [s90(3) (b)]
39	6/02/2020	Adelaide High School - Expansion of Teaching Facilities [s90(3) (d) & (j)]
40	7/02/2020	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
41	11/02/2020	Audit Committee Report – 7/2/2020 [s90(3) (b) & (i)]
42	11/02/2020	Advice of the Adelaide Park Lands Authority in Confidence – 6/2/2020 [s90(3) (d) & (j)]
43	11/02/2020	Capital City Committee Update [s90(3) (g) & (j)]
44	11/02/2020	2019-20 Planning and Development Fund Projects [s90(3) (b)]
45	3/03/2020	Strategic Leasing Matter [s90(3) (d)]
46	5/03/2020	Bonython Park Kiosk EOI Results [s90(3) (d)]
47	5/03/2020	Jolley's Boathouse – Lease & Capital Works Project [s90(3) (d)]
48	10/03/2020	Advice of the Adelaide Park Lands Authority in Confidence – 5/3/2020, Advice 1 – Bonython Park Kiosk EOI Results [s90(3) (d)]
49	10/03/2020	Advice of the Adelaide Park Lands Authority in Confidence – 5/3/2020, Advice 2 - Jolley's Boathouse – Lease & Capital Works Project [s90(3) (d)]
50	10/03/2020	Strategic Leasing Matter [s90(3) (d)]
51	17/03/2020	Workshop – Telecommunications Smarthub [s90(3) (h)]
52	27/03/2020	CEO Update - Financial Impact COVID-19 [s90(3) (b)]
53	7/04/2020	Strategic Property Review [s90(3) (b) & (d)]
54	7/04/2020	Bonython Park Kiosk EOI Results [s90(3) (d)]
55	7/04/2020	Telstra SmartHub Telephones [s90(3) (h)]
56	14/04/2020	Strategic Property Review [s90(3) (b) & (d)]
57	14/04/2020	Advice/Recommendation of the Audit Committee – 27/3/2020 [s90(3) (b)]
58	14/04/2020	Bonython Park Kiosk EOI Results [s90(3) (d)]
59	14/04/2020	Telstra SmartHub Telephones [s90(3) (h)]
60	1/05/2020	Strategic Property Review [s90(3) (i)]
61	1/05/2020	Update on Activities of the Strategic Risk & Internal Audit Group [s90(3) (i)]
62	5/05/2020	2019-20 Quarter 3 Commercial Operations Report [s90(3) (b)]
63	12/05/2020	Advice/Recommendation of the Audit Committee – 17/4/2020 & 1/5/2020 [s90(3) (b)]
64	12/05/2020	2019-20 Quarter 3 Commercial Operations Report [s90(3) (b)]
65	2/06/2020	Strategic Property Matter [s90(3) (b) & (d)]
66	2/06/2020	City of Music Laneway Naming [s90(3) (a)]
67	9/06/2020	Strategic Property Matter [s90(3) (b) & (d)]
68	9/06/2020	City of Music Laneway Naming [s90(3) (a)]
69	9/06/2020	Capital City Committee Update [s90(3) (g)]
70	16/06/2020	Workshop - Ongoing Commercial Service Provision [s90(3) (b) & (d)]
71	16/06/2020	CEO Update - Litigation Update [s90(3) (h) & (i)]
72	19/06/2020	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
73	19/06/2020	Litigation Update [s90(3) (i)]
Operative Confidentiality Orders 2020/2021		
1	7/07/2020	Whitmore Square Apartments [s90(3) (b) & (d)]
2	7/07/2020	Review of E-Scooter Permit Decisions [s90(3) (h)]
3	9/07/2020	Presiding Members Report – Contract Matter [s90(3) (a)]
4	14/07/2020	Whitmore Square Apartments [s90(3) (b) & (d)]
5	14/07/2020	City Connector Deed of Agreement [s90(3) (d)]
6	14/07/2020	Review of E-Scooter Permit Decisions [s90(3) (h)]

Previous orders still in operation		
Date		**Subject matter and basis**
7	14/07/2020	Advice/Recommendation of the Audit Committee – 19/6/2020 [s90(3) (i)]
8	4/08/2020	Lounders Boatshed Café [s90(3) (d)]
9	4/08/2020	E -Scooter Mobility Services [s90(3) (d)]
10	6/08/2020	Lounders Boatshed Café [s90(3) (d)]
11	7/08/2020	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
12	7/08/2020	Provision of External Audit Services [s90(3) (k)]
13	11/08/2020	Advice/Recommendations of the Audit Committee in Confidence - 7/8/2020 [s90(3) (b), (d), (i) & (k)]
14	11/08/2020	E -Scooter Mobility Services [s90(3) (d) & (h)]
15	11/08/2020	Capital City Committee Update [s90(3) (g) & (j)]
16	11/08/2020	Brown Hill and Keswick Creeks Stormwater Board - Board Member Appointments [s90(3) (a)]
17	11/08/2020	Advice of the Adelaide Park Lands Authority – 6/8/2020 [s90(3) (d)]
18	11/08/2020	Lounders Boatshed Cafe [s90(3) (d)]
19	25/08/2020	Central Market Arcade Redevelopment [s90(3) (b) & (d)]
20	3/10/2020	Corporate Complaint Preliminary Assessment [s90(3) (h)]
21	6/10/2020	Renewal of Recycled Water Service - Award of Contract [s90(3) (d)]
22	9/10/2020	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
23	13/10/2020	Audit Committee Report – 9 October 2020 [s90(3) (b) & (i)]
24	13/10/2020	Adelaide Park Lands Authority - membership appointments [s90(3) (a)]
25	13/10/2020	Renewal of Recycled Water Service [s90(3) (d)]
26	13/10/2020	Initiating the Representation Review [s90(3) (k)]
27	3/11/2020	Traffic Signal Maintenance Contract Extension [s90(3) (b)]
28	3/11/2020	The Stables of Victoria Park – Leasing Matter [s90(3) (d)]
29	3/11/2020	Central Market Arcade Redevelopment Project Update [s90(3) (d)]
30	3/11/2020	Coring Works [s90(3) (i)]
31	5/11/2020	Presentation - Tennis SA [s90(3) (d)]
32	6/11/2020	Appointment of External Auditor [s90(3) (k)]
33	10/11/2020	Assignment of Lease [s90(3) (b) & (d)]
34	10/11/2020	Traffic Signal Maintenance Contract Extension [s90(3) (b)]
35	10/11/2020	The Stables of Victoria Park – Leasing Matter [s90(3) (d)]
36	10/11/2020	Capital City Committee update [s90(3) (j)]
37	10/11/2020	Advice/Recommendation/s of the Audit Committee in Confidence – 6/11/2020 [s90(3) (k)]
38	17/11/2020	Workshop - A Place of Courage [s90(3) (d)]
39	24/11/2020	Appointment of External Auditor [s90(3) (k)]
40	8/12/2020	Eighty Eight O'Connel [s90(3) (b) & (d)]
41	8/12/2020	Activating Eighty-Eight O'Connell [s90(3) (d)]
42	8/12/2020	Unnamed public road off Tom's Court [s90(3) (d)]
43	8/12/2020	Strategic Property Action Plan [s90(3) (d)]
44	15/12/2020	Strategic Property Action Plan [s90(3) (b) & (d)]
45	15/12/2020	Activating Eighty-Eight O'Connell [s90(3) (d)]
46	15/12/2020	Contract Award Report – Moonta Street Construction [s90(3) (d)]
47	15/12/2020	Unnamed public road off Tom's Court [s90(3) (h)]
48	15/12/2020	Audit Committee Report – 24 November 2020 [s90(3) (k)]
49	28/01/2021	Contract Award Report – Supply of Sweepers [s90(3) (d)]
50	5/02/2021	Update on Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
51	9/02/2021	Advice/Recommendations of the Audit Committee in Confidence – 5 February 2021 [s90(3) (i)]

Previous orders still in operation		
Date		**Subject matter and basis**
52	9/02/2021	Capital City Committee Update [s90(3) (j)]
53	23/03/2021	Legal Advice Discussion in relation to East-West Bikeway [s90(3) (h)]
54	30/04/2021	Workshop - Service Contestability [s90(3) (e)]
55	30/04/2021	Service Planning and Performance Workshop: Service Contestability Update and Approach [s90(3) (e)]
56	30/04/2021	Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
57	4/05/2021	Physical Security Contract Extension [s90(3) (b)]
58	4/05/2021	2020-21 Quarter 3 Confidential Commercial Operations Report [s90(3) (b)]
59	4/05/2021	City Connector Deed of Agreement [s90(3) (d)]
60	11/05/2021	Audit Committee Report in Confidence – 30 April 2021 [s90(3) (e) & (i)]
61	11/05/2021	Physical Security Contract Extension [s90(3) (b)]
62	11/05/2021	2020-21 Quarter 3 Confidential Commercial Operations Report [s90(3) (b)]
63	11/05/2021	City Connector Deed of Agreement [s90(3) (d)]
64	1/06/2021	Cycling Infrastructure Opportunities [s90(3) (g)]
65	1/06/2021	Gawler Place Upark – Priority Works [s90(3) (i)]
66	8/06/2021	Cycling Infrastructure Opportunities [s90(3) (g)]
67	8/06/2021	Gawler Place Upark – Priority Works [s90(3) (i)]
68	29/06/2021	Central Market Arcade Redevelopment/ Market Square [s90(3) (b), (d) & (h)]
Operative Confidentiality Orders 2021/2022		
1	6/07/2021	Whitmore Square Tenancy [s90(3) (b) & (d)]
2	6/07/2021	Gawler UPark Priority Works [s90(3) (i)]
3	13/07/2021	Whitmore Square Tenancy [s90(3) (b) & (d)]
4	13/07/2021	Brown Hill and Keswick Creeks Stormwater Board - Board Member Appointments [s90(3) (a)]
5	13/07/2021	Gawler UPark Priority Works [s90(3) (i)]
6	30/07/2021	Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
7	3/08/2021	Open Space and Places for People Grants Submission [s90(3) (b)]
8	10/08/2021	Cultural Investigation [s90(3) (a), (g) & (h)]
9	10/08/2021	Audit Committee Report – 30 July 2021 [s90(3) (b) & (i)]
10	10/08/2021	Open Space and Places for People Grants Submission [s90(3) (b)]
11	11/08/2021	Cultural Investigation [s90(3) (a), (g) & (h)]
12	26/08/2021	Riverbank Precinct Code Amendment [s90(3) (j)]
13	7/09/2021	Strategic Property Review and Investigations (Status Update) [s90(3) (b) & (d)]
14	7/09/2021	Advocacy and Funding Opportunities [s90(3) (b)]
15	7/09/2021	2020-21 Quarter 4 Confidential Commercial Operations Report [s90(3) (b)]
16	14/09/2021	Strategic Property Review and Investigations (Status Update) [s90(3) (b) & (d)]
17	14/09/2021	Advocacy and Funding Opportunities [s90(3) (b) & (j)]
18	14/09/2021	2020-21 Quarter 4 Confidential Commercial Operations Report [s90(3) (b)]
19	5/10/2021	Contract Award - Adelaide Free Wi-Fi [s90(3) (d)]
20	12/10/2021	Contract Award - Adelaide Free Wi-Fi [s90(3) (d)]
21	19/10/2021	Park Lands License Request [s90(3) (j)]
22	29/10/2021	Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
23	2/11/2021	Residential Housing Strategic Review [s90(3) (b) & (d)]
24	2/11/2021	Telecommunications SmartHub [s90(3) (b) & (h)]
25	2/11/2021	2021-22 Quarter 1 Confidential Commercial Operations Report [s90(3) (b)]
26	9/11/2021	Residential Housing Strategic Review [s90(3) (b) & (d)]

Previous orders still in operation		
Date		**Subject matter and basis**
27	9/11/2021	Telecommunications SmartHub [s90(3) (b) & (h)]
28	9/11/2021	Appointment of Board Members to Adelaide Central Market Authority [s90(3) (a)]
29	9/11/2021	Audit and Risk Committee in Confidence – 29 October 2021 [s90(3) (b)]
30	9/11/2021	2021-22 Quarter 1 Confidential Commercial Operations Report [s90(3) (b)]
31	25/11/2021	Expression of Interest Process [s90(3) (b) & (d)]
32	7/12/2021	Strategic Property Matter [s90(3) (b) & (d)]
33	14/12/2021	Strategic Property Matter [s90(3) (b) & (d)]
34	14/12/2021	Appointment of Council Assessment Panel Members [s90(3) (a)]
35	14/12/2021	Capital City Committee Update [s90(3) (j)]
36	17/01/2022	Park Lands License Request [s90(3) (j)]
37	27/01/2022	Bus Station Site – Development Options [s90(3) (b) & (d)]
38	27/01/2022	Gawler Place Upark Façade [s90(3) (i)]
39	1/02/2022	2021-2022 Quarter 2 Commercial Operations Report [s90(3) (b)]
40	4/02/2022	Activities of the Strategic Risk and Internal Audit Group Meetings [s90(3) (i)]
41	8/02/2022	2021-2022 Quarter 2 Confidential Commercial Operations Report [s90(3) (b)]
42	8/02/2022	Confidential Report of the Audit and Risk Committee – 4 February 2022 [s90(3) (i)]
43	1/03/2022	Upark Leasing Matter [s90(3) (b), (d) & (i)]
44	1/03/2022	Assignment of Lease [s90(3) (b) & (d)]
45	8/03/2022	Upark Leasing Matter [s90(3) (b), (d) & (i)]
46	8/03/2022	Assignment of Lease [s90(3) (b) & (d)]
47	5/04/2022	Unnamed public road off Tom's Court [s90(3) (d) & (j)]
48	12/04/2022	Unnamed public road off Tom's Court [s90(3) (d) & (j)]
49	10/05/2022	West Franklin Stage 2 - Update [s90(3) (h)]
50	14/06/2022	West Franklin Stage 2 - Update [s90(3) (h)]
51	17/06/2022	Major Project - Accounting Treatment [s90(3) (b) & (d)]
52	17/06/2022	Activity of Strategic Risk & Internal Audit Group [s90(3) (i)]
53	21/06/2022	Adelaide Botanic High School Expansion [s90(3) (b)]
Operative Confidentiality Orders 2022/2023		
1	5/07/2022	Rymill Park Kiosk - Enhancement and Lease Proposal [s90(3) (b) & (d)]
2	5/07/2022	Advertising Contract within City of Adelaide [s90(3) (b) & (d)]
3	12/07/2022	Councillor Couros - MoN - Cultural Investigation [s90(3) (a), (g) & (h)]
4	12/07/2022	Confidential Audit and Risk Committee Report - 17 June 2022 [s90(3) (b), (d) & (i)]
5	12/07/2022	Confidential Advice of Kadaltilla / Park Lands Authority - 23 June 2022 [s90(3) (b) & (d)]
6	12/07/2022	Advertising Contract within City of Adelaide [s90(3) (b) & (d)]
7	12/07/2022	Award of Contract [s90(3) (b) & (d)]
8	12/07/2022	Councillor Martin - MoN - Development at 62 to 100 O'Connell Street [s90(3) (b) & (d)]
9	12/07/2022	Appointment of Member to the Brown Hill and Keswick Creeks Stormwater Board [s90(3) (a)]
10	28/07/2022	North Adelaide Railway Station - EOI Results [s90(3) (b) & (d)]
11	2/08/2022	North Adelaide Railway Station - EOI Results [s90(3) (b) & (d)]
12	2/08/2022	Award of Contract (August) [s90(3) (b) & (d)]
13	2/08/2022	Expression of Interest Process [s90(3) (b) & (d)]
14	9/08/2022	Advice of Kadaltilla / Park Lands Authority in Confidence to Note - 28 July 2022 [s90(3) (b) & (d)]
15	9/08/2022	North Adelaide Railway Station - Expression of Interest Results [s90(3) (b) & (d)]

Previous orders still in operation		
Date		**Subject matter and basis**
16	9/08/2022	Award of Contract (August) [s90(3) (b) & (d)]
17	9/08/2022	Expression of Interest Process [s90(3) (b) & (d)]
18	9/08/2022	Confidential Audit and Risk Committee Report - 4 August 2022 [s90(3) (b) & (j)]
19	27/09/2022	CEO Strategic Priorities and Organisational Scorecard update [s90(3) (a)]
20	30/09/2022	Confidential Meeting with External Auditors [s90(3) (b)]
21	28/10/2022	Activity of Strategic Risk & Internal Audit Group [s90(3) (i)]
22	13/12/2022	SA Citizen of the Year Nominations [s90(3) (o)]
23	3/02/2023	Strategic Risk and Internal Audit Update [s90(3) (i)]
24	7/02/2023	Unnamed public road off Tom's Court [s90(3) (h)]
25	14/02/2023	Unnamed public road off Tom's Court [s90(3) (h)]
26	14/02/2023	Strategic Risk and Internal Audit Update [s90(3) (i)]
27	7/03/2023	Former Bus Station Site - Expression of Interest Process [s90(3) (b) & (d)]
28	7/03/2023	Market Square and Central Market Expansion [s90(3) (b) & (d)]
29	14/03/2023	Market Square and Central Market Expansion [s90(3) (b) & (d)]
30	4/04/2023	Former Bus Station Site - Expression of Interest Process [s90(3) (b) & (d)]
31	4/04/2023	Commercial Offer - Telecommunications Smart Hub [s90(3) (h)]
32	11/04/2023	Former Bus Station Site - Expression of Interest Process [s90(3) (b) & (d)]
33	11/04/2023	Commercial Offer - Telecommunications Smart Hub [s90(3) (h)]
34	26/04/2023	Confirmation of Confidential Minute 32 - Item 18.1 - Council Meeting - 11 April 2023 [s90(3) (b) & (d)]
35	10/05/2023	Strategic Risk and Internal Audit Update [s90(3) (i)]
36	23/05/2023	Strategic Risk and Internal Audit Update [s90(3) (i)]
37	5/06/2023	2021/2022 CEO Performance Review Evaluation - Decision 1 [s90(3) (a)]
38	5/06/2023	2021/2022 CEO Performance Review Evaluation - Decision 2 [s90(3) (a)]
39	6/06/2023	Strategic Property Matter [s90(3) (b) & (d)]
40	13/06/2023	Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 6 June 2023 [s90(3) (b) & (d)]
41	13/06/2023	Confidential Recommendation of the CEO Performance Review Panel - 5 June 2023 [s90(3) (a)]
42	20/06/2023	Capital City Committee Update [s90(3) (j)]
43	27/06/2023	Commercial Opportunity [s90(3) (d)]
44	27/06/2023	Capital City Committee Update [s90(3) (j)]
Operative Confidentiality Orders 2023/2024		
1	04/07/2023	Leasing Matter [s90(3) (b) (d)]
2	11/07/2023	Leasing Matter [s90(3) (b) (d)]
3	11/07/2023	Strategic Property Matter [s90(3) (b) (d)]
4	25/07/2023	Capital City Committee Update [s90(3) (j) (g)]
5	25/07/2023	Capital City Committee Update [s90(3) (j) (g)]
6	31/07/2023	Commercial Opportunity [s90(3) (d)]
7	01/08/2023	Former Bus Station Sity Redevelopment [s90(3) (b) (d)]
8	04/08/2023	Strategic Risk and Internal Audit Update [s90(3) (j)]
9	08/08/2023	Confidential Recommendations of the City Planning, Development and Business Affairs Committee - 1 August 2023 - Recommendation 1 – Item 7.1 - Former Bus Station Site Redevelopment [s90(3) (b) (d)]
10	08/08/2023	Confidential Audit and Risk Committee Report - 4 August 2023 [s90(3) (j)]
11	08/08/2023	Strategic Property Matter [s90(3) (b) (d)]

Previous orders still in operation		
Date		**Subject matter and basis**
12	15/08/2023	Delegation to Award Contract [s90(3) (b) (d)]
13	16/08/2023	2022/23 CEO Performance Review [s90(3) (a)]
14	22/08/2023	Confidential Recommendation of the City Finance and Governance Committee – 15 August 2023 [s90(3) (b) (d)]
15	22/08/2023	Strategic Property Matter - Prudential Report [s90(3) (b) (d)]
16	12/09/2023	Confidential Audit and Risk Report - 1 September 2023 [s90(3) (b) (d)]
17	18/09/2023	Lord Mayor Report [s90(3) (a) (g) (h)]
18	19/09/2023	Capital City Committee Update [s90(3) (j) (g)]
19	26/09/2023	CEO Performance Review [s90(3) (a)]
20	26/09/2023	Capital City Committee Update [s90(3) (g) (j)]
21	03/10/2023	Hilton Leasing Matter [s90(3) (b) (d)]
22	06/10/2023	Confidential Meeting with Internal Auditors [s90(3) (b)]
23	06/10/2023	Confidential Meeting with Internal Auditors [s90(3) (b)]
24	31/10/2023	Lord Mayor Report [s90(3) (a) (g((h)]
25	07/11/2023	Hilton Leasing Matter [s90(3) (b) (d)]
26	10/11/2023	Voters Roll Review [s90(3) (h)]
27	10/11/2023	Strategic Risk and Internal Audit Update [s90(3) (i)]
28	14/11/2023	Recommendation of the CPDBA Committee - 7 November 2023 [s90(3) (b) (d)]
29	16/11/2023	Lord Mayor Report [s90(3) (a) (g) (h)]
30	21/11/2023	Delegation to Award Contract [s90(3) (b) (d)]
31	21/11/2023	Charles Street Update [s90(3) (d)]
32	28/11/2023	Audit and Risk Committee - 10 November 2023 [s90(3) (h) (i)]
33	28/11/2023	Delegation to Award Contract [s90(3) (b) (d)]
34	12/12/2023	Hilton Leasing Matter [s90(3) (b) (d)]
35	12/12/2023	Capital City Committee Update [s90(3) (g) (j)]
36	12/12/2023	Confidential Lord Mayor Update [s90(3) (a) (g) (h)]
37	06/02/2024	Assignment of Lease [s90(3) (d)]
38	08/02/2024	Selection Report - Recruitment Consultant [s90(3) (k)]
39	13/02/2024	Confidential Recommendation of the City Planning, Development and Business Affairs Committee - 6 February 2024 – Recommendation 1 – Item 10.1 – Assignment of Lease [s90(3) (d)]
40	16/02/2024	Strategic Risk and Internal Audit Update [s90(3) (i)]
41	20/02/2024	Recruitment Company Presentations [s90(3) (k)]
42	20/02/2024	Selection - Recruitment Consultant [s90(3) (k)]
43	20/02/2024	Visitor Experience Centre [s90(3) (b)]
44	20/02/2024	Capital City Committee Update [s90(3) (j)]
45	22/02/2024	Draft Adelaide Park Lands Management Strategy (APLMS) [s90(3) (j)]
46	22/02/2024	Carriageway Park / Tuthangga (Park 17) Earthen Levee Stormwater Management [s90(3) (i)]
47	27/02/2024	Selection - Recruitment Consultant [s90(3) (k)]
48	27/02/2024	Confidential Audit and Risk Committee Report - 16 February 2024 [s90(3) (i)]
49	27/02/2024	Recommendation 1 - Item 10.1 - Visitor Experience Centre [s90(3) (b)]
50	27/02/2024	Recommendation 2 - Item 10.2 - Capital City Committee Update [s90(3) (j)]
51	05/03/2024	Library Leases [s90(3) (b)]
52	12/03/2024	Library Leases [s90(3) (b)]
53	19/03/2024	Visitor Experience Centre [s90(3) (b)]

Previous orders still in operation		
Date		**Subject matter and basis**
54	19/03/2024	Adelaide City Connector Deed of Agreement [s90(3) (d)]
55	21/03/2024	Draft APLMS [s90(3) (j)]
56	21/03/2024	Future Living Code Amendment [s90(3) (m)]
57	26/03/2024	Recommendation 1 - Adelaide City Connector Bus Deed of Agreement [s90(3) (d)]
58	26/03/2024	Recommendation 1 – Item 6.1 - Draft Adelaide Park Lands Management Strategy (APLMS) [s90(3) (j)]
59	28/03/2024	Adelaide Aquatic Centre Redevelopment - Return to Park Lands Proposed Design [s90(3) (b)]
60	09/04/2024	Draft APLMS [s90(3) (j)]
61	16/04/2024	Adelaide Visitor Experience Centre [s90(3) (b)]
62	23/04/2024	Adelaide Visitor Experience Centre [s90(3) (b)]
63	21/05/2024	External Presentation - Aquatic Centre Return to Park Lands Zone [s90(3) (b)]
64	28/05/2024	Confidential Audit and Risk Committee Report - 15 May 2024 [s90(3) (e) (i)]
65	28/05/2024	Councillor Martin - QoN - Court of Disputed Return Costs [s90(3) (d)]
66	29/05/2024	CEO Recruitment - Applicant Update [s90(3) (a)]
67	04/06/2024	Place of Courage [s90(3) (d)]
68	11/06/2024	Place of Courage [s90(3) (d)]
69	11/06/2024	Appointment of Members to the Brown Hill and Keswick Creeks Stormwater Board [s90(3) (a)]
70	14/06/2024	Strategic Property Review Internal Audit [s90(3) (b) (d)]
71	19/06/2024	Appointment of the Chief Executive Officer [s90(3) (a)]
72	25/06/2024	Recommendations of the Chief Executive Officer Selection Panel – 19 June 2024 [s90(3) (a)]

Attachment B

Financial

Further to the information contained in this Annual Report, Council is legislatively required to provide the following information:

- External Funding
- Audited Financial Statements and Auditor Independence

Council also provides the associated annual reports for Subsidiaries and entities to which Council has an interest in, which are separate to this Annual Report:

- City of Adelaide's Audit and Risk Committee (Presiding Member's Annual Report)
- Adelaide Central Market Authority
- Adelaide Economic Development Agency
- Kadaltilla/Adelaide Park Lands Authority
- Brown Hill Keswick Creeks Stormwater Board

External Funding

The City of Adelaide works collaboratively with many partners. This strong partnership network enables a far greater impact than working alone. Key to these partnerships are grants and subsidies that are received from the Australian Government and South Australian Government.

Description	Services ($'000)	Capital ($'000)
Federal Funding		
Community Home Support Program	322	-
Roads to Recovery	-	169
State Government Funding		
Automated External Defibrillators Installation on Designated Council Buildings	-	29
Belair-City Bikeway/ Adelaide Park Lands Trail - Glen Osmond*	-	1,300
Blackspot Funding - Hutt Street and South Terrace Intersection	-	135
Charles Street Upgrade Project	-	1,000
Hindley Street Revitalisation - Cooler, Greener Wilder*	-	50
Melbourne Street Wombat Crossing*	-	600
Peacock Road Cycle Route*	-	500
Sir Donald Bradman Drive BPAC*	-	1,200
State Bicycle Fund	-	140
Local Government Financial Assistance Grants 25/26	1,099	679
Library Operating Grant	219	-
Library Materials Grant	-	274
Park Lands Activity Grant	1,946	-
School Immunisation Program	106	-
Urban River Torrens Recovery Program	20	-
Vulnerable and Homeless	45	-
Welcome Home Event	22	-
Workers Compensation Scheme Application	92	-
Bystander Intervention Training	3	-
Delivery of SA Cricket Team Celebrations	29	-
EV Smart Charging UPark Trial	15	-
Adaptive Re-use Housing Initiative - Engagement of Resource	250	-
Community and Neighbourhood Development Program (DHS)	102	-
Social Work in Libraries Evaluation	25	-
Trader Sustainability Program	50	-
Volunteers Connectors Program	30	-
Other Funding Sources		
Bus Station glass Panel Replacement*	-	8
Charles Street Upgrade Project - Adelaide Central Plaza Contribution*	-	500
City East Precinct*	-	455
Other Sponsorship	52	-
TOTAL	**4,427**	**7,039**

*Funding received but project to be completed in future years

Audited Financial Statements and Auditor Independence

PROVIDED TO COUNCIL SEPARATELY AND TO BE INSERTED ONCE ADOPTED.

Presiding Member's Annual Report

I am pleased to present the Presiding Member Report for the City of Adelaide Audit and Risk Committee for the year ended 30 June 2025.

Meetings and attendance

The Audit and Risk Committee met 8 times for the 2024/25 year with meeting attendance as follows:

Name	Details	Meetings held	Meetings attended
Nicolle Rantanen Reynolds	Presiding Member	8	8
Paula Davies	Independent Member until 21 February 2025	5	4
Mark Davies	Independent Member	8	8
Simon Rodger	Independent Member	8	8
The Lord Mayor Dr Jane Lomax-Smith	Ex-officio	8	4
Councillor Jing Li	Council Representative until 14 December 2024	4	-
Councillor Janet Giles	Council Representative from 15 December 2024	4	2
Councillor Henry Davis	Proxy until 14 December 2024	4	- *
Councillor Phillip Martin	Proxy until 14 December 2024 from 23 April 2025	6	5 *
Councillor David Elliott	Proxy from 15 December 2024 until 11 April 2025	2	- *
** Proxy attendance only required in the absence of the Lord Mayor or Council Representative*			

Substantive issues

The substantive issues that were dealt with during the year were:

- Continuous review of the Climate Change Risk Adaptation Action Plan / Integrated Climate Strategy 2030
- Continuous review of the Council's Strategic Risk and Internal Audit Group
- Review and update of the Terms of Reference of the Audit and Risk Committee
- Receipt of quarterly business updates, including City of Adelaide subsidiary updates
- Confidential meetings with internal and external auditors
- Review of Council's 2023/24 Annual Report
- Review of the Audit and Risk Committee self-assessment results
- Adoption of the Audit and Risk Committee meeting schedule and work plan
- Review of the end of year financial reporting process and proposed timetable to ensure compliance with the legislative requirements
- Review of the Strategic Risk Register
- Review of Treasury Policy, Future Fund and Investment Policy
- Review of the Fixed Asset Accounting Policy

Internal audit program

A review of the progress of the internal audit program, detailed internal audit reports and implementation of the recommendations on a regular basis:

- Contract Management
- Culture Survey
- Record Keeping
- Fraud Prevention
- Lease Management
- Payment Card Industry Compliance
- Electric Vehicles Transition for Workshop Operations
- Penalty and Infringement Compliance
- TechnologyOne Post Implementation Review
- Site Contamination

Presentations / Workshops

The Audit and Risk Committee received one presentation during the year:

- Strategic Risk and Internal Audit Group presentation

The Audit and Risk Committee received three workshops during the year:

- Future Fund – function and operation
- The 2025/26 BP&B – priorities, parameters, assumptions and current position
- Update on the 2025/26 Business Plan & Budget

Financial Management

The Audit and Risk Committee has worked closely with the Administration in the area of Financial Management including the following:

- Quarterly 2024/25 Budget Reviews and updates to the Long Term Financial Plan
- Review of the 2023/24 Audited Financial Statements, including City of Adelaide subsidiaries
- Review of matters arising from External Audit – Finance
- Review of the Draft 2025/26 Business Plan and Budget
- Review of the Council's draft 2024/25 – 2033/34 Long Term Financial Plan
- Noting the Interim Report on the 2025 External Audit
- Receipt and consideration of the ESCOSA Report

Confidentiality

The Audit and Risk Committee considered 6 matters in confidence and applied 6 confidential orders. I am satisfied that these were an appropriate use of the provisions of Section 90 and 91 of the *Local Government Act 1999* (SA).

I would like to express my appreciation to the members of the Audit and Risk Committee for their participation, and to management and staff of the Council for their assistance and clarifications where required.

Nicolle Rantanen Reynolds

Presiding Member

Date: 24 July 2025

Adelaide Central Market Authority

2024/25 Annual Report

CITY OF ADELAIDE

ACKNOWLEDGEMENT OF COUNTRY

Adelaide Central Market Authority acknowledges the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today. We extend that respect to other Aboriginal Language Groups and other First Nations.

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MESSAGE FROM THE CHAIR

It is with great pride that I present the Adelaide Central Market's 2024/2025 Annual Report. Over the past year, the Market has continued to evolve and thrive, staying true to our purpose of being a world-leading food and produce market with a deep and enduring connection to our community.

This year, we have much to celebrate. From outstanding media coverage to a calendar of popular events, from a remarkably stable trading environment to significant progress with Market Expansion operational preparedness, the impact of our collective efforts has been powerful. Together, we have enhanced the customer experience, supported our trader community, strengthened our financial position and deepened our role as a vital contributor to the economic, social and cultural fabric of our city.

I extend my sincere thanks to the Lord Mayor and all Councillors for their ongoing support throughout the year. Your commitment and collaboration have been instrumental in helping us deliver on our goals and sustain the Market's enduring success.

To our traders – thank you. Your dedication to your customers and passion are at the heart of what makes Adelaide Central Market so uniquely special. Together, you continue to create memorable experiences that define our Market's vibrant spirit.

As we look to the future, the Strategic Plan remains our roadmap – ensuring we stay focused on delivering outcomes for customers, traders, community, and business. The once-in-a-generation Market Expansion and Market Square development continues to progress, with exciting opportunities ahead as we welcome new traders and partners to this iconic destination.

Together with our management team and expert Board, including Deputy Chair Christine Locher (2024) and Deputy Chair Nicole Haack (2025) as well as Steve Marafiote, George Roussos, Hamish Brown, John Pearce (until October 2024) and Councillor Carmel Noon (until October 2024) and Deputy Lord Mayor / North Ward Councillor Phillip Martin, we remain as always committed to ensuring the future growth of the Market.

Thank you to everyone who has contributed to our shared success this year. I look forward to continuing this journey together.

Sincerely,

Theo Maras AM
Chair, Adelaide Central Market Authority

ABOUT ADELAIDE CENTRAL MARKET AUTHORITY

The Adelaide Central Market Authority (ACMA) is established pursuant to Section 42 of the Local Government Act 1999 (SA) and is a body corporate with the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with the Act and its Charter.

The purpose of ACMA is to oversee the management and operation of the Adelaide Central Market (the Market) in accordance with the ACMA Charter. ACMA's Strategic Plan and Headlease reflects its commitment to maintaining and enhancing the iconic standing of the Market for the benefit of all stakeholders, ensuring it continues to be recognised locally and internationally as a leading, vibrant, diverse and unique fresh produce market. It provides the framework for a commercially sustainable market community that contributes in a positive and meaningful way to the City of Adelaide and the development of the wider market district.

Up to seven Board Members, including the Chairperson, are appointed by the Council, and one Board Member must be a Council Member. The 2024/25 period was the twelfth full year of operation for the Adelaide Central Market Authority (ACMA), after its formal establishment in October 2012.

Our Purpose

To be a world leading food and produce market that shares enduring connection with our community.

Our Plan

To operate sustainably as a thriving team of Traders, Board and Management who create unique, diverse and memorable customer experiences that enhance our precinct, city and state.

Our Ambition

To grow the market by attracting more residents, visitors and workers who shop regularly.

ACMA BOARD 2024/25

THEO MARAS AM
Chair

CHRISTINE LOCHER
Deputy Chair (2024)

NICOLE HAACK
Deputy Chair (2025)

STEVE MARAFIOTE

DEPUTY LORD MAYOR PHILLIP MARTIN

HAMISH BROWN

GEORGE ROUSSOS

ACMA BOARD

The Authority is a body corporate and is governed by a Board of Management which has the responsibility to manage the business and other affairs of the Authority in accordance with the Charter, all relevant legislation and any delegations made to it.

The skills-based Board consists of seven members who collectively have a range of knowledge, skills and experience across the following areas: retail, food supply chain (with retail emphasis), property development, centre management and leasing, marketing, stakeholder engagement, board governance, business acumen, people leadership, strategic management and knowledge of the Market. It is led by ACMA Chair Theo Maras AM, providing strategic oversight to the Management Team, headed by Fabienne Reilly as General Manager. The Chair and Board are instrumental in supporting and advocating for the Market and its traders.

TRADER REPRESENTATIVES

The Traders Representation Committee (TRC) is the formal traders group established under the Charter and meets with ACMA on a bimonthly schedule. TRC provides feedback on strategic matters pertaining to the operations of the Market and receives information from the Management Team on marketing activities and plans.

Throughout 2024/25 Trader representatives were:

- Ivan Oulianoff, House of Health Collective (TRC Chair)
- Mark Gleeson, SiSea (Deputy TRC Chair)
- Chester Frank, House of Health Collective
- Paul Bulley, PhotoCo Camera House
- Barbara Knoll, Barossa Fine Foods
- Andrew Anderson, Wills & Daniel
- Simon Bugeja, Lucia's Fine Foods

SUMMARY OF FINANCIAL RESULT

$'000s	Actuals	Adopted Budget	Variance
Existing Market Operations			
Income	5,670	5,343	327
Expenditure	(5,381)	(5,481)	100
Total Existing Market Operations	**289**	**(138)**	**427**
Market Expansion			
Income			
Expenditure	(628)	(820)	192
Total Market Expansion	**(628)**	**(820)**	**192**
Net Operating Surplus/(Deficit)	**(339)**	**(958)**	**619**

The underlying operating position of the existing market has generated an operating surplus of $0.289 million in 2024/25, which is $0.427 million favourable to the adopted budget.

Costs are being incurred as we prepare for the opening of the market expansion which continues to be funded by the City of Adelaide

ACMA HIGHLIGHTS

100%
trader occupancy

7.8M
annual visitation

$1.3M
proactive media coverage

93%
customer satisfaction

160,000+
combined followers on Facebook and Instagram

Awarded #1
Voted the #1 Food Experience in Australia for Friday nights

Won Silver
at the 2024 SA Tourism Awards
Tourism Retail, Hire & Services

13,783kg
of good quality surplus food was rescued and delivered to South Australians by OzHarvest

$100k
Green Industries SA LEAP Grant to support sustainable business practices

100%
of actions and measures set out in the 2024/25 business plan completed, ongoing or on track

STRATEGIC PILLARS

The Market's Strategic Plan 2023–2028, developed in consultation with key stakeholders including traders, City of Adelaide and the wider community, identifies ACMA's goals, objectives, strategies, priorities and relevant key performance indicators and sets the annual business plans. Throughout 2024/25 ACMA continued to focus on the key strategic pillars; Our Customers, Our Traders, Our Business, Our Community and Our Market to deliver positive outcomes for the Adelaide Central Market.

OUR CUSTOMERS

We will keep customer experiences at the heart of all decisions, every day.

Digital and Social Media Channels

- 870.6K website views
- 81K followers, 2.25 million people reached
- 79K followers, 321.7K people reached
- 2.4K followers
- Market Lovers EDM: 18.2K subscribers

Adelaide Central Market Events, Activations and Campaign Calendar

Month	Activity
July – September 2024	• Bastille Day two-day event • School holidays program (Big Market Adventures for Little Foodies) • European Winter pop-up • Live outside broadcast with Triple M and month-long campaign • Buy SA Week collaboration with Brand SA • Sustainable September campaign • Market trolleys campaign
October – December 2024	• School holiday program (Big Market Adventures for Little Foodies) • Seafood + Sounds two-day event • Market visit by Australian number 1 best-selling cookbook author Nagi Maehashi • Christmas campaign launch
January – March 2025	• Tour Down Under Village partnership • Lunar New Year Celebrations • Gluttony – The Local Bar partnership during Adelaide Fringe • Tourism Advertising Campaign • Valentine's Day sunflower giveaway for customers • Sauce Day two-day event
April – June 2025	• School holiday program (Big Market Adventures for Little Foodies) • Gather Round Tourism advertising including meet and greet with Carlton Football Club players • Easter campaign (refer to highlights) • Tasting Australia and Town Square sponsorship activation • SA History Festival – Free Audio Tour promotion • Citrus launch with Pick a Local, Pick SA • Make Music Day in collaboration with City of Adelaide • Illuminate Adelaide Partnership, including in-Market installation (into July 2025)
Ongoing	• Construction Impact Research, Customer Experience and in Market surveys • Free 3-hour parking at UPark Andrew and UPark Grote on Saturdays with 5,365 valuations • Live music every Friday with Music SA • Free kids' activities every Saturday

HIGHLIGHTS

#1 Food Experience in Australia

Friday nights at Adelaide Central Market were voted Australia's favourite food experience in the 2025 delicious 100 awards out of a national reader vote in March 2025.

SA Tourism Awards

The Adelaide Central Market was awarded Silver at the South Australian Tourism Awards in Category 8: Tourism Retail, Hire and Services.

Bastille Day

The two-day program celebrating Bastille Day remained popular including live music, French themed pop-ups, roving entertainment and cooking demonstrations.

Seafood + Sounds

The two-day program celebrated local seafood and live music, with a program of free and ticketed activities from cooking demonstrations, free kid's activities and the popular Chilli Crab Shack pop-up by Sprout.

Christmas

The two-month Christmas campaign launched in time for the Christmas Pageant, with two in Market Christmas trees, decorations and Christmas signage. The campaign included proactive PR, school and community choirs, free kids craft workshops roving Christmas elves, live music, community partnerships and a hero advertising campaign.

Easter

The Easter campaign, focused on in Market activations including an Easter trail, free kids Easter craft, live, music, Haigh's Easter bilby visit. The campaign included proactive PR and targeted advertising campaign. Delivery of Easter retail campaign including advertising campaign and in Market activity with visitation up 12% compared to Easter 2024.

Sauce Day

The two-day program celebrated Italian culture with gnocchi and sauce making classes, as well as kid's workshops and outside broadcast by FiveAA.

School Holidays

3,696 school-aged children participated in the Market Trail and 432 in Little Market Chefs during the April, July and October school holidays. The activities engage with families at a grassroots level offering low-cost learning experiences with free kid's craft offered across each of the two-week periods.

Producer in Residence Stall

The Producer in Residence stall had 100% occupancy and provided 19 small, local, artisan businesses a chance to trial their products with Market customers, with 80% being new producers. The stall continued to create opportunities for emerging and innovative food businesses and to generate significant social media engagement on the Market's social media channels and created proactive media opportunities throughout the year.

Record year for enquiries, merchandise and gift card orders

Our friendly staff at the Market Stall helped over 43,000 visitors with various customer enquiries to make their experience more enjoyable.

OUR TRADERS

We will work with our traders to support them in the delivery of an exceptional shopping experience.

Support trader success and trader engagement

700 social media posts to over 160,000 followers

39 Market Lovers e-newsletters to 18.2K subscribers

96 Market Talk e-newsletters to Traders

Two trader awards delivered

Bi-monthly Trader Representative Committee meetings

2 all trader meetings

ACMA created opportunities for traders to leverage PR and digital content, encouraging storytelling and profiling, whilst leveraging the Adelaide Central Market brand. In addition to its core business, ACMA enabled several after-hours trading special events organised by traders to support unique customer experiences and financial benefit.

Trader engagement was conducted through face-to-face discussions and all-trader briefing sessions. The regular formal meetings with the elected Traders Representative Committee (TRC) allows for new ideas and proactive discussions between Traders, ACMA Management team and Board Members. The Board also has an annual Meeting with TRC. Our regular Market Talk e-newsletter shares resources, industry and Market news to assist traders.

Highlights

- Supported trader initiatives including:
  - Adelaide Camera Expo by Photo Co.
  - Adelaide Wine Festival by The Olive Tree
  - Journey Beyond weekly events, by Smelly Cheese Co and SiSea
  - Cheese After Dark series and visit by Laurent Dubois (cheese master)
  - Fair Seafood cooking demonstration series
- Extensive research and consultation process with Traders about a potential review of Trading Hours and vote, with 100% of traders participating
- The inaugurative Trader Award for 'Innovation' and 'Customer Experience' was delivered
- Professional photography opportunities for traders
- Leveraging influential guests such as Netflix's Somebody Feed Phil, Postcards and Sunrise to promote the Market to tourists
- Creation of dry storage bays for additional storage in Federal Hall basement
- 6 big cleans for Market including all trader facades

Trader Advocacy

ACMA continues to advocate for traders and their interests, including in all phases of the Market Square development, when consulted on potential road closures or major events or when considering future asset renewal projects to ensure the Market is fit for business.

Adelaide Central Market Online

Adelaide Central Market Online home delivery service continued into its fourth year of operation, providing customers the opportunity to shop over 2,300 Market products from 44 traders in one single transaction. ACMA manage the home delivery platform and associated logistics, including the collation, packing and collection. The home delivery program continues to provide participating Market traders with an additional revenue stream and responds to customer demand.

OUR BUSINESS

We will take a responsible and sustainable approach to our business in pursuing positive long-term financial results.

Highlights

- 100% occupancy during 2024/25
- 20 existing leases renewed
- 3 completed stall renovations for Sunmi's Sushi (Stall 1), Market Bread Bar (Stall 50-51) and M&Ms Fruit Mart (Stall 13)
- New property management software implemented
- Two new board members appointed – Hamish Brown and Councillor Phillip Martin
- Adelaide Central Market awarded Silver at the SA Tourism Awards in Category 8: Tourism Retail, Hire and Services.
- Adelaide Central Market voted Australia's favourite food experience for Friday nights in the 2025 delicious 100 awards.

Tourism

- Collaboration with South Australian Tourism Commission (SATC) for Tour Down Under and Tasting Australia Town Square Activations
- Print Ad in the Official Adelaide visitor guide for 2025
- Adelaide Airport advertising
- Tourism Accelerator participant with AEDA
- Participation in British & Irish Lions Tour 2025 Adelaide Stakeholders Working Group, led by Minister Bettison

Operations

ACMA continues to improve the look and feel of the trading environment of the Market to create great customer experiences, with the delivery of brilliant basics around building maintenance, security, cleaning and waste services, security and safety. This financial year saw over 620 maintenance jobs completed, and 578 incidents attended by the Market security contractor. Further operations are detailed in Our Market.

People and Capability

In 2024/25, ACMA attracted two new key talents in addition to retaining experienced and dedicated staff. The Management team combines expertise in the fields of leasing, retail, administration, operations and marketing. A Workforce Plan was developed for the Market Expansion project to ensure adequate resourcing in the future and professional development was commissioned as required.

Governance

The ACMA Board meets every six weeks and serves as the governing body of the Authority, providing governance oversight, strategic leadership and management guidance. The Board is supported in its functions by the Development and Property Committee and the Governance Committee. The Board continues to work proactively with traders as business partners and the City of Adelaide to attract visitors to the City and ensure the Authority is financially sustainable.

OUR COMMUNITY

We will make a valuable contribution to the economic, social and cultural wellbeing of our precinct and community.

Highlights

- Ongoing partnership support - Oz Harvest and Catherine House
- Community Engagement Plan 2024/25 delivered
- Sustainable September campaign including educational waste videos located on the Market floor (Grote entry)
- National Reconciliation Week Artwork Commission by Brooke Kirra Rigney was installed in the Gouger Dining area and included an official opening event for stakeholders
- Delivery of Lunar New Year celebrations and collaboration with Chinatown
- Single use Plastic Ban implementation including In-Market bins re-skinned to align with ban

School excursions

145 schools visited the Market (6,356 Students)

ACMA provides a free teachers' resource kit, Brain Food, aligns with the Australian Curriculum and provides themes and topics to assist teachers with planning their visit for out of school extended learning ranging from entrepreneurship, budgeting, geography, sustainability, art, culture, food and health.

Community partnerships

As part of our annual Community Engagement Plan, ACMA works closely with South Australian groups and organisations that align with our core values and enrich the Market community. This includes providing continued support to community partners OzHarvest SA and Catherine House.

OzHarvest food rescue

13,783kg of good quality surplus food and 27,566 meals delivered to South Australians in need (with 173,795kg and 462,773 meals since inception in 2012)

In the final days to Christmas the Tree of Goodness returned for its twelfth year raising $4,475 across four days, equating to almost 10,000 meals to support South Australians experiencing homelessness.

Catherine House partnership

ACMA and traders proudly supported local charity, Catherine House, by supplying fresh produce to women experiencing homelessness. This included fruit, vegetables, meat, continental and desserts for Christmas Day lunch for 70 women and ongoing monthly fruit and vegetable deliveries to the centre to support kitchen operations.

Guide Dogs SA/NT

ACMA proudly support Guide Dogs with fundraising opportunities, with seven pop ups within the Market, raising $5,633.25.

Sustainability Strategy

ACMA advocates for a holistic approach to reducing the impact of Market operations on our environment for a more sustainable future. We referred to our 2024-2027 Sustainability Strategy to clarify our intent and guide our actions.

ACMA was successful in bid for a Green Industries South Australia LEAP Grant for $100K, for development of a Traders Sustainability Program. After consultation and engagement with traders, the Traders Sustainability Guide *(Stage 1) was completed, with stage 2 due for completion in June 2026.

Community Kitchen

This was established as a forum to cook, create, taste, discuss ideas and to celebrate the diverse multicultural community the Market is renowned for.

In 2024/2025 the Community Kitchen was used 17 times with over 27 cooking demonstrations for Market customers, Sauce Day and Tasting Australia program. Participation was positive with the demos well attended.

National Reconciliation Week

In collaboration with the City of Adelaide, artwork was commissioned by Ngarrindjeri and Kaurna artist, Brooke Kirra Rigney and displayed in the Gouger Dining area during

Market Precinct

ACMA continued to collaborate with the Market precinct partners including monthly participation with the Grote Business Precinct committee, Gouger St Association and Lunar New Year celebrations and the Market Plaza Management.

OUR MARKET

We will deliver infrastructure and programs that address the current and emerging needs of our customers and traders.

Customer highlights

- New fans installed in key dining areas
- Increased Market entrance directional signage (Gouger St)
- New directional signage at the Gouger Street Eastern entrance
- New furniture along the Eastern roadway
- New planters along the Eastern roadway and central Gouger St entrance

Market Improvements

- Replacement of glass canopies at 3x entry points
- Renewal of entry lighting
- Renewal of Asphalt (western roadway)
- Northwestern and southeast overheard protection gantries completed
- Northeastern Festoon Lighting (entry)
- Sprinklers for stalls and fire detection renewal in roadways
- CCTV cameras in UPark and Adelaide Central Market replaced
- Produce storeroom pallet protection
- Emergency Fire training for staff and key traders
- Fire pumps and tanks replacement
- Replacement of security gates
- Supply Cat 1 services to Federal Hall

Market Expansion Project

ACMA has continued to work closely with the City of Adelaide and project stakeholders on the Market Square and Market Expansion.

Highlights:

- Leasing Strategy and Leasing Campaign strategy completed
- Review of property staff resourcing
- National Leasing Campaign and Meetings with EOI applicants (plus existing traders)
- Completed Retail Design Guidelines
- Preliminary documentation and processes to enable leasing delivered
- Community Consultation on future Market offer completed with over 2,000 responses
- Music/PA system investigated
- Wayfinding strategy in progress
- Atrium and Laneway strategy plan underway
- Retail and operational advice to design and construction to ensure fit for purpose Market

ACMA looks forward to continuing working with the City of Adelaide to achieve the vision for the Market Expansion and provide a thriving mixed-use place, complementing and strengthening the vital role of the Adelaide Central Market as a hub of food and culture in the city.

Audited Financial Statements

Panettone
Balsamico
Vergani
IL PANETTONE DI MILANO
Lucias

CITY OF ADELAIDE

Adelaide Central Market Authority (ACMA)

2024/25 Annual Report

AEDA Annual Report

FY 2024/2025

Adelaide Economic Development Agency

CITY OF ADELAIDE

Cover Image: **Adelaide**
Credit: joeyjoenes

Acknowledgment of Country

Adelaide Economic Development Agency tampendi, ngadlu Kaurna yertangga banbabanbalyarnendi (inbarendi). Kaurna meyunna yaitya mattanya Womma Tarndanyako. Parnako yailtya, parnuko tappa purruna, parnuko yerta ngadlu tampendi. Yellaka Kaurna meyunna itto yailtya, tappa purruna, yerta kuma burro martendi, burro warriappendi, burro tangka martulyaiendi. Kumarta yaitya miyurna iyangka yalaka ngadlu tampinthi.

The Adelaide Economic Development Agency acknowledges that we are located on the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land. We also extend that respect to visitors of other Aboriginal Language Groups and other First Nations.

Adelaide Fringe
Credit: joeyjoenes

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AFL Gather Round

Credit: South Australian Tourism Commission

Adelaide Economic Development Agency

The Adelaide Economic Development Agency (AEDA) was established as a subsidiary of the City of Adelaide under Section 42 of the *Local Government Act 1999 (SA)* and commenced operating on 18 January 2021.

AEDA is governed by a Charter that states its purposes and objectives are to:

- Accelerate economic growth in the City of Adelaide by attracting investment, supporting businesses and fostering the growth of festivals, events, visitors, students and residents.
- Promote the City of Adelaide as a destination and 'magnet city' by increasing its visitation and use by residents, workers, visitors and the public.
- Position Rundle Mall as South Australia's premier retail and commercial shopping precinct to sustain retail, business and economic viability.
- Ensure the Agency operates within the terms of its Charter and the *City of Adelaide Strategic Plan 2024-2028*.

Among the Agency's functions are to:

- Work collaboratively with the state government, strategic partners, peak bodies and key stakeholders to position the City of Adelaide as an attractive investment opportunity for commercial and residential property development.
- Support the growth and development of existing businesses and attract new businesses, industries and entrepreneurs to establish in the City of Adelaide.
- Promote and market the City of Adelaide to local, interstate and international visitors and investors.
- Position and promote the City of Adelaide as Australia's premier festival and event destination, with the aim of increasing visitation and investment.
- Support growth of the visitor economy by attracting international students, festivals, events, conferences, conventions and exhibitions.
- Activate, promote and market Rundle Mall, and develop mainstreet precincts as commercial hubs of economic, cultural and social significance.

Chair's Foreword

As chair of the Adelaide Economic Development Agency (AEDA), I am pleased to present the *2024/25 Annual Report*. This year's report is significant for me because it marks my first year as Board Chair and shows the Agency's commitment to delivering activities that support the business community and contribute to the city's economic vibrancy.

I want to begin by congratulating AEDA's outgoing Chair, Nikki Govan. Nikki played a pivotal role in leading the Agency, and the city more broadly, through the challenges associated with COVID-19 recovery. Her contributions as the inaugural Chair have left a lasting impact on the city, and the Board recognises her exceptional impact.

In reviews of AEDA, it was recommended that the City of Adelaide develop an Economic Development Strategy which, following Council's endorsement, has enabled the Agency to complete its strategic plan. This plan shows a commitment to strengthening the city's economy. It articulates how we will promote the city, support events and tourism, champion education, enhance Rundle Mall's retail appeal, and collaborate closely with the City of Adelaide and other partners.

In 2024/25, AEDA supported 86 investment and business growth opportunities representing a potential of 3,860 jobs, supported more than 40 events and festivals that brought 5.7 million attendees to the city, and promoted more than 115 city businesses through destination marketing campaigns. AEDA also hosted the third ADL Fashion Week and fourth AEDA Business Summit to great success.

Significant time and effort went into our business planning process. Support from the business community was heartening during the Council's budget consultation process for increasing AEDA's funding. We have started discussions with the Council about future funding models and the appropriate level of resourcing for AEDA so that it has scope to increase its impact even further.

As custodians of Rundle Mall, we were pleased to see spending grow by six per cent to $1.5 billion. The precinct's strip vacancy rate was 3.4 per cent in the last quarter of 2024/25—the lowest among major mall strips in the country and a remarkable achievement given Adelaide's changing retail landscape.

As an agency led by a skills-based Board, we are fortunate to have the input of key professionals. This year, the Board welcomed Emma Kardachi, and Denise von Wald and Tim Last were re-appointed. I also want to take this opportunity to sincerely thank all the wonderful Board members for their ongoing commitment and professionalism, General Manager Greg Ratsch for all his efforts and contributions, Executive Managers and the whole AEDA team that proudly work so hard to make Adelaide an even better place to be.

Adelaide's economy is in good shape as evidenced by more jobs, more businesses, a vibrant events calendar, strong demand for hotel rooms and continued property demand. However, there are challenges like investment by competitors in suburban shopping precincts, hybrid working keeping people in home offices and out of the city and a need for even stronger consumer spending. We will continue to proudly advocate for and champion our beautiful city to make the most of our opportunities and address our challenges.

Steve Maras
(Chair)

The Board

The Agency is governed by a skills-based Board of Management. The Board includes expertise and experience in hospitality, property development, placemaking, marketing, investment, retail, events, and tourism sectors.

During the year, the following Board changes occurred

- Nikki Govan's term as the inaugural chair concluded on 17 January 2025, and was succeeded by Steve Maras from 18 January 2025.
- Emma Kardachi was appointed to the Board on 26 November 2024, with her term to conclude on 30 June 2027.
- Denise von Wald and Tim Last were reappointed to the Board until 30 June 2028, following the expiration of their terms on 30 June 2025 and 31 May 2025 respectively.
- Matt Poblocki was reappointed to the Board on 13 August 2024, but resigned on 22 May 2025 due to changing work arrangements.
- Jim Kouts was appointed Deputy Chair by the Board at its 12 February 2025 meeting until the expiration of his term on 30 June 2026.
- James Black was reappointed to the Board as the Advisory Committee Representative for a one-year term, commencing 12 March 2025.

2024/2025 AEDA Board attendance

Board Members	No of meetings eligible to attend	No. of meetings attended
Steve Maras	9	8
Lord Mayor Jane Lomax-Smith	9	8
Denise Von Wald	9	9
Jaimee-Lee Charlton	9	7
James Black	9	8
Jim Kouts	9	8
Tim Last	9	8
Matt Poblocki	7	7
Nikki Govan	4	4

Jim Kouts
(Deputy Chair)

James Black
(Advisory Committee Representative)

Jaimee-Lee Charlton

Emma Kardachi

Tim Last

Dr Jane Lomax-Smith AM
(Lord Mayor)

Denise von Wald

The Advisory Committee

The Charter requires an Advisory Committee (the Committee) to be formed to provide a two-way mechanism for city businesses, mainstreet associations, precincts, and other stakeholders to exchange information and raise matters within AEDA's functions and powers.

AEDA Advisory Committee members for 2024/25

- James Black
- Alfredo Cabada (from February 2025)
- Lauren Giorgio
- Leah Grantham (until October 2024)
- Nikki Hamdorf (Precinct Group Representative, from November 2024)
- Jasmin Ilic (from February 2025)
- Angela Maglieri (from May 2025)
- Tim Pozza (Chair, until April 2025)
- Mirella Romano (from February 2025)

Corporate Governance

During 2024/25, the Board endorsed its first strategic plan as required under Section 6.1 of its Charter.

The *AEDA Strategic Plan 2024/25 – 2028/29* (the plan) was completed following the Council's endorsement of the *City of Adelaide Economic Development Strategy*. The AEDA Strategic Plan articulates AEDA's obligations—as specified in the City of Adelaide Economic Development Strategy, the AEDA Charter and the City of Adelaide Strategic Plan and addresses matters relating to governance and operations.

Progress against Strategic Plan metrics can be found in **Appendix 1.**

Board Review

The Charter requires the Board to undertake an annual review of its performance. AEDA administration canvassed the views of Board Members through a survey and collated the results.

The findings of the review were positive, with the main findings being:

- The role of the Board is well understood by members.
- The composition and nature of the Board's membership are strengths.
- The Board has a vision, purpose and strategy, but would benefit from a reporting process that aligns to the plan.
- There are risk management processes in place, however, there are opportunities for the Board to focus further on this.
- The processes and systems are generally adequate.
- There could be better use of the Advisory Committee.
- The Board has a constructive culture, solid processes, adheres to confidentiality and maintains a mutually respectful relationship with administration.
- The Chair and the General Manager are effective in discharging their roles and responsibilities.

Proposed actions responding to observations made by Board members through the review are to:

- Identify opportunities to streamline the Board and Advisory Committee selection processes.
- Develop a reporting process that aligns with the plan following its adoption.
- Include a list of emerging challenges section in the General Manager's report to each Board meeting.
- Identify opportunities to seek the input of the Advisory Committee.
- Differentiate between agenda items requiring a board decision, and those presented for early input or workshop discussion.
- Identify opportunities where the Board can utilise their networks to progress the objectives of the Agency.

AEDA Reviews

Implementation of the recommendations made in the reviews of AEDA undertaken by Deloitte and KPMG in 2023 continued during the year. Thirty-five of the 36 recommendations have now been addressed. The one outstanding recommendation relates to the development of a long-term financial plan for the Agency. The council is progressing this matter.

Annual Report

Throughout the 2024/25 financial year, AEDA delivered initiatives in line with its core function of driving economic activity in Adelaide and North Adelaide.

These activities and initiatives were delivered in conjunction with AEDA's *2024/25 Business Plan and Budget*, which was built around four strategic focus areas: **Business, Investment & Residential Growth**, **Visitor Growth**, **Brand and Marketing** and **Rundle Mall.**

AEDA manages the Rundle Mall precinct and engages with retailers and other parties to deliver a diverse range of events, activations and promotions. These aim to attract visitors, add vibrancy and increase dwell time to drive retail growth and economic outcomes.

AEDA also advocates on behalf of Rundle Mall Levy payers for initiatives and outcomes that enhance Rundle Mall's position as South Australia's premier shopping destination.

AEDA's *2024/25 Business Plan and Budget* outlines initiatives and actions for each strategic focus. Delivery against these initiatives and actions has been included in **Appendix Two**.

Colours of Asia Rundle Mall

Financial Summary

AEDA Income Summary	Original 2024/25 Budget ($'000)	2024/25 BQ3 ($'000)	2024/25 Actual ($'000)
AEDA contribution from CoA	8,159	8,060	7,711
Strategic project funding CoA	233	733	702
Other grants, subsidies and contributions	-	-	15
Rundle Mall levy	4,017	4,017	4,049
User charges	400	620	663
Reimbursements	-	-	-
Other income	-	-	-
Total income	**12,809**	**13,430**	**13,140**

AEDA Expenditure Summary	2024/25 Budget ($'000)	2024/25 BQ3 ($'000)	2024/25 Actual ($'000)
Business, investment and residential growth	2,976	3,047	2,774
Visitor growth	3,267	3,753	3,689
Brand and marketing	2,127	2,113	2,044
Rundle Mall marketing and events	2,486	2,586	2,351
Rundle Mall operations	1,953	1,904	1,911
Total expenditure	**12,809**	**13,403**	**12,769**

Business, Investment & Residential Growth

An environment that attracts investment, supports new businesses to start, existing businesses to grow and increases the city's population.

City Indicators

- Job numbers in the city increased 1.8 per cent to 172,652.
- International student enrolments in South Australia decreased by 2 per cent to 43,043.
- The number of city businesses increased by 1.25 per cent to 12,717.
- Resident numbers in the city increased by 4.05 per cent to 29,118.

Investment Support

There was a strong level of investment and business growth enquiries and opportunities during the year, with 86 leads supported, representing a potential 3,860 jobs. Eighteen businesses received support through AEDA's Welcome to Adelaide initiative, which provides assistance with site selection, data to inform their business case, promotional opportunities and welcome packs to help businesses transition their staff into the city. The program supported the relocation or creation of 1,060 jobs.

Support has also been provided to numerous enquiries regarding Purpose Built Student Accommodation and to the City of Adelaide to progress its Adaptive Reuse City Housing Initiative.

Data & Insights

Demand for AEDA's data and insights continued to rise, with 319 requests received. Use of the data webpages also increased, with 6,369 users, 16,261 views, and an increase in the average time spent on the site. Three industry briefings attended by more than 400 people were held over the year. These were:

- Data4Lunch Sustainable Futures where AEDA partnered with the City of Adelaide and JLL to discuss the interconnection between sustainability and business.
- Data4Lunch Fact vs Fiction where AEDA partnered with Economy.id and AEDA Marketing to dispel common misconceptions about the city's economy.
- AEDA also partnered with the Property Council Office and CBRE for their Office Market Report breakfast event in February 2025.

Data4Lunch

Gaming Sector

In the 2024/25 financial year, AEDA strengthened Adelaide's games and interactive media sector through targeted investment, capability building and ecosystem development. The third round of AEDA's Games Plus Support Program supported 12 early-stage developers with funding, mentoring, and marketing guidance at the Games Plus co-working space. Four studios were supported to participate in major events, including PAX Australia, Games Connect Asia Pacific (GCAP), SXSW Sydney, and BitSummit (Japan), which provided global exposure and pitching opportunities. AEDA's support allowed the South Australian Games Association to host more than nine industry events with 943 attendees. AEDA also supported SAGE (SA Game Exhibition), which attracted more than 3,000 attendees and 35 exhibitors over two days.
Four active leads are now being pursued to attract games development companies to Adelaide.

Strategic Partnerships Program

AEDA, through its Strategic Partnerships Program (SPP), provides funding to external organisations to stimulate economic activity across multiple sectors within the city. It establishes new partnerships to accelerate economic growth and expands existing collaborations by building on previously funded projects.

AEDA's 2024/25 strategic partners were

- Renew Adelaide
  - Eighteen new ventures launched and 11 graduated ventures.
  - Activated 2,705sq m of space.
  - Created 131 jobs.
  - Generated approximately $4.43 million in annual turnover.
- Business Events Adelaide
  - Secured 149 events, which supported 348,984 bed nights and 7,896 jobs.
  - Delivered an economic impact of $676 million.
- Study Adelaide
  - Delivered its Global Familiarisation Program for education agents, including 56 visiting from other countries.
  - Agents reported a 72 per cent improvement in their knowledge of Adelaide.
  - Increased confidence in recommending Adelaide as a study destination
- MTP Connect
  - Delivered the Global Navigator program.
  - Supported 10 emerging health tech businesses aim for global expansion.
- _SouthStart
  - Launched its MASTERMIND workshop series.
  - Prepared 10 businesses for seed-stage investment.
- ThincLab
  - Delivered the ThincSeed program to 17 early-stage businesses.
  - Assisted participants in raising seed capital and connecting with private equity investors.

Precinct Groups

AEDA maintained support for precinct groups through the Mainstreet Development Program, as the City of Adelaide reviewed its broader approach to economic activity, engagement with, and activation of precincts. Initiatives delivered by precinct groups included activating West Village through the Fringe Festival, collaborating with Renew Adelaide to address vacancy rates on Hindley Street, the Ebenezer Night Markets and the Easter Trail on Melbourne Street.

Visitor Growth

Visitors have an enjoyable, vibrant and dynamic city experience so that they are encouraged to return and become ambassadors for Adelaide as a destination of choice.

City Indicators

- City hotel occupancy increased by three percentage points to 73 per cent.
- Bed nights demand rose from 1.88 million to 2.04 million.
- Business event delegates rose by 11.2 per cent to 58,924.
- Direct tourism jobs increased by 4.25 per cent to 8,169.

Events & Festivals Sponsorship Program

AEDA continued to provide financial support to event and festival organisers.

The Events and Festivals Sponsorship Program provided $1.775 million in funding to support 20 events and festivals, which collectively attracted more than 5.6 million attendees to the city. These events contributed an estimated 882,178 visitor bed nights and generated more than $470 million in gross economic impact.*

The Commercial Events and Festivals Sponsorship Program provided $462,500 in funding to support 22 events and festivals, which collectively attracted more than 1.5 million attendees to the city. It resulted in an estimated $85 million in attendee expenditure.

Product Development

AEDA has worked to expand the city's tourism offerings by identifying product gaps and pursuing opportunities for investment, in line with tourism trends and the city's strengths. Initiatives included:

- Working with cultural institutions along North Terrace to identify opportunities to increase visitation share. It is anticipated that the opening of the new Visitor Experience Centre in 2026 will generate a natural increase in foot traffic within the precinct.
- Supporting CBD businesses and strengthening Adelaide's tourism offering through the Tourism Product Accelerator Program, in partnership with Tourism Accelerator. Through this initiative, 10 city businesses were given an opportunity to develop new, commissionable tourism products ready for promotion, including to international buyers. The program successfully delivered 18 new experiences that broadened the range of bookable products available in the city.
- Undertaking a project to identify national and international tourism products and concepts suitable for the city. The project focused on opportunities that were permanent, available year-round, aligned with global tourism trends, and complemented Adelaide's identity, existing attractions and festival calendar. In partnership with consultants Left Bank Co. and REMIX Summits, several potential investment and collaboration opportunities were identified. Work is ongoing to further develop these concepts to strengthen Adelaide's visitor economy and enhance the city's appeal to local, interstate and international audiences.

*Figures are based on data supplied by events and festivals through each program's acquittal process. At the time of reporting, not all acquittals had been received, and final figures may vary.

Visitor Information Services

This year, close to 42,000 people engaged with the Visitor Information Service, which is run by AEDA. Around 30,000 people used the Visitor Information Centre, while the remainder accessed initiatives such as City Guides, Adelaide Greeters, Cruise Ship Meet and Greet Programs, the Mobile Visitor Information Service and Adelaide Town Hall Tours.

Three information sessions, as well as multiple familiarisations, were facilitated to upskill the Centre's 60 volunteers and encourage visitors to utilise the services of operators across the city. Cross-collaboration took place with neighbouring councils and familiarisations were organised to upskill their volunteers' knowledge of city experiences.

Discussions have continued with the State Library of South Australia regarding the use of the Institute Building as the location for the new Visitor Experience Centre. Arterial has been contracted to lead the design work.

Mobile Visitor Information Service

Events

AEDA showcased Adelaide and its tourism operators at two major industry events—Tourism Australia's largest annual tradeshow, the Australian Tourism Exchange, and the Australian Tourism Export Council's Explore South Australia event. Across both events, AEDA met with 115 inbound tour operators, wholesalers, online travel agents and retail travel agents to champion Adelaide.

More than 60 tourism operators attended AEDA's Visitor Economy Update at U-City in February. The event included information on tourism trends, South Australian Tourism Commission (SATC) activities, AEDA's Visitor Economy Guiding Framework, and destination marketing.

AEDA continues to work with Business Events Adelaide to attract conventions, business events and incentive travelers to Adelaide and to support the welcome and dispersal of delegates into the city.

Tasting Australia
Credit: South Australian Tourism Commission

Advocacy and Coordination

AEDA is recognised by SATC as the tourism organisation representing Greater Adelaide in the absence of a formal metropolitan Adelaide governance structure. AEDA's General Manager sits on the SATC Regional Chairs' Group, and the AEDA Tourism Industry Development Advisor serves as Greater Adelaide's Regional Tourism Manager in lieu of an official representative for the region. AEDA has co-driven the development of a Destination Plan for Greater Adelaide with SATC. Over the past 12 months, a greater focus has been placed on working collaboratively with metropolitan councils that have an interest in building the tourism sector.

AEDA, in collaboration with the Western Adelaide Tourism Alliance, held an Australian Tourism Data Warehouse workshop called Enhancing Your Event Listing. The workshop was specifically aimed at businesses doing activations for the British & Irish Lions Rugby Tour and beyond.

To assist city businesses in crafting SA Tourism Award submissions, AEDA, in conjunction with TiCSA, supported eight city organisations with exclusive one-on-one mentorship and feedback on their submissions.

AEDA, in conjunction with Big Red Group, Get Your Guide and Tourism Accelerator, facilitated a workshop attended by 15 participants on how to leverage working with online trade partners to drive sales and maximise exposure.

Brand & Marketing

The voice of the city to consumers through Experience Adelaide and to businesses as the Adelaide Economic Development Agency.

City Indicators

- City spend increased 3.4 per cent to reach $4.2 billion.
- Average daily visitors dropped 10.1 per cent to 371,250.
- Adelaide brand health metric increased .05 points to 6.39.

Digital and Social Media Channels

Experience Adelaide website received 1.64 million views, with the number of leads generated increasing by six per cent to 94,500. Enhancements to the AEDA website saw a 20 per cent increase in users and a 10 per cent increase in user engagement. The What's On eDM is distributed to 135,325 subscribers weekly and the City Business eDM has 8,276 subscribers.

Chihuly Trail

AEDA initially supported the attraction efforts of the Adelaide Botanic Gardens & State Herbarium to bring the exclusive Chihuly *Garden Cycles* exhibition to Adelaide by providing economic data to support its business case. During the exhibition, AEDA developed the Adelaide Celebrates Glass Trail, an online map and landing page featuring glass- and botanical-themed products and experiences from 14 city businesses. The trail encouraged both locals and visitors to explore Chihuly-related offers across the city and attracted more than 15,300 visits, with strong positive feedback from participants, partners, and visitors.

See for Yourself Campaign

The See for Yourself campaign targeted 22–49-year-olds across Adelaide to challenge perceptions that the city is boring and sleepy in winter. The campaign profiled more than 115 businesses and generated more than 11,900 visits to the SeeADL.com.au landing page, converting to 2,465 leads for city operators. The paid advertising resulted in a reach of 4.7 million impressions.

AEDA Business Summit

The sold-out 2025 AEDA Business Summit was attended by more than 450 people. Keynote speakers included The Demographics Group Co-Founder and Director Simon Kuestenmacher on demographic shifts, REMIX Summits Co-Founder Peter Tullin on the visitor experience economy, and Bree Whitford-Smith from Rising Sun Pictures who discussed Adelaide's role in the global visual effects industry. Premier Peter Malinauskas joined a panel discussing Adelaide's growth opportunities along with SA Productivity Commissioner Adrian Tembel, CMAX Clinical Research Chief Executive Jane Kelly and Qinetiq Chief Strategy Officer Rebecca Humble. The event, sponsored by Adelaide University, emphasised innovation, investment and Adelaide's global positioning.

2025 AEDA Business Summit

Winter Events Campaign

The 2025 Winter Events Campaign highlighted festivals that occurred in the traditionally quieter winter months, such as Tasting Australia, DreamBIG Children's Festival, Adelaide Cabaret Festival, Cabaret Fringe, Viking Fest and Illuminate Adelaide. The campaign aimed to increase the number of people visiting the city and encouraged spending on hospitality, accommodation, and entertainment. More than 6,000 leads were generated for featured events.

ADL Fashion Week

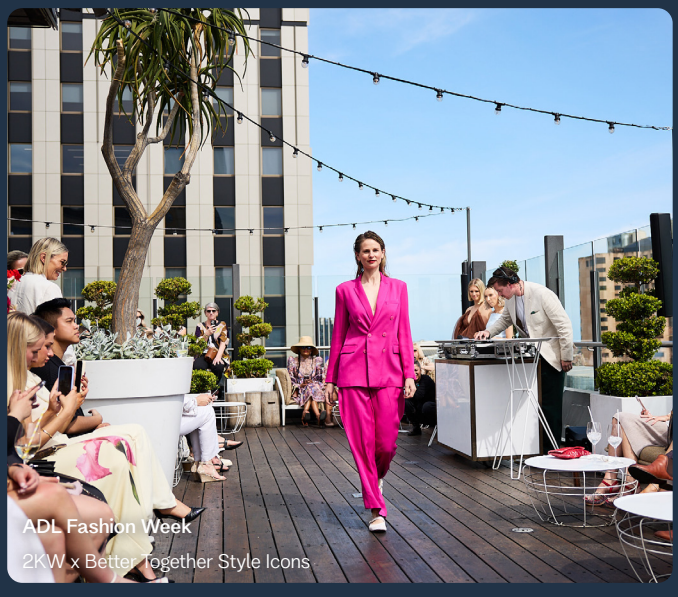
The third ADL Fashion Week was held from 11-13 October 2024. More than 2,200 tickets were sold across 40 events, marking an increase of 12 per cent increase in ticket sales on 2023.

ADL Fashion Week debuted its central hub, The Loft at the Hotel Richmond, as a destination for events such as the SAFIA (South Australian Fashion Industry Association) industry breakfast, where local brands showcased and retailed their products, along with interstate designers interested in testing the Adelaide market.

Feedback from industry and participants was overwhelmingly positive, with a 90 per cent satisfaction rating and Net Promoter Score of eight out of 10 for the event, via intercept and online survey.

2,200+
Tickets sold

90%
Satisfaction rating


ADL Fashion Week
2KW x Better Together Style Icons

ADL Fashion Week
SAFIA Industry Breakfast

Rundle Mall

Rundle Mall, the State's premier retail and commercial shopping precinct, energises city life and enriches the Adelaide experience.

City Indicators

- Rundle Mall spending rose six per cent to $1.5 billion.
- Rundle Mall proportion of all city spend was 57 per cent.
- Rundle Mall Precinct vacancy rate dropped from 17.8 per cent to 11 per cent.
- Tourism and entertainment expenditure increased by 16 per cent.

AEDA administers the Rundle Mall differential separate rate for the purposes of managing, operating, and marketing the Rundle Mall Precinct. As the custodian of the Rundle Mall brand, AEDA advocates on behalf of stakeholders to deliver initiatives and outcomes that enhance Rundle Mall's position as South Australia's premier shopping destination.

Events

ADL Fashion Week

ADL Fashion Week positioned the city as South Australia's centre of fashion, providing shopping offers, exciting pop-ups and unique in-store experiences. Activation highlights included Jardin de Mall that featured Rundle Mall's spend-and-win activation, and pop-up activations from The Speakeasy Hotel, Gelato Messina, R.M.Williams, Have You Met Charlie and Katya Komarova.

More than 457,000 visitors were recorded in Rundle Mall during ADL Fashion Week, a six per cent increase compared to the previous four weekends.

Black Friday

Rundle Mall achieved record-breaking spend and foot traffic results on Black Friday in 2024. AEDA actively promoted Rundle Mall as Adelaide's premier shopping destination and the only shopping centre to stay open until midnight for Black Friday. David Jones and Rundle Mall City Sessions provided music to help boost the mood across the four days. City-wide expenditure during Black Friday 2024 exceeded $23.5 million, making it the biggest spending day in the City of Adelaide on record. Total spending on Black Friday (Friday, 29 November) alone increased by six per cent, compared to Black Friday in 2023. Expenditure was up 52 per cent compared to the 12-month average for Fridays.

Christmas

Rundle Mall's Christmas campaign kicked off in early November with the launch of decorations and the Santa Course, run in conjunction with the City of Adelaide and Father Christmas' arrival to the Mall on National Pharmacies Christmas Pageant day.

Rundle Mall also unveiled its 12 Days of Christmas campaign, which aimed to encourage people to visit the Mall regularly before Christmas. City-wide spending in December 2024 reached $421 million, up 12 per cent from December 2023, making it the highest total spend in one month on record.

MallFest

MallFest ran during the festival season in February and March. Trading hours were extended until 6:00 pm for five consecutive Saturdays (22 February to 22 March), and a curated program of street performers entertained shoppers along the Mall. Activations from Mollydooker, Svago Cucina and DJs every Friday supported the activation. Weekend activity was up four per cent compared to Fringe 2024 and up 14 per cent compared to the 12-month weekend average.

Colours of Asia

From Friday 21 to Sunday 23 March, Rundle Mall hosted the inaugural Colours of Asia Festival, hosted by Asia Oasis. Sixteen vendors served authentic street food, while live performances, traditional dance and music put culture in the spotlight. The event contributed to the highest foot weekend traffic ever recorded (680,000 between Friday and Sunday), with activity up 47 per cent compared to the 12-month weekend average.

Gather Round

The energy of the 2025 AFL Gather Round was felt in Rundle Mall where fans were offered a line-up of footy-themed activations, entertainment, and shopping experiences. Extended trade until 6:00 pm on Saturday, 12 April, gave people more time to shop, explore and enjoy the festivities. More than 744,000 people visited the Mall over Gather Round, with visitation up nine per cent compared to Gather Round 2024.

Urban Kitchen

As part of Tasting Australia, Urban Kitchen transformed Rundle Mall into a vibrant culinary hub. This year's expanded program included new masterclasses from Rundle Mall businesses. Urban Kitchen was once again a sellout, with 1,034 tickets sold across the 10-day program.

City Sessions

The Rundle Mall City Sessions live music program, delivered in partnership with the City of Adelaide and Adelaide UNESCO City of Music, featured 113 performances across 18 genres. The program highlighted a mix of mostly South Australian established and emerging artists.

MallFest

Urban Kitchen

City Sessions

Partnerships & Activations

Rundle Mall delivered 393 activations—generating $574,266.25 in income—which exceeded the budget for the financial year. Existing concessions such as Flower Depo and Jonny's Popcorn continued to perform strongly, while Crushes was introduced as a new concession. Key brand activations included Swatch, Tesla, the Royal Australian Mint, KPMG/ Department of Transport, Lumo Energy, Chemist Warehouse, AFL Store, Farmers Union Iced Coffee, CC's Chips and Mollydooker Wines. Major campaigns with AFL, Suncorp Super Netball (SSN) Netball, Women's Big Bash League (WBBL) 10, SATC for LIV Golf, and McDonald's/NOVA further enhanced Rundle Mall's reputation as South Australia's leading destination for brand experiences and activations.

Rundle Mall's partnership with Gathered Market strengthened over the year, with 11 market days delivered, including two Friday markets to support late-night trade.

Appendix 4 to this report provides the Rundle Mall Marketing, Events and Activations calendar for 2024/25.

Brand Attraction

Rundle Mall welcomed several new brands and flagship stores, including Glassons, Sportsgirl and The Hourglass, further strengthening its retail mix. In Q4 FY 2024/25, the precinct's strip vacancy rate was 3.4 per cent—the lowest among major mall strips in the country. The Agency heightened awareness of the Mall through a partnership with *Inside Retail* and meetings with national and international brands considering an expansion into Adelaide.

Rundle Mall Public Relations

Rundle Mall generated over $59 million in public relations value through targeted media pitches, events, campaigns and organic editorial coverage. This positioned the Mall as South Australia's premier shopping destination and a compelling investment opportunity for domestic and industry audiences.

Charles Street Upgrade

AEDA worked alongside the City of Adelaide on the $5.9 million upgrade of Charles Street, which was completed in February 2025. AEDA engaged with stakeholders throughout the project to ensure it met the needs of the precinct. Charles Street has now been transformed into a high-quality pedestrian link, and is a key arterial connector linking the North Terrace cultural boulevard to Rundle Mall.

Charles Street

AFL Gather Round in Rundle Mall

Appendix 1: 2024/25 to 2028/29 Strategic Plan KPIs

AEDA Performance Against 2024/25 Business Plan & Budget

Growing the Visitor Economy

Strategic Plan Measures	Indicator/Note	Benchmark	Year 1 YTD	Benchmark Note
Increase in spending across the CBD and North Adelaide	Baseline: 12.33m (2023/24) Source: Economy.id (Tourism Visitor Summary) - using Tourism Research Australia data	$12.33 million	No update	Tourism Research Australia (accessed via Economy.id) combined International Visitor Nights + Domestic Visitor Nights + Domestic Daytrips
An enhanced year-round events calendar, with experiences found throughout the city	Australian Tourism Data Warehouse listings (ATDW)	1,212	1,215	2023 calendar year
Grow as Australia's festival capital	Percentage of interstate respondents who associate festivals with Adelaide when compared to other capital cities (YTD average)	26%	28.40%	Average for 2023 calendar year
Grow the number and scale of business events hosted each year	Business Events Adelaide—number of business events	164	140	2024 calendar year
	Business Events Adelaide—number of attendees	56,218	68,463	2024 calendar year
Grow the number of 4- and 5-star and boutique hotel beds	CoStar—Hotel inventory by class	3,242	3,256	2024 calendar year4
Increase the number of airport arrivals and demand for city accommodation	Adelaide Airport (AAL)—Total traffic volumes	8,272,940	8,630,000	2023 calendar year
	STR—Hotel rooms booked	1,817,760	1,946,466	2023 calendar year
Invest in Adelaide Visitor Information Centre tourism assets to increase visitation and improve visitor experience	This is a binary statement, so no longitudinal indicator			
Deliver economic data and insights to our business community	Binary indicator Y/N	Yes	Yes	

Activating Rundle Mall & Precincts

Strategic Plan Measures	Indicator/Note	Benchmark	Year 1 YTD	Benchmark Note
Increase in spending across the CBD and North Adelaide	Spendmapp by Geografia (total daily aggregate)	$3.99 billion	$4.18 billion	2023 calendar year
$150 million of capital investment committed to the precinct	Cumulative count of development applications and capital works	n/a	$272.292 million	n/a
Improvement to Rundle Mall business sentiment	AEDA Data & Insights Rundle Mall Trader Business Confidence Survey	50	64	Mid 2024
Increase in foot traffic across the CBD and North Adelaide	Kepler Analytics, City of Adelaide multizone foot traffic, unique visitors	138.8 million	130.6 million	2023 calendar year

City Brand and Marketing

Increase the brand health metric for Adelaide as a destination to visit to 7.5/10	Commissioned research	6.34	6.39	Verian commissioned research in 2024
Deliver marketing and promotional strategies to share Adelaide's unique attributes and emerging opportunities	Binary indicator	n/a	yes	n/a
Increase in foot traffic across the CBD and North Adelaide	Kepler Analytics, City of Adelaide , multizone foot traffic unique visitors	138.8 million	130.6 million	2023 calendar year
An increase in the number of new businesses and investment in the City	Number of businesses	12,560	12,717	2023 calendar year
	Value of investment (development applications value)	$848 million	$732 million	FY 2022/23
Improvement to AEDA brand sentiment	Commissioned research	Not funded in budget - unable to measure		

AEDA Governance and Operations

Opportunities and issues identified in annual governance review are addressed	Response to outcomes of annual governance review	n/a	Underway	n/a
An approach to funding that supports multi-year planning is applied		No	No	
City of Adelaide Culture Survey results	Culture Amp - Engagement measure	66%	59%	Culture Amp August 2024
Proportion of job vacancies filled on first approach to market	Taleo	100%	100%	
Delivery of Agency priorities through strategic partnerships	Investment into SPP	Yes	Yes	
Regular information on qualitative and quantitative business needs and opportunities provided to the Board		Yes	Yes	

Appendix 2: 2024/25 Business Plan & Budget KPIs

AEDA Performance Against 2024/25 Business Plan & Budget

Business, Investment & Residential Growth

Key Performance Indicator	Status	Measure	Actual	Difference
Fifty inward investment proposals/local expansions supported with at least 1,500 jobs	C	50	86	+36
Increase of bookable tourism experiences in the city	C	Strategic project to identify new experiential tourism product completed. Discussions with potential operators commenced.		
More than 30 vacant shopfronts/premises activated	PC	30	20	-10
Deliver three industry briefing events	C	3	5	2
Outcomes from collaborative partnerships MTPConnect; _SouthStart and University of Adelaide/Thinclab to support small businesses to grow and scale	C	Programs completed and supported 36 start-up and scale-up businesses		
Five projects and market interventions to support emerging industries in the city	C	5	10	5
Support and facilitate six networking/knowledge transfer events for businesses	C	6	18	12

Visitor Economy

Key Performance Indicator	Status	Measure	Actual	Difference
Delivery of the new Experience Adelaide Visitor Centre	A	-	Underway	n/a
Twenty new bookable city tourism products and experiences	PC	20	18	-2
Eight training sessions with Visitor Information Centre volunteers and staff	C	8	9	1
Visitor and community sentiment index (to be developed)	C	n/a	84	n/a

Key: **C = Complete** **PC = Partially Complete** **A = Active** **R = Removed**

Brand and Marketing

Key Performance Indicator	Status	Measure	Actual	Difference
10 per cent over the 2023/24 measure of $2.2 million in media mentions (advertising space rate), with reference to AEDA. Maintain a variance of 85–95 per cent neutral and/or positive sentiment of media mentions.	C	$2,420,000	$3 549 775	$1,129,775
Increase the brand health metric for Adelaide as a destination to visit to 6.5/10. (Currently 6.35)	A	6.5	6.39	-0.11
Total city expenditure above $4.45b	C	$4.450 billion	$4.65 billion	+$200 million

Rundle Mall

Key Performance Indicator	Status	Measure	Actual	Difference
Demonstrate uplift in market share and foot traffic across three core campaigns	C	3	3	0
Five major brands committed to Rundle Mall	C	5	8	+3
Two public realm infrastructure projects completed	C	2	2	0
A minimum of $20 million new cap investment delivered or committed in the Rundle Mall precinct	C	$20 million	$271 million	$251 million
Ten business or industry media stories relating to Rundle Mall	C	10	12	+2
Uplift in Rundle Mall small business sentiment index over FY24/25	C	50+	64+	+14

National Pharmacies Christmas Pageant
Credit: South Australian Tourism Commission

Appendix 3: 2024/25 Sponsorship Recipients

Events and Festivals Sponsorship Program

Event	Date(s)	Funding
2024 SALA Festival	1 – 31 August 2024	$65,000
2024 Adelaide Guitar Festival	12 – 29 September 2024	$40,000
2024 Chihuly in the Botanic Garden - Chihuly Nights	27 September 2024 – 29 April 2025	$50,000
2024 Nature Festival	28 September – 13 October 2024	$30,000
2024 Adelaide Film Festival	23 October – 3 November 2024	$60,000
2024 OzAsia Festival	24 October – 10 November 2024	$75,000
2024 Feast Queer Arts and Cultural Festival	9 – 24 November 2024	$50,000
2024 National Pharmacies Christmas Pageant	2 November 2024	$75,000
2024 Carols by Candlelight	14 December 2024	$75,000
2025 Adelaide International (Tennis)	6 – 11 January 2025	$50,000
2025 Santos Tour Down Under	17 – 26 January 2025	$190,000
2025 Adelaide Fringe	21 February – 23 March 2025	$300,000
2025 Adelaide Festival	28 February – 16 March 2025	$360,000
2025 WOMADelaide	7 – 10 March 2025	$75,000
2025 Adelaide Equestrian Festival	1 – 4 May 2025	$40,000
2025 Tasting Australia	2 – 11 May 2025	$40,000
2025 DreamBIG Children's Festival	7 – 17 May 2025	$60,000
2025 Cabaret Fringe Festival	23 May – 1 June 2025	$40,000
2025 Viking Fest	6 – 29 June 2025	$50,000
2025 Adelaide Cabaret Festival	6 – 21 June 2025	$50,000

Commercial Events Fund (Medium to Large Category)

Event	Date(s)	Funding
Asia Street Food Festival	29 November – 1 December 2024	$25,000
The Garden of Unearthly Delights	15 February – 23 Mar 2025	$45,000
Fool's Paradise	20 February – 23 Mar 2025	$50,000
Gluttony	21 February – 23 Mar 2025	$50,000
Adelaide Motorsport Festival	7 – 9 March 2025	$40,000

Commercial Events Fund (Small to Medium Category)

Event	Date(s)	Funding
Bastille Festival	14 July 2024	$15,000
Hongdae in Adelaide	7 September 2024	$17,500
Crown and Anchor's 171st Birthday	7 September 2024	$12,000
EMPYRE Fire Festival 2024	21 September 2024	$20,000
CheeseFest - Cheese, Food & Wine	19 – 20 October 2024	$20,000
Poppin' Out (was Mary's In The Park)	2 November 2024	$14,000
Spheres Restaurant (was Rundle Restaurant)	15 – 17 November 2024	$16,000
Summer Sessions Vardon Ave	15 November – 21 December 2024	$12,000
Adelaide Polo Classic	13 – 14 December 2024	$14,000
Laneway Festival	15 February 2025	$16,000
Gathered Market in the Mall	16 February – 7 December 2025	$16,000
The Courtyard of Curiosities	20 February – 23 March 2025	$14,000
Sidebyside	22 – 23 February 2025	$20,000
Colours of Asia	20 – 23 March 2025	$16,000
A Decade in Gilbert Place	5 April 2025	$8,000
Home Base: Footy at Gilbert Place	11 – 13 April 2025	$7,000
Future Sounds Festival	14 June 2025	$15,000

Strategic Partnership Program 2024/25

Partner	Funding
Business Events Adelaide	$300,000
Festival City ADL	$107,500
Renew Adelaide	$335,420
Study Adelaide	$240,000
MTPConnect	$70,000
University of Adelaide/ThincLab	$54,920

Mainstreet Development Program

Partner	Funding
Adelaide West End Association	$25,000
City South Association	$25000
East End Coordination Group	$25,000
Gouger Street Traders Association	$25,000
Grote Business Precinct Association	$25,000
Hutt Street Traders Association	$17,347
North Adelaide Precinct Association	$25,000

AFL Gather Round | Credit: South Australian Tourism Commission

Appendix 4: Rundle Mall Activations

Month	Activity	
July 2024	• Winter in Rundle Mall • School Holiday Activations • NAIDOC Week • Retailer support campaign • Gathered Market (14 July)	• Australian Dental Foundation • Royal Australian Mint Coin Swap • Ballers Clubhouse • Krispy Kreme Roaming
August 2024	• Winter in Rundle Mall • Retailer Support Campaign • Gathered Market (25 August) • Cancer Council Daffodil Day	• Lumo Energy (26 August) • Women's Legal Service Soup Drive • SSN Netball Grand Final • Buy SA for SA (Explosive Promotions)
September 2024	• Spring Launch Campaign in the Mall • Father's Day Activations and retailer support • Retailer Support Campaign • Gathered Market (8 September) • AdYO's Sidewalk Symphonies	• FruChoc Appreciation Day • SANFL Grand Final Player Presentation • Sharpie Pen Sampling Roaming (Sprout) • Department for Environment and Water Media Call
October 2024	• ADL Fashion Week • October long weekend trading hours support • Fashion Campaign and activations • School holidays • Retailer Support Campaign • Rundle Mall City Sessions - Lunchtime Live (11, 18 and 25 October) • Gathered Market (6 October) • Foodbank • Restart A Heart • Peter Shearer Sidewalk Sale	• CoA/Lifeblood • WBBL 10 Season Launch (TGI Sport) • Real Pretzel Co. (4 October) • Lumo Energy (21 October) • Katya Komarova (AFW) x 3 days • Solid Gold Diamonds • Nova/McDonald's • McDonald's Roaming • SafeWork SA • Kyoto Sushi (1 October) • Tesla Cybertruck x 2 days

Month	Activity
November & December 2024	• Christmas decorations • Black Friday weekend • VAILO Adelaide 500 activations • Choirs and music performances • Activations to support extended trading hours and add vibrancy to the Mall in the lead up to Christmas • Boxing Day • School Holidays • Retailer support campaign • Rundle Mall City Sessions: The Fast Lane (15 – 16 November) • Rundle Mall City Sessions: Black Beats Friday (30 November – 1 December) • Rundle Mall City Sessions: Keys to the City Weekend (13 – 15 December) • Rundle Mall City Sessions: Sounds of the Season, Festival of Music Weekend (20-22 December) • Gathered Market (3 November) • SES Water Safety Promotion • Neverending Experiences • KPMG/Yakusan (Department of Infrastructure and Transport) • Mr Limone (1 – 3 November) • Cielo Coffee Cart (Pageant Day) • Mr Limone (9 – 10 November) • Diabetes Australia • Votre Luxe • Mr Limone (14 – 15 November) • Mr Limone (29 November – 1 December, Black Friday) • Cucina Cufone (29 November, Black Friday) • Kyoto Sushi (29 November – 1 December, Black Friday) • Gathered Market (7 – 8 December) • Salvation Army Christmas Appeal • Kytons Bakery (19 – 20 December) • World AIDS Day (SAMESH) • Peter Shearer Sidewalk Sale (26 – 27 December) • Mr Limone (6 – 8 December) • Just Gluten Free Bakery Pop-Up (14 – 15 December) • Defence recruitment • Mr Limone (20 December)

Christmas Decorations

Appendix 4: Rundle Mall Activations

Month	Activity	
January 2025	• Retailer support of January sales • School holidays • Australia Day support for trading hours • Retailer support campaign • Starbucks Coffee Can Sampling	• Adelaide International • Defence recruitment x 2 • Lumo Energy (13 January) • Soonta Lunar New Year
February 2025	• Luna New Year activations • Valentine's Day digital campaigns and retailer support • Retailer support campaign • LIV Golf activations • MallFest to support Adelaide Fringe and Adelaide Festival • University support for O'Week • Royal Navy Band Performance • SATC LIV Golf Activation	• Mollydooker MallFest bar x 12 days • Gathered Market (16 February) • Spendless Shoes Valentine's Day • Nova 919 LIV Golf Activation • Basketball Australia media call • SATC LIV Golf Banners (10—17 February) • RAA/Enque Trevi fountain activation • RAA/Enque floor decals x 2 • Kytons Hot Cross Bun Launch
March 2025	• Festival activity • Long weekend trading hours support • Colours of Asia • Retailer support campaign • Rundle Mall City Sessions—World of Music (7 – 10 March)	• Lumo Energy (10 March) • Gathered Market (28 March • Mix 102.3 Tall Tales • Too Far Media
April 2025	• Easter Friday 3 April to Easter Monday 6 April • ANZAC Day trading hours support • AFL Gather Round • Easter activations • Retailer support campaign • Rundle Mall City Sessions: Gather Round (9, 10 and 13 April) • AFL Store Merch Van (Gather Round) • Chemist Warehouse Gather Round Activation	• Fuic Gather Round Activation • MG/Sprout Gather Round Activation • CC's/Sprout Gather Round Activation • CC's/Sprout Gather Round Roaming x 2 Days • Gathered Market (27 April) • Kytons Bakery Easter pop-up • Peter Shearer Sidewalk Sale x 2 Days

Month	Activity	
May 2025	• Food activations to leverage Tasting Australia • Mother's Day campaign • Retailer support campaign • Red Energy (12 May) • Gathered Market (11 May) • Swatch/Omega Car Activation x 2 Days	• SES Wow Day • Medianest/UPark Roaming x 4 Dates • Uniting Communities Law Week Activation • *Embrace Magazine* • Hungry Panda
June 2025	• Retailer support campaign • Rundle Mall City Sessions: The Winter Set (20 - 21 June) • Gathered Market (20 June)	• Multicultural Youth - Tea With A Refugee • Hungry Panda • Lamala Kitchen (27 – 28 June) • Cucina Cufone (27 June)
Frequent Concessions	• Flower Depo • Blondie's Bakehouse • Jonny's Popcorn • C9 Chocolate & Gelato	• Bao's Acai • Les Deux Coqs • Crushes • 1001 Snow Cones

Gathered Market

Kadaltilla®
Adelaide Park Lands Authority

2024/25
Annual Report

Acknowledgement of Country

The Kadaltilla/Adelaide Park Lands Authority (Kadaltilla) acknowledges the Kaurna people as the traditional owners of the Adelaide Plains and pays respect to Elders past and present. Kadaltilla recognises and respects the cultural heritage, beliefs and relationship which the Kaurna people have with the land and acknowledges that they are of continuing importance to the Kaurna people living today.

Kadaltilla extends that respect to other Aboriginal Language Groups and other First Nations.

Kadaltilla is the principal advisor to both the Council and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.

Kadaltilla is a traditional Kaurna word meaning Green place/Green lands/Parklands.

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Message from the Presiding Member

Almost 200 years ago, Colonel William Light imagined a city like no other.

South Australia's first Surveyor-General envisaged a city wrapped in a green belt of parks and gardens for the residents within it to enjoy.

His vision endures today in the Adelaide Park Lands, and it's the role of Kadaltilla to ensure our 764 hectares of open space remain protected, improved and thoughtfully maintained amid our ever-changing city.

Over the past year, Kadaltilla has continued its work providing timely and strategic advice across a wide range of proposals, from motorsport events to parking for the Royal Adelaide Show.

We received 37 reports and 13 presentations, as well as undertaking three field trips to Carriageway Park/Tuthangga (Park 17), Victoria Park/Pakapakanthi (Park 16), and Rymill Park/Murlawirrapurka (Park 14) to inspect cultural burn sites and parcels of Park Lands.

Over the past 12 months, Kadaltilla continued to provide strategic advice across a wide range of proposals informed by the aspirations of the Adelaide Park Lands Management Strategy (APLMS).

This plan acts as a guide to preserving the environmental, cultural, recreational and social benefits of the Park Lands, something that makes Adelaide one of the world's most liveable cities.

We created dynamic and tranquil spaces, improved connectivity, ensured our Park Lands were attracted and well maintained and built on their sustainability: all key outcomes of the APLMS.

We backed the City of Adelaide's plans to improve community infrastructure, including redeveloping clubrooms in Golden Wattle Park/Mirnu Wirra (Park 21 West), and backed a lease with long-term Park Lands users, such as the Adelaide Archery Club in Bullrush Park/Warnpangga (Park 10).

In Gladys Elphick Park/Narnungga (Park 25), we endorsed concept plans for new sports lighting that meets modern standards while protecting the cultural and natural character of the site.

Kadaltilla also contributed to the strategic direction of major events like the World Solar Challenge and the 2025 bp Adelaide Grand Final. Our advice helped strike a careful balance between event delivery and protecting public access, amenity, and greening across the Park Lands.

We progressed long-term planning for the redevelopment of community facilities in Peppermint Park/Wita Wirra (Park 18) and Pelzer Park/Pityarilla (Park 19), and supported heritage activation of the North Adelaide Railway Station through a short-term lease and future expression of interest process.

Importantly members interrogated landscaping design, tree species and infrastructure design.

Finally, we were updated on the New Adelaide Aquatic Centre redevelopment, including the finalisation of the 42-year lease and ongoing work to deliver high-quality open space outcomes for Denise Norton Park/Pardipardinyilla (Park 2) and its surrounds.

These highlights are just some of the ways Kadaltilla is working to ensure our Park Lands remain inclusive, vibrant, and protected – a true legacy for generations to come.

As we move closer to our city's bicentennial in 2036, we remain firmly focused on upholding the vision of Colonel Light: to provide open space for all who live, work and play in Adelaide.

Dr Jane Lomax-Smith
The Right Honourable the Lord Mayor of Adelaide

Purpose of the Annual Report

This Annual Report details the advice and operations of the Kadaltilla/Adelaide Park Lands Authority (Kadaltilla) against its Business Plan and Budget 2024–2025 and incorporates the audited financial statements of Kadaltilla for the year ended 30 June 2025 (Attachment A). This document relates to the financial year from 1 July 2024 through 30 June 2025.

The business of Kadaltilla is reported against the following five Outcomes of the Adelaide Park Lands Management Strategy 2015–2025:

Dynamic, Active and Tranquil Places

Places of activity, creativity and tranquillity for everyone that support our changing lifestyles, health and wellbeing, addressing:

- Facilities and infrastructure that encourage outdoor recreation and sport
- Destinations and attractions in the Park Lands
- Creation of activity hubs to support a diverse range of recreational needs
- The Park Lands as a visitor and tourist attraction
- Management of activities and events
- Enhancement of buildings.

Connected Places and Spaces

A system of connected and legible places and spaces enabling safe movement via paths and trails linking the city to the suburbs, hills and coast, addressing:

- Greater connection of places and spaces through a network of shared paths for walking, cycling and running
- A hierarchy of path networks which link all parks, places and spaces within parks
- Connections linking the city and suburbs with the Park Lands
- Lighting of pathways, ovals and key recreational hubs to improve safety and increase use
- Improved wayfinding and interpretive signage
- Management of car parking on and around the Park Lands.

Welcoming and Attractive Places

Places of diverse landscapes and natural beauty providing a range of recreational, sensory and stimulating experiences of discovery, addressing:

- Establishment of a cohesive Park Lands identity
- Landscaped entry points and edges to welcome and draw people into the Park Lands
- Enhancement of natural, ornamental and cultural landscapes.

Sustainable and Enduring Places

Places that thrive in the face of a changing climate, addressing:

- Management of biodiversity
- Improved management of water and watercourses in the Park Lands
- Sustainable use of water
- Resilience in the face of changing climate
- Role of Park Lands in broader city carbon neutral targets and in managing Urban Heat Island effect.

Memorable and Distinctive Places

Places celebrating Adelaide's unique natural and cultural heritage, addressing:

- Protection and preservation of the Park Lands
- World Heritage nomination for the Park Lands
- Identification, protection and interpretation of Kaurna cultural and heritage sites
- Protection and interpretation of the cultural and environmental values of the Park Lands
- Protection and preservation of the National Heritage-listed Park Lands.

A review of the Adelaide Park Lands Management Strategy 2015–2025 was completed in 2024 in accordance with the requirements of the *Adelaide Park Lands Act 2005 (SA)*. The updated strategy, titled Adelaide Park Lands Management Strategy – Towards 2036, was approved by the Minister for Planning in June 2025 and will replace the previous strategy.

The Adelaide Park Lands Management Strategy – Towards 2036 sets out a refreshed vision and priorities, structured around three overarching goals:

1. Places and Spaces
2. Connections and Networks, and
3. Natural Systems, Cultural Landscapes, and Climate Resilience.

Through its clear vision, contemporary priorities, and focus on partnerships, the Strategy ensures the Adelaide Park Lands continue to deliver cultural, environmental, and recreational benefits aligned with community expectations and strategic goals.

The Role of Kadaltilla in the Governance of the Adelaide Park Lands

The Adelaide Park Lands Authority was established by the *Adelaide Park Lands Act 2005 (SA)* as a subsidiary of the City of Adelaide under the *Local Government Act 1999 (SA)* provisions. The inaugural meeting of the Authority was held on 7 February 2007 and its first full financial year of operation was 2007–2008. On 11 May 2023, the Minister approved a change to Kadaltilla's Charter so that it would be branded as the 'Kadaltilla/Adelaide Park Lands Authority' (Kadaltilla).

Kadaltilla and its Board are the same entity.

The City of Adelaide manages about 80% of the Adelaide Park Lands. The State Government manages the remaining 20% which is predominantly comprised of the educational, institutional and biomedical precinct along North Terrace, but also includes the Adelaide Botanic Gardens and Botanic Park/Tainmuntilla.

Kadaltilla is the principal advisor to the City of Adelaide and the State Government on the protection, management, enhancement and promotion of the Adelaide Park Lands.

Within the Governance and Planning Framework, Kadaltilla was established to undertake the following Functions, as set out in the *Adelaide Park Lands Act 2005 (SA)*:

1. To undertake a key policy role with respect to the management and protection of the Adelaide Park Lands
2. To prepare, and as appropriate, to revise the Adelaide Park Lands Management Strategy in accordance with the requirements of the *Adelaide Park Lands Act 2005 (SA)*
3. To provide comments and advice on any management plan prepared by the Adelaide City Council or a State Authority under the *Adelaide Park Lands Act 2005 (SA)* or the *Local Government Act 1999 (SA)* that relates to any part of the Adelaide Park Lands; and to monitor and, as appropriate, to provide comments, advice or reports in relation to the implementation or operation of any such plan
4. To provide comments or advice in relation to the operation of any lease, licence or other form of grant of occupation of land within the Adelaide Park Lands
5. On the basis of any request or on its own initiative, to provide advice to the Adelaide City Council or to the Minister on policy, development, heritage or management issues affecting the Adelaide Park Lands
6. To promote public awareness of the importance of the Adelaide Park Lands and the need to ensure that they are managed and used responsibly
7. To ensure that the interests of South Australians are taken into account, and that community consultation processes are established, in relation to the strategic management of the Adelaide Park Lands
8. To administer the Adelaide Park Lands Fund
9. To undertake or support other activities that will protect or enhance the Adelaide Park Lands, or in any other way promote or advance the objects of the *Adelaide Park Lands Act, 2005 (SA).*

Kadaltilla Board Members

Membership

Pursuant to section 6 of the *Adelaide Park Lands Act 2005 (SA)*, membership of the Kadaltilla/Adelaide Park Lands Authority comprises:

- The Lord Mayor (as Presiding Member) or, if the Lord Mayor chooses not to be a member of Kadaltilla, a person appointed by the City of Adelaide (as the Presiding Member)
- Four other members appointed by the City of Adelaide
- Five members appointed by the Minister (one of whom will be the Deputy Presiding Member).

Current Appointments

In addition to the Lord Mayor, Jane Lomax-Smith as Presiding Member, the City of Adelaide appointees (expiring 31 December 2025) are:

- Councillor Keiran Snape (with Councillor Henry Davis as Deputy)
- Ms Allison Bretones
- Ms Justyna Jochym
- Ms Mitzi Nam
- Mr Dennis Rigney
  (as Deputy Member to Ms Mitzi Nam).

Current Ministerial appointees to the Board (expiring 31 March 2028) are:

- Ms Elinor Walker (Deputy Presiding Member)
- Mr Ashley Halliday
- Mr Warwick Keates
- Ms Kirsty Bevan
- Ms Stephanie Johnston
- Ms Sarah Russo
  (as Deputy to Ms Stephanie Johnston)

Change in Membership

Mr Craig Wilkins's appointment to Kadaltilla concluded on 31 March 2025

Mr Ben Willsmore's appointment to Kadaltilla concluded on 31 March 2025

Professor Emeritus Damien Mugavin's appointment to Kadaltilla concluded on 31 March 2025

Mr Warwick Keates's appointment to Kadaltilla commenced on 1 April 2025

Ms Kirsty Bevan's appointment to Kadaltilla commenced on 1 April 2025

Ms Sarah Russo's appointment to Kadaltilla commenced on 1 April 2025

Dr Jane Lomax-Smith AM
Presiding Member

Elinor Walker
Deputy Presiding Member

Justyna Jochym

Mitzi Nam

Ashley Halliday

Allison Bretones

Warwick Keates

Stephanie Johnston

Kirsty Bevan

Keiran Snape
Councillor

Highlights for the Year

Adelaide Park Lands Management Strategy – Towards 2036

In 2024–2025, Kadaltilla continued to follow the high-level aspirations for the future of the Adelaide Park Lands as outlined in the Adelaide Park Lands Management Strategy 2015–2025 (APLMS). The vision of the APLMS is to achieve a balanced approach to a diverse range of environmental, cultural, recreational and social values, activities and developments, whilst protecting and enhancing all resources. The APLMS aims to ensure that the Adelaide Park Lands will continue to provide a myriad of recreational and sporting opportunities and events for everyone to enjoy, enhancing physical and mental well-being and cementing Adelaide's place as one of the planet's most liveable cities.

On 23 May 2024, Kadaltilla endorsed the draft Adelaide Park Lands Management Strategy – Towards 2036 (APLMS – Towards 2036) for public consultation. The eight-week consultation period engaged over 400 people in person and received 140 written responses, including submissions from 26 organisations. Feedback showed strong support for prioritising greening, open space, cultural experiences, recreation, events, and safe connections.

Kadaltilla held a public hearing in July 2024 and reviewed the Consultation Engagement Report and proposed amendments in September 2024. The APLMS – Towards 2036 was endorsed by Kadaltilla in October 2024, approved by Council in November 2024, and by the Minister for Planning in June 2025.

The APLMS – Towards 2036 will be tabled in both Houses of Parliament in August 2025.

Approval of the Adelaide Park Lands Management Strategy – Towards 2036

Kadaltilla received **37** reports and **13** presentations

Kadaltilla undertook **3** field trips

Kadaltilla reviewed **5** lease agreements

Kadaltilla made **5** submissions

The following highlights for the year deliver on the five key outcomes from the APLMS.

1. Dynamic, active and tranquil places
2. Connected places and spaces
3. Welcoming and attractive places
4. Sustainable and enduring places
5. Memorable and distinctive places

Dynamic, active and tranquil places

Leasing Adelaide Park Lands Facilities

Leasing Adelaide Park Lands facilities to community and education groups supports the APLMS's goal to promote active and passive recreation and aligns with the City of Adelaide Strategic Plan 2024–2028 by fostering wellbeing, social connection and active lifestyles.

In 2024–2025, Kadaltilla endorsed lease negotiations for community sports facilities with:

- Christian Brothers College in King Rodney Park/ Ityamai-itpina (Park 15) and Carriageway Park/ Tuthangga (Park 17)
- Adelaide Archery Club in Bullrush Park/ Warnpangga (Park 10)
- Adelaide Community Sports and Recreation Association (ACSARA) in Golden Wattle Park/ Mirnu Wirra (Park 21 West)
- Touch Football SA in Carriageway Park/Tuthangga (Park 17)
- Pulteney Grammar School in Blue Gum Park/ Kurangga (Park 20).

These agreements are supported by the relevant Community Land Management Plans and reflect a commitment to long-term community access and use.

Adelaide Park Lands Community Buildings (Sport and Recreation) Policy

The City of Adelaide has committed long-term funding to upgrade community buildings in the Adelaide Park Lands, supporting active lifestyles and inclusive participation in sport and recreation.

Kadaltilla contributed to the development of the Adelaide Park Lands Community Buildings (Sport and Recreation) Policy, authorising a submission in September 2024. The policy reinforces alignment between investment in community facilities and the broader goals of the APLMS to protect, enhance and activate open space for future generations.

Gladys Elphick Park/Narnungga (Park 25) – Sports Ground Lighting Upgrades

The South Australian Cricket Association (SACA) holds a long-term lease over formal sporting facilities in Gladys Elphick Park / Narnungga (Park 25), with the current agreement in place until 2058.

In response to updated national sports lighting standards, SACA presented proposed lighting upgrades to Kadaltilla in November 2024. Kadaltilla endorsed the concept designs in February 2025, subject to key conditions including Cultural Monitoring during excavation, an environmental impact assessment, visual impact mitigation, and a commitment to community engagement.

North Adelaide Railway Station

The North Adelaide Railway Station (NARS), a State Heritage Place in Possum Park/Pirltawardli (Park 1), is the third-oldest railway station in South Australia, dating back to 1857. At its November 2024 meeting, Kadaltilla reviewed NARS tenancy and activation plans, noting plans for a 12-month lease with Renew Adelaide for immediate use and an Expression of Interest process in early 2025 to explore longer-term options. Kadaltilla considered community concerns regarding the site's future.

Adelaide Archery Club – Adelaide Park Lands Lease Agreement

The Adelaide Archery Club holds a Park Lands Community Lease Agreement for 1.08 ha in Bullrush Park/Warnpangga (Park 10), where it has operated for 78 years. Affiliated with Archery Australia and Archery South Australia, the club offers beginner courses, training, competitions, and corporate events, instructing over 200 students annually.

At its November 2024 meeting, Kadaltilla endorsed the City of Adelaide to negotiate a five-year lease agreement with the club for the community building and playing fields in Bullrush Park.

Golden Wattle Park/Mirnu Wirra (Park 21 West) – Detailed Design and Lease Agreement

Kadaltilla supported a 21-year Park Lands Community Lease Agreement between the City of Adelaide and the Adelaide Community Sports and Recreation Association (ACSARA) for facilities at Golden Wattle Park/Mirnu Wirra (Park 21 West), reflecting ACSARA's $2.55 million contribution to redevelop the community building.

With over 88,000 annual users, the facilities play a vital role in community sport and recreation. Public consultation on the draft lease was held in March–April 2025, and Kadaltilla endorsed both the final agreement and the detailed building design in June 2025.

South Australian Motor Sport Board Event Consultation

In 2025, the South Australian Motor Sport Board consulted Kadaltilla on two major Adelaide Park Lands events under the So*uth Australian Motor Sport Act 1984 (SA)*. At its May 2025 meeting, Kadaltilla supported the World Solar Challenge (24–31 August 2025), welcoming its sustainability focus and requesting maintained public access and careful management of temporary fencing in Victoria Square/Tarntanyangga.

In June 2025, Kadaltilla reviewed plans for the 2025 bp Adelaide Grand Final (27 to 30 November 2025) at Victoria Park/Pakapakanthi (Park 16), encouraging greening and canopy enhancement, use of permeable pathways, improved public access to bikeways, and exploring legacy infrastructure opportunities, while addressing community concerns about impacts on the public realm.

Peppermint Park (Park 18) and Pelzer Park (Park 19) Community Sports Building Early Advice Prior to Design

At its meeting on 26 June 2025, a presentation was given to Kadaltilla by the Adelaide City Football seeking early advice from Kadaltilla on the Lessee's proposed redevelopment of the community buildings located in Peppermint Park/Wita Wirra (Park 18) and Pelzer Park/Pityarilla (Park 19).

Adelaide Aquatic Centre Redevelopment Update

At its meeting on 26 June 2025, Kadaltilla received an update on the State Government's Adelaide Aquatic Centre Redevelopment, noting the community oval concept renders and the Total Fixed Price Contract of $14.14 million (GST exclusive) for the Council-funded works at Denise Norton Park/Pardipardinyilla (Park 2). Kadaltilla also acknowledged formal confirmation from the Clerks of the House of Assembly and Legislative Council that the 42-Year Park Lands Lease was tabled in both Houses of Parliament on 6 March 2025, with no motion for dis-allowance, in accordance with section 21 of the A*delaide Park Lands Act 2005 (SA)*.

Ongoing administrative activities included planning for engagement with Barton Terrace West residents on a proposed tree planting plan, scheduled for the first quarter of 2025–2026.

Connected Places and Spaces

Kadaltilla 2024 Community Forum Consultation Report

The 2024 Kadaltilla Annual Community Forum was held from 31 August to 9 October 2024, featuring multiple pop-up sessions across four different locations. This format aimed to engage diverse community groups, including non-Park Lands users, under the theme 'Rediscover Your Park Lands'.

Approximately 400 people attended in person, and 354 responses were collected. Of those who provided their residential suburb, 10% were City of Adelaide residents and 90% were visitors from outside the city. Popular Adelaide Park Lands locations identified included Victoria Park/Pakapakanthi (Park 16), Adelaide Botanic Gardens, and various recreation areas, noting that response patterns may have been influenced by forum locations.

Department for Infrastructure and Transport – Tram Grade Separation Project

At its meeting on 27 February 2025, Kadaltilla received a briefing from the State Government's Tram Grade Separation Alliance on proposed upgrades to three level crossings along the Adelaide to Glenelg tram line.

Through collaboration with the Alliance, all temporary modifications previously proposed within the Adelaide Park Lands were removed. The revised proposal confines works to the existing tram corridor, avoiding any impact on the Adelaide Park Lands.

Initial plans for tram driver parking and infrastructure within the Adelaide Park Lands were replaced with an alternative city-based solution. This outcome reflects Kadaltilla's strong advocacy for protecting the Adelaide Park Lands while supporting essential public transport upgrades.

Royal Show Park Lands Parking

The Royal Adelaide Show, first held in 1840, is South Australia's longest-running ticketed event, attracting up to 500,000 visitors annually. Since 1926, the City of Adelaide has supported the event by providing temporary parking on the Adelaide Park Lands.

Parking is made available during the Show in Golden Wattle Park/Mirnu Wirra (Park 21W), Josie Agius Park/Wikaparntu Wirra (Park 22), and GS Kingston Park/Wirrarninthi (Park 23).

At its 30 April 2025 meeting, Kadaltilla noted the existing Parking Deed of Agreement and endorsed Council to negotiate a new agreement with similar terms, including a minimum 10% reduction in parking spaces (based on the 2022 baseline) and a continued commitment to prohibit parking in designated Biodiversity Areas.

Department for Infrastructure and Transport – Gantry Sign on Sir Donald Bradman Drive

At its meeting on 26 June 2025, Kadaltilla received a presentation from the Department for Infrastructure and Transport on the proposed construction of a Variable Messaging Sign (VMS) on Sir Donald Bradman Drive as part of the River Torrens to Darlington Project.

The VMS will support the Department for Infrastructure and Transport to alert motorists of the conditions on the North-South Motorway following completion of the River Torrens to Darlington Project, which will be accessible from the City via James Congdon Drive. The VMS is proposed to be constructed in the near term to assist in managing traffic during construction. Kadaltilla provided feedback on the proposed options to minimise the impact on the Adelaide Park Lands.

Welcoming and Attractive Places

The Festival Plaza Code Amendment

On 12 September 2024, the Department for Housing and Urban Development notified Kadaltilla of the Festival Plaza Code Amendment public consultation, which ran from 12 September to 24 October 2024.

Kadaltilla provided feedback at its 26 September 2024 meeting and formally endorsed its submission, outlining ten key points at the 24 October 2024 meeting. These focused on alignment with the *Adelaide Park Lands Act 2005 (SA)*, APLMS, protection of National Heritage Values under the Environment Protection and *Biodiversity Conservation Act 1999*, adherence to good planning principles under the *Planning, Development and Infrastructure Act 2016* and relevant State Planning Policies.

The Festival Plaza Code Amendment was finalised and adopted by the Minister for Planning on 9 January 2025.

Draft Light Square/Wauwi Master Plan

The draft Light Square/Wauwi Master Plan offers two pedestrian-focused options for a safer, greener, and more inclusive space. Phase 2 consultation (August–November 2024) included stakeholder meetings, community sessions, and an online survey with 220 responses. Option 1, proposing road reconfiguration and western access, received strong consultation support. At its February 2025 meeting, Kadaltilla endorsed Option 1 based on the consultation outcomes.

Adelaide Park Lands Dry Area Regulation Review

In 2014, the Adelaide Park Lands Dry Area Regulation was introduced as a trial to mitigate alcohol-related impacts in the southern Adelaide Park Lands and improve community amenity.

In 2021, Blue Gum Park/Kurangga (Park 20) and Veale Park/Walyu Yarta (Park 21) were designated as 24/7 Dry Areas in response to ongoing issues with excessive alcohol consumption and associated disruptive behaviour affecting nearby residents.

At its 30 April 2025 meeting, Kadaltilla noted the Dry Area Regulation Evaluation report and Council's decision to seek a three-year extension of the Dry Area provisions until 22 June 2028. Kadaltilla also supported Council's request for the State Government to collaborate on developing an implementation plan for the Evaluation's recommended actions, starting in 2025/26.

Sustainable and Enduring Places

Adelaide Park Lands Biodiversity Digital Reporting Framework

At its meeting on 27 June 2024, Kadaltilla received the City of Adelaide – Adelaide Park Lands Biodiversity Survey Report.

The survey updates the evidence base for plant and animal species, vegetation communities, and habitats in the Adelaide Park Lands, establishing a new baseline for ongoing biodiversity monitoring.

On 26 September 2024, Kadaltilla was presented the digital reporting framework that provides interactive access to species data, management insights, research, field mapping, and remote sensing via the City of Adelaide website.

The database will be regularly updated through collaboration with the City of Adelaide, State Government, national biodiversity databases, and citizen science platforms such as FrogWatch, Bird Count, and iNaturalist. This framework supports evidence-based decision-making and public reporting aligned with the Kadaltilla Strategic Plan 2023–2028, APLMS, City of Adelaide Strategic Plan 2024–2028, and the City of Adelaide Integrated Climate Strategy 2030, Resilient, Protected, Sustainable.

Botanic Creek Rehabilitation

Botanic Creek is a section of watercourse consisting of sections of open channel and underground pipes. The section discussed extends from Victoria Park/Pakapakanthi (Park 16) to Rundle Park/Kadlitpina (Park 13). The current condition is poor with numerous issues that detract from the watercourse being a focal point for community engagement in the Park Lands

At its meeting on 22 May 2025, Kadaltilla received a presentation outlining planned rehabilitation works along Botanic Creek within Victoria Park/Pakapakanthi (Park 16), King Rodney Park/Ityamai-itpina (Park 15), Rymill Park/Murlawirrapurka (Park 14), and Rundle Park/Kadlitpina (Park 13). The presentation highlighted how these works will improve watercourse stability, enhance biodiversity, and support better water quality.

South Park Lands Creek – Open Channel Stormwater Projects

The Open Channel Stormwater project aims to rehabilitate the deteriorating stormwater channel through Pelzer Park/Pityarilla (Park 19) and Blue Gum Park/Kurangga (Park 20). The project addresses erosion, conserves mature trees, improves safety and accessibility, and enhances biodiversity and amenity. At its June 2025 meeting, Kadaltilla supported the preferred concept designs to progress to detailed design.

Glen Osmond Road, Hutt Road and Carriageway Park/Tuthangga (Park 17) Improvements

This stormwater renewal project aims to rehabilitate the deteriorated open channel along Glen Osmond Road, addressing erosion to preserve existing gum trees and maintain stormwater management. It also improves pedestrian safety by easing steep banks. At its June 20245 meeting, Kadaltilla endorsed the concept plan, which positions the culvert and shared-use path to minimise impact on healthy trees and protect root systems.

Memorable and Distinctive Places

World Heritage Listing for the Adelaide Park Lands and Rural Settlement Landscapes

In 2024 and 2025, Kadaltilla received bi-monthly updates on the progress of the World Heritage Tentative List Submission for the Adelaide Park Lands and Rural Settlement Landscapes.

The draft Tentative List Submission, begun in 2022 with heritage experts Duncan Marshall AM and Dr Jane Lennon AM, is now largely complete and aligned with UNESCO requirements. A summary of Free, Prior and Informed Consent (FPIC) was presented to Kadaltilla in March 2025.

The City of Adelaide allocated funding to support FPIC processes and began collaborative engagement with SA Native Title Services (SANTS), recognising the Adelaide Park Lands as an enduring Aboriginal cultural landscape. Foundational research and mapping are underway via the University of Adelaide internships program. The Cities of Onkaparinga and Barossa Council support Adelaide's leadership of the submission and Traditional Owner engagement.

Administration will seek in-principle support from State and Federal Governments for the bid, contingent on Aboriginal and Torres Strait Islander consent.

The Greater Adelaide Regional Plan (the GARP)

On 9 September 2024, the State Planning Commission notified Kadaltilla of the Greater Adelaide Regional Plan (GARP) consultation, open from 23 September to 4 November 2024.

The GARP outlines a 30-year vision for sustainable growth, identifying locations for 315,000 new homes and job creation, while prioritising green spaces, infrastructure, neighbourhood character, and environmental sustainability.

Kadaltilla provided feedback in September 2024 and formally endorsed its submission in October 2024, emphasising the importance of preserving and enhancing the Adelaide Park Lands. The submission

included six key recommendations to strengthen the GARP's commitment to protecting the Adelaide Park Lands' ecological, cultural, and community values for future generations.

Kadaltilla Strategic Plan and Budget Processes 2025/26

The Kadaltilla Strategic Plan 2023-2028 guides priorities for the Adelaide Park Lands and is implemented through its Annual Business Plan and Budget.

In November 2024, Kadaltilla reviewed the Strategic Plan to identify unfunded projects aligned with State and city priorities, recommending funding to support key initiatives for the 2025/26 year. Recommended projects including:

- Victoria Park/Pakapakanthi (Park 16) Master Plan delivery
- Whitmore Square/Iparrityi Master Plan Stage 2
- Detailed design for Light Square Master Plan
- Climate Impact Assessment of the Adelaide Park Lands
- Helen Mayo Park (Park 27) master planning
- UNESCO World Heritage Tentative List Submission
- Value assessment of the Adelaide Park Lands (economic, environmental, cultural)

These recommendations were submitted to Council and the Minister for Planning for their consideration as part of their annual business plan and budget processes.

In February 2025, Kadaltilla approved its Business Plan and Budget 2025/26 to inform Council's budget process. The Strategic Plan focuses on advising Council and State Government on Adelaide Park Lands management, aligning with strategic priorities, supporting governance and community engagement activities, and establishing performance measures and resource requirements to achieve its objectives.

Culture: The Life of Our City – Policy Consultation

At its meeting on 27 February 2025, Kadaltilla reviewed the Cultural Policy Discussion Paper – Culture: The Life of Our City, which had been released for public consultation. Kadaltilla encouraged deeper recognition of the Adelaide Park Lands in the Cultural Policy, highlighting the value of local subcultures in shaping identity and placemaking. The feedback suggested showcasing the Adelaide Park Lands as a series of distinct spaces that support diverse cultural expressions, rather than treating them as a single entity.

Kadaltilla noted that cultural activation can create tensions and emphasised the need to minimise impacts such as noise, parking, and temporary infrastructure. Kadaltilla commended the draft Policy and called for a stronger articulation of the Adelaide Park Lands' cultural role, an expanded definition of culture that includes quiet, reflective experiences, and greater emphasis on the Adelaide Park Lands' cultural and historical significance, including Kaurna perspectives.

Statues Commemorating South Australian Aboriginal Leaders

At its meeting on 27 March 2025, Kadaltilla considered a confidential proposal for the installation of statues commemorating South Australian Aboriginal leaders in the Adelaide Park Lands. Kadaltilla recognises the importance of respectfully honouring Aboriginal leadership and heritage in the Adelaide Park Lands.

North Adelaide Public Golf Course Bill 2025

At its meeting on 26 June 2025, Kadaltilla authorised the Presiding Member to write to the Premier and the Minister for Planning to express Kadaltilla's concerns regarding the North Adelaide Public Golf Course Bill 2025 (SA). Kadaltilla noted that the Bill overrides existing legislation, including the *Adelaide Park Lands Act 2005 (SA)*, and raised concerns about potential impacts on public access, loss of significant trees, built form and infrastructure, and provisions for tourist or residential accommodation on the Adelaide Park Lands.

Kadaltilla highlighted the lack of consultation with Kadaltilla to date, strongly urged the Minister to consider all matters raised by the City of Adelaide, and requested direct consultation in the development of the golf course.

The legislation was passed by the Legislative Council and House of Assembly in Parliament, and the *North Adelaide Public Golf Course Act 2025 (SA)* was gazetted on 3 July 2025.

Deliberations by Kadaltilla

Matters affecting the Adelaide Park Lands can be complex in nature. When deliberating on proposals and policies for the Adelaide Park Lands, Kadaltilla Board Members consider and balance competing interests and reference the principles contained in the *Adelaide Park Lands Act 2005 (SA)*, and the APLMS, including, in no particular order:

- Meeting the needs of modern-day recreational and sporting activity while minimising built form on the Adelaide Park Lands
- Enhancing the liveability of a growing and diversifying city
- Balancing sporting use, event activity, general recreation needs and access for the general community
- Accommodating biodiversity and other natural values
- Enhancing the landscape amenity of the Adelaide Park Lands
- Ensuring sustainable practices are followed and climate change impacts are minimised and addressed
- Preserving the heritage and integrity of the Adelaide Park Lands and protecting the Values which underpin their National Heritage Listing.

Meeting Attendance Summary

Kadaltilla held eleven meetings between 1 July 2024 and 30 June 2025, compromising of ten ordinary meetings and no special meetings. Attendances at meetings was recorded as follows:

Member	No. Meetings Eligible to Attend	No. Meetings Attended
Lord Mayor Jane Lomax-Smith (Presiding Member)	10	8
Ms Elinor Walker (Deputy Presiding Member)	10	8
Ms Allison Bretones	10	10
Councillor Keiran Snape	10	7
Ms Mitzi Nam	10	7
Ms Stephanie Johnston	10	6
Mr Ashley Halliday	10	6
Ms Justyna Jochym	10	5
Mr Craig Wilkins	7	7
Mr Ben Willsmore	7	5
Ms Kirsty Bevan	3	3
Mr Warwick Keates	3	2
Mr Dennis Rigney (Deputy for Ms Mitzi Nam)	3	2
Professor Emeritus Damien Mugavin (Deputy for Ms Stephanie Johnston)	3	1
Councillor Henry Davis (Deputy for Councillor Keiran Snape)	1	0
Ms Sarah Russo (Deputy for Ms Stephanie Johnston)	1	0

Performance against the objectives of the Business Plan and Budget 2024/25

Cultural Value

Promote the cultural values of the Adelaide Park Lands including Kaurna culture, heritage, and wellbeing

Performance	Performance Measures	Achievements
1.1 Seek Kaurna cultural authority in everything we do	Each matter that comes before Kadaltilla considers Kaurna culture	Kaurna cultural considerations were integrated into all relevant reports
		Reviewed a proposal for Statues Commemorating South Australian Aboriginal Leaders in the Adelaide Park Lands
		Confirmed the KYAC Chair and Deputy Chair appointment to the Kadaltilla Board under the 'Indigenous culture or reconciliation' skills category following its Annual General Meeting
		Sought funding recommendations through the City of Adelaide and the State Government for initiatives planned for the 2025/2026 financial year
		Integrated feedback into Kadaltilla's submission on the draft Cultural Policy Discussion Paper – Culture: The Life of Our City
		Consulted with KYAC and the City of Adelaide's Reconciliation Committee on the APLMS
		Throughout the 2024/25 financial year, the Chair and Deputy Chair of the Kaurna Yerta Aboriginal Corporation (KYAC) served as the Kadaltilla Board Member and Deputy Member respectively, in alignment with the criterion of indigenous cultural and reconciliation experience
1.2 Assist with Kaurna cultural mapping	Kaurna Cultural mapping completed and used to inform Kadaltilla considerations by 2024	On 29 May 2024, the City of Adelaide launched Kaurna Voices, an interactive map developed in partnership with KYAC
		Promoted Kaurna Voices on Kadaltilla's social media platforms
1.3 Advocate for the featuring of the Adelaide Park Lands in relevant promotional campaigns	Adelaide Park Lands featured in relevant promotional campaigns	Kadaltilla featured the Adelaide Park Lands in paid social media promotional campaigns
		Drone photography and videography were undertaken to capture updated imagery of the Adelaide Park Lands
1.4 Champion the development of World Heritage listing nomination	State Government support for World Heritage listing submission by 2026	Received regular reports from the City of Adelaide on the World Heritage Tentative listing submission progress

Environmental Performance

Maintain and improve climate resilience and the landscape values of the Park Lands

Performance	Performance Measures	Achievements
2.1 Define, protect, and enhance landscape values and design qualities	Landscape values of the Adelaide Park Lands have been defined, Protected and enhanced	Reviewed landscape values in the Adelaide Park Lands Management Strategy – Towards 2036
		Landscape values reviewed in the detailed design of the community sports facilities at Golden Wattle Park/Mirnu Wirra (Park 21 West), the South Park Lands Creek – Open Channel Stormwater Project, and the Adelaide Aquatic Centre Redevelopment Update
2.2 Promote ecologically sustainable initiatives and monitor tree canopy cover, biodiversity, and environmental sustainability and design quality	Ecologically sustainable initiatives promoted, and tree canopy cover, biodiversity, and environmental sustainability and design quality have been regularly reviewed	Toured the eastern Adelaide Park Lands and promoted the City of Adelaide's biodiversity initiatives through Kadaltilla's social media platforms
		Reviewed the Adelaide Park Lands Biodiversity Digital Reporting Framework
2.3 Consider climate resilience in everything we do	Deliver a climate impact assessment of the Adelaide Park Lands	On 28 November 2024, Kadaltilla supported a funding request for a Climate Impact Assessment of the Adelaide Park Lands to be made to the City of Adelaide and the State Government
2.4 Research the impact of climate change on the Park Lands	Environmental values and trends presented to Kadaltilla	In 2025, the City of Adelaide established a new biodiversity monitoring program to inform the development of future Key Biodiversity Area Management Plans in 2025/26
2.5 Increase the accessibility of evidence-based information	Customers are well-informed through regular online Adelaide Park Lands updates	Developed a Social Media Strategy to ensure a structured, goal-oriented approach to online engagement to keep customers well-informed
2.6 Improved Irrigation and Water Management across the Park Lands	Reduction in use of bore water and increase in use of recycled water	The City of Adelaide undertook an Adelaide Park Lands Strategic Water Resources Study, which is now under final review

Management and Protection

Treat the Park Lands holistically with an adaptive future focused approach

Performance	Performance Measures	Achievements
3.1 Monitor delivery of priority projects in the Adelaide Park Lands Management Strategy	Adelaide Park Lands Management Strategy priority projects implemented	On 24 October 2024, Kadaltilla approved the Adelaide Park Lands Management Strategy – Towards 2036. It was approved by the Council on 12 November 2024, and by the Minister for Planning on 23 June 2025 It is scheduled to be tabled in Parliament in August 2025
3.2 Advocate for and establish Funding Mechanisms to support delivery of the Adelaide Park Lands Management Strategy	Funding secured for priority projects in the Adelaide Park Lands Management Strategy	Kadaltilla's made budget recommendations for 2025/26 to the State Government and Council
3.3 Review State Government Management Plans	Advice provided to the State Government for the preparation of management plans for areas of Adelaide Park Lands controlled by State Government	During the 2024/25 financial year, no State Government Adelaide Park Lands management plans were formally reviewed by Kadaltilla
3.4 Advocate for progression of State Heritage Listing by the State Government	State Heritage listing progressed by the State Government	Advocated for the progression of State Heritage Listing for the Adelaide Park Lands with ongoing positive discussions with Heritage SA
3.5 Assess the landscape value of the Adelaide Park Lands including economic, environmental and cultural significance	Board Members are well informed	Ensured Board Members are well informed through regular site tours

Expert Advice

Function as the peak advisory body for policy, development, heritage, and management of the Park Lands based on sound data and evidence

Performance	Performance Measures	Achievements
4.1 Provide advice on plans, projects, and policies for the Adelaide Park Lands	Advice of Kadaltilla is endorsed and adopted	Kadaltilla provided advice on plans, projects and policies for the Adelaide Park Lands
4.2 Engage with City of Adelaide and State Government including input into State Government initiatives	State Government engages with Kadaltilla on State Government initiatives	Successfully engaged with the City of Adelaide and the State Government, ensuring the Board's input was effectively integrated into various State Government initiatives
		Key State Government engagements with Kadaltilla included: • Presentations and submissions on the draft Greater Adelaide Regional Plan (September–October 2024) and Festival Plaza Code Amendment (September–October 2024) • Feedback on the Tram Grade Separation Projects (February and June 2025) • Review of the Statues Commemorating South Australian Aboriginal Leaders proposal (March 2025) • Input on the World Solar Challenge event area and timing (May 2025) • Consultation on the 2025 bp Adelaide Grand Final (June 2025) • Noted the Adelaide Aquatic Centre Redevelopment update (June 2025)
4.3 Review leasing and licensing and event management policies together with other relevant Park Lands use policies	Kadaltilla makes policy submissions on State and Local Government matters where deemed necessary	Reviewed and endorsed the City of Adelaide to enter lease negotiations and on agreement with the Adelaide Community Sports and Recreation Association for the community sports facilities at Golden Wattle Park/Mirnu Wirra (Park 21 West)
		Reviewed and endorsed the City of Adelaide to enter into lease negotiations between the City of Adelaide and Christian Brothers College for five-year Park Lands Community Lease Agreements for the sports buildings, playing fields and sports courts located in King Rodney Park/Ityamai-itpina (Park 15) and Carriageway Park/ Tuthangga (Park 17)
		Endorsed Council progressing with negotiations and execution of a revised Royal Adelaide Show Parking – Executed Deed of Agreement between the City of Adelaide and the Royal Agricultural and Horticultural Society

Performance	Performance Measures	Achievements
4.4 Strengthen Kadaltilla's engagement with City of Adelaide, State Government, and adjoining Councils	The City of Adelaide, State Government, and adjoining Councils actively engage with Kadaltilla	Ongoing active engagement between the City of Adelaide, State Government, and adjoining Councils with Kadaltilla.
		Council and State Government representatives regularly participating in Kadaltilla activities such as the Annual Community Forum, Adelaide Park Lands Site Tours, and Board Meetings.
		Throughout 2024 and 2025, representatives from all adjoining councils and the State Government served on the Adelaide Park Lands Management Strategy Project Steering Committee.
		In July 2025, key stakeholders attended a Kadaltilla event hosted by The Right Honourable the Lord Mayor Dr Jane Lomax Smith AM and The Honourable Nick Champion, Minister for Planning, celebrating the Adelaide Park Lands Management Strategy – Towards 2036.
4.5 Increase the profile of the Kadaltilla Board	The public is aware and informed of business of Kadaltilla	Created a social media profile detailing the business of Kadaltilla in September 2024
		Social media platforms are used to consistently share Board decisions, promote events and initiatives, and keep the community informed of Kadaltilla's work
		Since their launch, the social media channels have grown steadily, with LinkedIn reaching 272 followers and Facebook 1,148 followers as of mid-2025

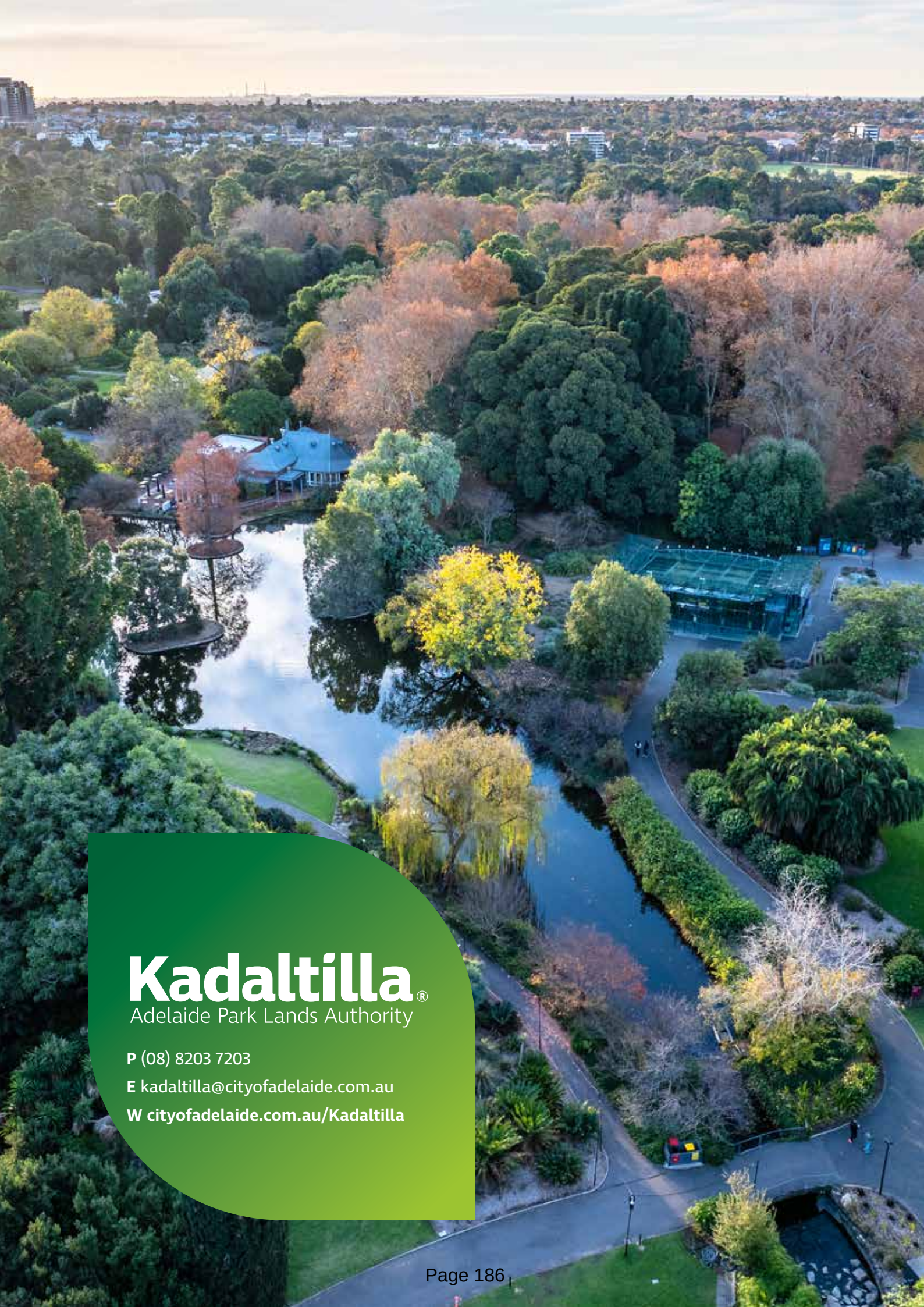
Governance

The City of Adelaide governance support enables Kadaltilla to meet legislative requirements and obligations arising from its Charter

Performance Targets	Performance Measures	Achievements
5.1 Maximise utilisation of skills, knowledge and enthusiasm of Kadaltilla through effective meetings that foster dialogue and the development of shared thinking	Appointments to Kadaltilla are based on skills and expertise set out in Part 2, Division 2, Section 6 of the *Adelaide Park Lands Act 2005 (SA)*	Ten members are appointed to the Board in accordance with the *Adelaide Park Lands Act 2005 (SA)*
		The current membership meets the requirements set for the City of Adelaide and the Minister to ensure the Board collectively possesses a diverse range of knowledge, skills, and experience across eight key mandatory areas
		Formal and informal opportunities were provided to share advice and expertise on the Adelaide Park Lands, including through meetings, workshops, and the Kadaltilla portal
5.2 Develop a high level of knowledge and understanding of the Park Lands amongst Members through regular site visits and briefings	Undertake at least one Park Lands field trip per year to facilitate greater understanding of Park Lands projects, facilities and landscapes	Kadaltilla undertook field trips in August 2024, February 2025 and June 2025. Sites visited include Carriageway Park/Tuthangga (Park 17), Victoria Park/Pakapakanthi (Park 16), and Rymill Park/ Murlawirrapurka (Park 14)
5.3 Seek early input into issues relating to the Park Lands to ensure Kadaltilla advice is timely and relevant	Number of submissions reviewed by Kadaltilla	Kadaltilla received 37 reports and 13 presentations throughout the year
5.4 Monitor developments subsequent to Kadaltilla advice	Assessment of outcome for alignment with Kadaltilla advice	The advice of Kadaltilla is incorporated into Council's core Committees' reports (Committees are comprised of all Council Members)
5.5 Advocate for the value of Kadaltilla as a proactive, accountable, independent, skills-based Board that advises on Park Lands management and protection	Receive at least two State presentations on Park Lands planning and management related matters per year	Advice provided to the City of Adelaide and the State Government on strategic matters relating to the Adelaide Park Lands
		Kadaltilla received six State Government presentations throughout the year
5.6 General purpose accounts are operational	Council's accounting procedures met	General purpose accounts are maintained by the City of Adelaide staff and Kadaltilla makes appropriate use of available finances provided by Council

Performance Targets	Performance Measures	Achievements
5.7 Annual Business Plan and Budget is in place for Kadaltilla	Business Plan and Budget prepared in accordance with legislative and Charter requirements	Kadaltilla adopted its 2025/26 Business Plan and Budget on 27 February 2025, which is prior to the expiry of the previous Business Plan and Budget in operation
5.8 Kadaltilla makes appropriate use of available finances provided by Council	Quarterly finance reports adopted and presented to Council	Quarterly Financial Reports are provided through the City of Adelaide's quarterly budget review process
	Council's external auditor and Audit Committee is satisfied the requirements are met	Kadaltilla's accounts are audited annually by Council's external auditor and Audit and Risk Committee
	Kadaltilla financial management is in accordance with legislative and Charter requirements	Kadaltilla ensures financial management aligns with all relevant legislative and Charter obligations
5.9 The Adelaide Park Lands Fund is operational	Monies are received and expended according to the provisions of Kadaltilla's Charter	The Adelaide Park Lands Fund operates and contains $1,570
		Monies are received and expended according to the provisions of Kadaltilla's Charter
5.10 Kadaltilla's Annual Report is prepared detailing achievement of the aims and objectives of the APLMS, Strategic Plan, and Business Plan and Budget	Kadaltilla's Annual Report is prepared in accordance with legislative and Charter requirements and submitted to Council	The Annual Report for 2023/24 was submitted to the City Finance and Governance Committee on 15 October 2024 and Council on 22 October 2024
5.11 Kadaltilla is insured according to the requirements of the Local Government Mutual Liability Scheme	The Local Government Mutual Liability Scheme insures Kadaltilla	Kadaltilla maintains insurance coverage in line with the requirements of the Local Government Mutual Liability Scheme

ATTACHMENT A –
Audited Financial Statements



Kadaltilla®

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Brown Hill Keswick Creek
STORMWATER PROJECT

Annual Report

Brown Hill and Keswick Creeks Stormwater Board

For the cities of Adelaide, Burnside, Mitcham, Unley and West Torrens

24 25

CITY OF ADELAIDE | City of Burnside | CITY OF MITCHAM | THE CITY of Unley | City of West Torrens Between the City and the Sea

Acknowledgment of Country

The Brown Hill and Keswick Creeks Stormwater Board acknowledges that the project and our Constituent Councils are located on the traditional Country of the Kaurna People of the Adelaide Plains and pays respect to Elders past and present.

We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

We also extend that respect to other Aboriginal Language groups and other First Nations.

The Brown Hill and Keswick Creeks Stormwater Board tampendi, ngadlu Kaurna yertangga banbabanbalyarnendi (inbarendi). Kaurna meyunna yaitya mattanya Womma Tarndanyako.

Parnako yailtya, parnuko tappa purruna, parnuko yerta ngadlu tampendi. Yellaka Kaurna meyunna itto yailtya, tappa purruna, yerta kuma burro martendi, burro warriappendi, burro tangka martulyaiendi.

Kumarta yaitya miyurna iyangka yalaka ngadlu tampinthi.

Kaurna people play a key role in the design and delivery of the Brown Hill Keswick Creeks Stormwater Project and we value the input and guidance of representatives of the Kaurna Nation Cultural Heritage Association (KNCHA) and RAW SA.

Willawilla - Brown Hill Creek

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1. Chairperson's Report

This is the eighth annual report of the Brown Hill and Keswick Creeks Stormwater Board, a regional subsidiary established in February 2018 under the Local Government Act 1999 (SA).

This report reviews the work of the Board over the preceding financial year and provides updates on the progress of ongoing projects in implementing the Stormwater Management Plan.

The work of the Board, its contracting partners and stakeholders has again been recognised in multiple awards:

- Stormwater SA Excellence Awards 2025 for Excellence in Infrastructure – South Parklands Wetland and Flood Mitigation
- Civil Contractors Federation SA, Urban Development and Utilities Sub-Category Award and Overall Winner Projects $2m-$5m, Earth Awards for the Lower Brownhill Creek Channel Upgrade
- Stormwater SA Excellence Awards 2025 for Excellence in Research or Innovation – Building Flash Flood Forecasting Capability in SA

The Board expresses its thanks to the State and Commonwealth governments, agents and partners for their continued support of this important work. Funding provided via the Stormwater Management Authority and under various Commonwealth grant programs has facilitated accelerated delivery of important flood mitigation works along Brown Hill Creek. Almost 50% of the Lower Brown Hill Creek upgrades are now complete and attention has also been focused on upgrading key hot spot locations in Upper Brown Hill Creek, with 5 packages complete and another 5 underway.

The Chair, on behalf of the Board, acknowledges the significant contributions of the project delivery team and in particular the Project Director and extends sincere thanks to the Board's stakeholders, including the Constituent Councils and Stormwater Management Authority, for their continuing support and significant contributions.

Judith Choate

2. Project Director's Report

2025 marks 7 years since the inception of the Brown Hill and Keswick Creeks Stormwater Board, and 8 years since the Stormwater Management Plan was adopted and gazetted. Working on behalf of 5 member Councils to deliver this ambitious and essential flood mitigation project, I am proud of all we have accomplished in this time and excited to continue driving the project toward completion.

In excess of $67m in flood mitigation works have been delivered, with stage 1 completed and stages 2 and 4 significantly progressed. Almost $31m of capital works have been completed in the past 2 years, largely due to the significant funding contribution of the Commonwealth Government's Preparing Australian Communities Program, matched by continued support from the State Government's Stormwater Management Authority and the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens.

The next 18 months will continue this trend with Commonwealth Government funding contributing to capital works scheduled at 5 new project locations in Upper Brown Hill Creek and design commencing for 2 additional locations.

The project and our team of consultants have continued to receive recognition for their contributions to their industries at both a State and National level across sectors including engineering, landscape architecture and construction. A panel of professional service disciplines has been established to support our current and future works and we are pleased to continue collaborating with like-minded organisations who seek best practice outcomes for the project.

I again extend my appreciation and thanks to the members of the Board, the Audit and Risk Committee, and the Owners Executive Committee for your continued support and thank our project team and staff from our member Councils and the Stormwater Management Authority.

Peta Mantzarapis

3. Strategy

Our Purpose

To effectively and efficiently deliver infrastructure works to mitigate serious flood risks and help safeguard properties across the Brown Hill Keswick Creek catchment.

Our Vision

To create a flood safe Brown Hill Keswick Creek catchment for residents and the public.

The cities of Adelaide, Burnside, Mitcham, Unley and West Torrens aim to become water sensitive cities. This vision is underpinned by six key objectives, the first of which is protection from flooding.

Our Values

The values that underpin the operations of the Board include:

- ***Integrity*** – acting ethically, doing what is right and doing what we say we will do
- ***Collaboration*** – respectful and insightful engagement with all stakeholders
- ***Excellence*** – striving for the best in all that we do and stretching our capabilities
- ***Progressive*** – thinking outside the box to innovate and improve
- ***Simplicity*** – focussing our efforts on the things that are important

Strategic Focus Areas

- Effective and efficient delivery of the Stormwater Management Plan.
- Pursue opportunities for additional capital funding to ensure project completion.
- Delivery and management of our assets to maximise their utility and create opportunities for enhanced outcomes.
- Maintain successful partnerships and engagement.
- Strengthen organisational performance.

4. Establishment

The Brown Hill Keswick Creek Stormwater Project is the culmination of many years of investigation and planning. The Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens have worked collaboratively to develop a comprehensive Stormwater Management Plan to mitigate serious flood risk and help safeguard properties across the catchment.

From its inception in 2007 until February 2018, the project was conducted as a joint arrangement between the Constituent Councils. The Plan was developed during this phase, leading to its subsequent approval by the Stormwater Management Authority and gazettal of its adoption in February 2017. A condition of the Stormwater Management Authority approving the Plan was that a regional subsidiary be established within 12 months to implement the plan and manage its works. The Brown Hill and Keswick Creeks Stormwater Board was established in February 2018 as a regional subsidiary pursuant to section 43 of and schedule 2 to the Local Government Act 1999.

The Board is governed by a Charter prepared by the five Constituent Councils and subsequently approved by the Minister for Local Government. The inaugural Board was appointed in August 2018 and is responsible for the administration of the affairs of the regional subsidiary.

Lower Brown Hill Creek Upgrades

5. The Project

The Brown Hill Keswick Creek Stormwater Project aims to mitigate significant flood risk arising from four major watercourses in metropolitan Adelaide; Brown Hill, Keswick, Glen Osmond and Park Lands Creeks. The catchment is largely contained within the Constituent Council local government areas, which are home to more than 200,000 residents. The Brown Hill Keswick Creek Catchment Stormwater Management Plan outlines a whole-of-catchment flood mitigation strategy that comprises 4 key stages:

Stage 1 - Flood Detention — COMPLETE

Detention storages in the upper catchment that will reduce the downstream flow rates.

Stage 2 - Lower Brown Hill Creek — IN PROGRESS

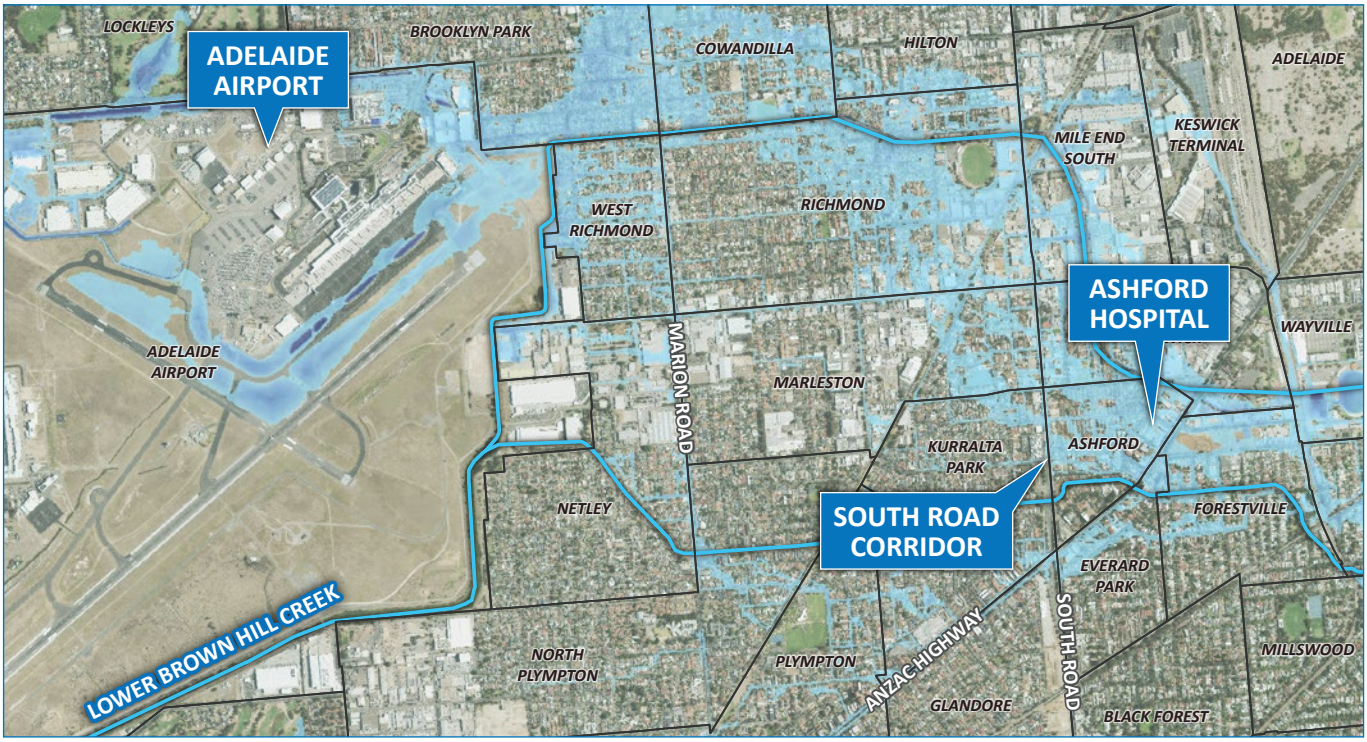
Upgrading the flow capacity of Lower Brown Hill Creek so that it can receive the diverted flows from Keswick Creek.

Stage 3 - Flow Diversions — ON HOLD & UNFUNDED

Diversion of flows from Keswick Creek to Brown Hill Creek before they can 'break-out' of the channel.

Stage 4 - Upper Brown Hill Creek — IN PROGRESS

Upgrading the flow capacity of Upper Brown Hill Creek and Glen Osmond Creek to prevent 'break-outs' and flooding of private property.



Delivery of the Brown Hill Keswick Creek Stormwater Project provides significant socio-economic benefits that extend beyond local communities.

- Builds resilience and safety – supporting communities to adapt to extreme weather events, aligning with the Government's National Urban Policy for Resilient Cities.
- Will generate 112 jobs/annum during construction – 1,231 person years of employment – with a focus on maximising participation from local contractors.
- Offers protection to Ashford Hospital, where a significant flood event would lead to estimated revenue loss of $60m and infrastructure loss of $10m. A significant event would likely lead to hospital closure for 6 months, with significant flow on impacts to SA's overall hospital capacity.
- Mitigates against potential impacts to ARTC's operations, with a significant flood event presenting a risk of injury or death, a risk of significant environmental damage and potential disruption to supply-chains and the passenger rail network.
- Future-proofs against the impacts of climate change and unlocks the potential for urban infill development and increased housing stock by reducing flood risk.
- Provides protection to Adelaide Airport, which is currently at risk with a significant flood event likely to have major short term impacts on aviation operations for both domestic and international traffic.
- Safeguards against severe impacts to the South Australian Ambulance Service's operational ability in terms of its 000 emergency calls, its ability to access hospitals and aged care facilities, and its ability to respond to distress calls in a timely manner potentially resulting in loss of life.
- Will increase insurance availability and affordability for the almost 200,000 residents within the catchment. An article from the Insurance Council of Australia identifies that if quality flood data was made available, the Federal electorates of Hindmarsh, Sturt and Adelaide would be included in the top 20 flood exposed electorates in the nation.

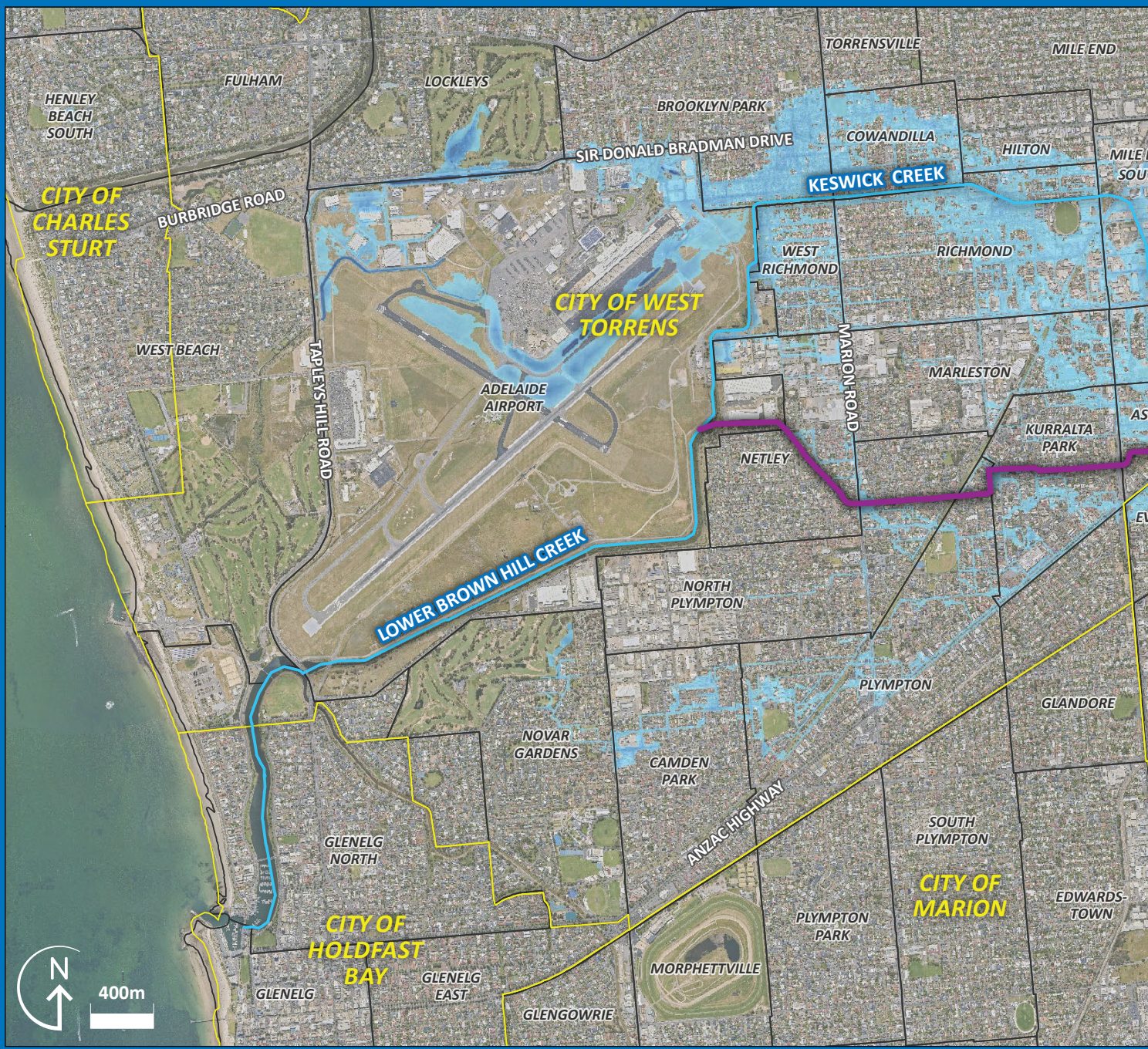
6. Project Map

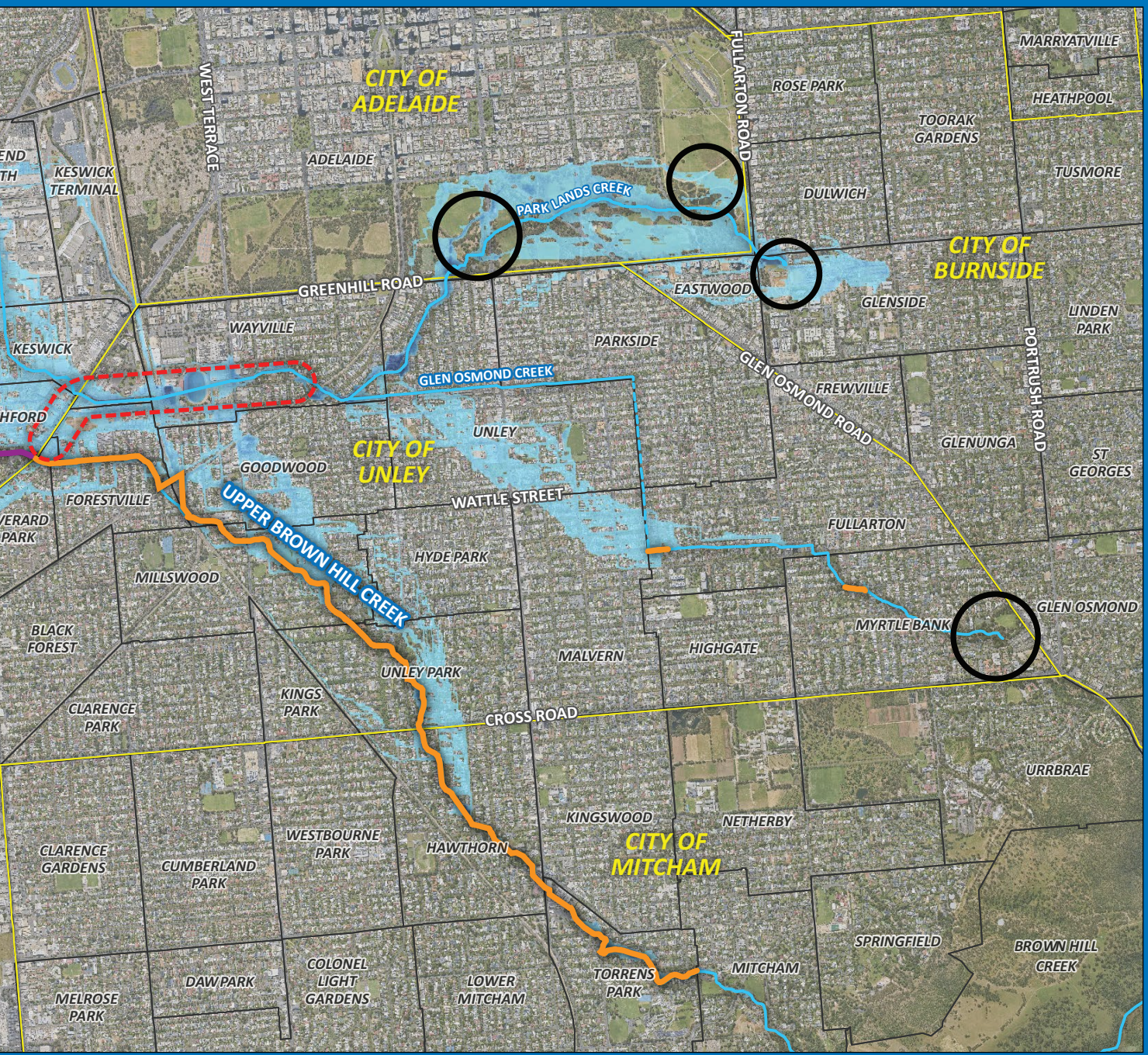
Stage 1 – Flood Detention

Stage 2 – Lower Brown Hill Creek Upgrades

Stage 3 – Keswick Creek Flow Diversions

Stage 4- Upper Brown Hill and Glen Osmond Creek Upgrades




CITY OF ADELAIDE
CITY OF BURNSIDE
CITY OF UNLEY
CITY OF MITCHAM
WEST TERRACE
FULLARTON ROAD
GREENHILL ROAD
GLEN OSMOND ROAD
PORTRUSH ROAD
WATTLE STREET
CROSS ROAD
PARK LANDS CREEK
GLEN OSMOND CREEK
UPPER BROWN HILL CREEK
BROWN HILL CREEK
ADELAIDE
KESWICK TERMINAL
KESWICK
WAYVILLE
PARKSIDE
EASTWOOD
ROSE PARK
DULWICH
TOORAK GARDENS
MARRYATVILLE
HEATHPOOL
TUSMORE
GLENSIDE
LINDEN PARK
FREWVILLE
GLENUNGA
ST GEORGES
FULLARTON
GLEN OSMOND
MYRTLE BANK
HIGHGATE
MALVERN
UNLEY
UNLEY PARK
GOODWOOD
FORESTVILLE
HYDE PARK
MILLSWOOD
BLACK FOREST
KINGS PARK
CLARENCE PARK
KINGSWOOD
NETHERBY
URRBRAE
HAWTHORN
WESTBOURNE PARK
CLARENCE GARDENS
CUMBERLAND PARK
SPRINGFIELD
MITCHAM
TORRENS PARK
LOWER MITCHAM
COLONEL LIGHT GARDENS
DAW PARK
MELROSE PARK

7. Governance

The Brown Hill Keswick Creek Stormwater Project is administered by an independent Board in accordance with the requirements of the Local Government Act 1999 and the Board's Charter. A robust governance structure has been established, including well considered reporting framework, policies and procedures.

The Board is comprised of 5 independent members, appointed following recommendations made by a Nominations Committee of representatives from each of the Constituent Councils. Each Board member contributes a unique set of skills and experience, and appointments are made on a rolling basis with no more than 2 positions expiring in any year.

The Board's Audit and Risk Committee comprises nominated Board members along with an independent member and meets quarterly. The Board recently reviewed the composition of the Audit and Risk Committee and made a recommendation to the Owners Executive Committee that the Audit and Risk Committee be ideally comprised of 2 Board members and 3 independent members, subject to sourcing suitably qualified independent members. This recommendation was approved by the Owners Executive Committee and appointment of independent members and Board members is currently underway with the new committee to be appointed from 1 October 2025.

The Board appoints a Project Director who is responsible for implementing the decisions of the Board and managing the operational requirements of the project.

Current Board Members

Judith Choate
Chairperson
Appointed
August 2018

Geoff Vogt
Deputy Chairperson
Appointed
August 2018

Rachel Barratt
Appointed
August 2018

Rob Gregory
Appointed
August 2020

Howard Lacy
Appointed
August 2021

Independent Member of Audit and Risk Committee

David Linder-Patton
Appointed February 2023

Project Director

Peta Mantzarapis
Appointed January 2019

Owners Executive Committee

The Owners Executive Committee is comprised of a representative from each of the Constituent Councils. Meetings between the Board and the Owners Executive Committee are scheduled quarterly and four meetings were held in the 2024/25 financial year.

Membership of the committee in 2024/25 was as follows:

Tom McCready	Director, City Services	City of Adelaide
Chris Cowley / Julia Grant	Chief Executive	City of Burnside
Barry Cant	Director Environment and Place	
Daniel Baker	General Manager Engineering & Horticulture	City of Mitcham
Aaron Wood	Manager Assets & Operations	City of Unley
Angelo Catinari	Chief Executive	City of West Torrens
Michelle Kennedy	General Manager Natural and Built Environments	

Board Member Meeting Attendance 2024/25

Date	Judith Choate	Geoff Vogt	Rachel Barratt	Rob Gregory	Howard Lacy
4 Jul 2024	✓	✓	✓	✓	✓
30 Jul 2024	✓	✓	✓	—	✓
10 Sep 2024	✓	✓	✓	✓	✓
11 Nov 2024	✓	✓	✓	✓	✓
27 Nov 2024	✓	✓	✓	—	✓
11 Feb 2025	✓	✓	✓	✓	✓
18 Mar 2025	✓	✓	✓	✓	✓
29 Apr 2025	✓	✓	✓	✓	✓
10 Jun 2025	✓	✓	✓	✓	✓

Audit and Risk Committee Meeting Attendance 2024/25

Date	Judith Choate	Geoff Vogt	Rachel Barratt	David Linder-Patton	Howard Lacy
27 Aug 2024	✓	✓	✓	✓	✓
29 Oct 2024	✓	✓	—	✓	✓
1 Feb 2025	✓	✓	✓	✓	✓
27 May 2025	✓	✓	✓	✓	✓

8. Key Stakeholders

The Brown Hill and Keswick Creeks Stormwater Board works to deliver successful project outcomes in an efficient and professional manner. We interact with a diverse range of internal and external stakeholders and value the contribution they make.

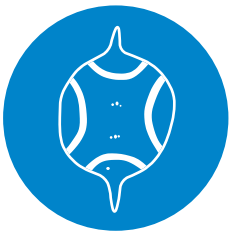
Constituent Councils

Stormwater Management Authority

Green Adelaide

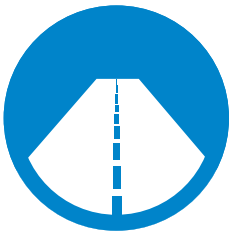
Federal and State Members

Adelaide Park Lands Authority



Kaurna Community

Residents

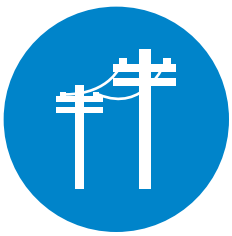


Commonwealth and State Government Departments

Community Groups

Suppliers

Consultants



Service Utility Providers

Lower Brown Hill Creek Upgrades

9. Project Partners

Constituent Councils

The Brown Hill Keswick Creek Stormwater Project is the result of a collaborative effort over many years from our 5 Constituent Councils – the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens. Support is offered to the project from every level of Council, whether it be CEO or delegate involvement in the Owners Executive Commitee, technical staff providing design input, finance staff liaison regarding project contributions and budgets, planning and environmental input to construction delivery, or engagement with asset managers regarding operational requirements. The project works in close liaison with our Constituent Councils to ensure we are working together to achieve successful project outcomes and identify opportunities to maximise the utility of our assets.

Stormwater Management Authority

Continuing the collaborative approach adopted by the five Constituent Councils, the Stormwater Management Authority provides a key role in the delivery of the Project. Beyond the initial role the Authority played in the review and approval of the Plan, the Board's Project Director is in regular contact with the Authority's General Manager to ensure a well-informed and consistent approach to delivery. Through the Authority, the State Government has committed to providing Constituent Council matched capital funding of up to $70m over a 20 year timeframe and this funding is vital to ensuring project delivery.

CITY OF ADELAIDE

City of Burnside

CITY OF MITCHAM

THE CITY of Unley

City of West Torrens
Between the City and the Sea

Government of South Australia
Stormwater Management Authority

10. Delivering with Local Industry

Integral to the success of the Brown Hill Keswick Creek Stormwater Project are the relationships established with local suppliers, consultants and organisations. The Board places particular emphasis on ensuring a collaborative approach, bringing together a team of professionals who are leaders in their field and are equipped to deliver results.

Our focus is on providing a pipeline of work to build capacity and capability in the local market, with flow-on benefits for the local economy. The construction scheduling and packaging of works has been specifically developed to maximise participation from local tier 2 and tier 3 contractors.

The project is supported by the knowledge and expertise of a wide range of professionals, providing services including project management, landscape architecture, surveying, engineering, legal, environmental, ecological, cultural heritage, civil construction, geotechnical advice, property and arboreal assessments.

Focus on Safety

The Brown Hill and Keswick Creeks Stormwater Board places utmost importance on the health and safety of our employees, our consultants and the communities within which we operate. Our extensive health and safety management systems ensure we partner with likeminded organisations and are subject to regular review and improvement.

In excess of 136,000 total site hours have been spent delivering our works, with zero notifiable incidents and zero lost time injuries reported.

> *"Oxigen have worked collaboratively with the BHKC team and directly in association with adjacent property owners to ensure their requirements have been accommodated given the varied and sometimes complex conditions that needed to be met. This has been a positive process that has contributed towards meeting timeframes and a generally very positive response by the public to the project overall."*
>
> ***Oxigen***
> *Landscape Architects*

> *"Beltrame Civil is proud to have partnered in the construction of the Brown Hill Keswick Creek Stormwater Project to date, through the delivery of multiple, complex packages across both the Lower and Upper Brown Hill Creek Stages. Through close collaboration with the Board, its engineering and design teams, and local stakeholders, we overcame significant technical and logistical challenges without compromising on safety, quality, or efficiency. These award-winning projects reflect true generational infrastructure—delivered in alignment with the Board's vision to mitigate flood risk and protect the community well into the future."*
>
> ***Beltrame Civil***
> *Civil Construction*

11. Awards

The Project, our staff, Constituent Councils and our consultant teams have continued to be recognised for their industry contributions at a State, National and International level across sectors including planning, engineering, landscape architecture and construction.

Excellence in design and/or construction of a public works environmental enhancement project

SA Institute of Public Works Engineering Australasia
2019 Excellence Awards
Mitcham Memorial Library and Brown Hill Creek Redevelopment

Excellence in Infrastructure Delivery

SA Local Government Professionals Australia
19th Annual Leadership Excellence Awards 2020
Mitcham Memorial Library and Brown Hill Creek Redevelopment

Infrastructure Project Innovation

Australian Water Association SA
2022 Gala Dinner and Water Awards
Victoria Park/ Pakapakanthi Wetland

President's Award

Planning Institute Australia
2022 Planning Excellence Awards
Brown Hill Keswick Creek Stormwater Project

Award of Excellence for Land Management and **Healthy Parks Healthy People Award**

Australian Institute of Landscape Architects
2023 SA Landscape Architecture Awards
Victoria Park/ Pakapakanthi Wetland

National Climate Positive Design Award and National Landscape Architecture Award for Parks and **Open Space**

Australian Institute of Landscape Architects
2023 National Awards
Victoria Park/ Pakapakanthi Wetland

Award of Excellence for Parks and Open Space

International Federation of Landscape Architects
Asia-Pacific Region 2023 Awards
Victoria Park/ Pakapakanthi Wetland

Excellence in Infrastructure

Stormwater SA
Excellence Awards 2025
South Park Lands Wetland and Flood Mitigation

Urban Development and Utilities Sub-Category Award and **Overall Winner Projects $2m-$5m**

Civil Contractors Federation SA
Earth Awards 2025
Lower Brown Hill Creek Channel Upgrade

Excellence in Research or Innovation

Stormwater SA
Excellence Awards 2025
Building Flash Flood Forecasting Capability in South Australia - a DEW led project

"The South Parklands Wetland demonstrates how early collaboration (planning, engineering and design) and engagement can transform previously underutilized and degraded parklands into a community asset. The project seamlessly integrates a new 3.2-hectare permanent vegetated wetland into Adelaide's nationally significant Park Lands, providing inclusive passive recreation opportunities and welcoming green space for the wider community.

The team is commended on the built outcome, where the wetland appears as if it has always been there, and the significant improvement of natural ecosystems and biodiversity in the city. The ongoing management and care of the wetland will continue to benefit the community as the project matures."

Australian Institute of Landscape Architects

"As part of a broader flood mitigation strategy, South Parklands Wetland's landscape-first approach enriches the cultural, amenity, and ecological values of the Adelaide Park Lands. The jury commends the project's focus on design leadership advocacy, consultation and collaboration across multiple disciplines, jurisdictions and stakeholders. The project skilfully navigates stormwater harvesting with the removal of introduced species and the retention of sensitive ecosystems, including remnant and significant trees. It minimises excavation and successfully integrates the wetlands within the character of the existing parklands. The design carefully uses endemic plants to conserve and enhance chequered copper butterfly habitat, broader biodiversity and to promote environmental and cultural values and education."

Australian Institute of Landscape Architects

"The South Park Lands wetland project was recognised at the Stormwater South Australia awards night where it won the Excellence in Infrastructure category. The project was noted for its integrated design as well as for the project delivery model that involved many stakeholders and project partners. It was recognised as a transformative project for Adelaide that provides multiple benefits. The Brown Hill Keswick Creek Project should be congratulated for its outstanding and well-coordinated approach to design and delivery."

Dr Robin Allison
DesignFlow

12. Capital Funding

The Stormwater Management Plan proposed a funding model whereby the three spheres of Government – Commonwealth, State and Local, each contribute one third of the cost of capital works delivery over a 10-year construction program. The Plan further noted that:

'If at the outset there is no positive response from the Commonwealth Government, the BHKC project would recommend that the catchment councils endorse a strategy along the following lines:

- *The five councils allocate funding in their budgets for one third of the cost;*
- *a funding commitment is sought from the State Government to at least match that commitment; and*
- *once the State Government has agreed to that commitment, the five councils through the regional subsidiary work jointly with the State Government to obtain a commitment from the Commonwealth Government for a minimum of one third of the cost to offset against the state and local government contributions.'*

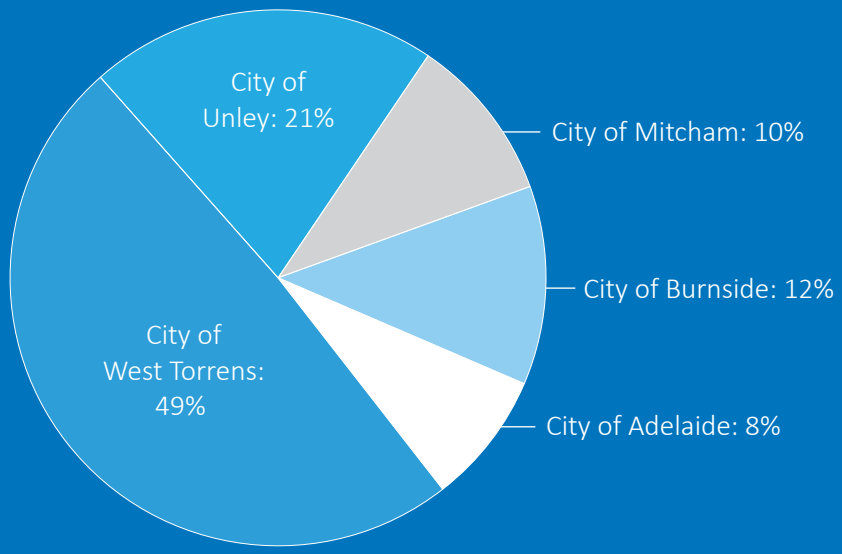
The South Australian Government's Stormwater Management Authority (SMA) has committed $70m in funding toward the delivery of the project, with these funds being provided over a 20-year timeframe and contingent upon matching funds being provided by the 5 Constituent Councils.

The cost sharing arrangement between Constituent Councils is defined within the Stormwater Management Plan and the Board's charter with capital contributions being provided at pre-determined percentage shares.

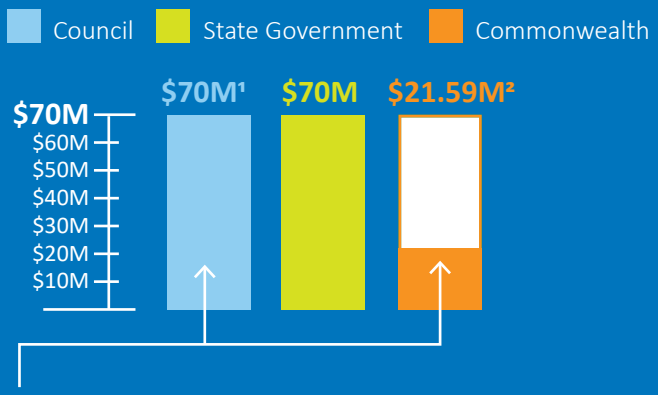
A funding shortfall exists and the Board is seeking to fill this shortfall through pursuit of opportunities to secure smaller grant funding injections and 'whole-of-project' funding from the Commonwealth Government.

To date, $21.59m in funding has been committed by the Commonwealth Government across 3 grant programs- $10m committed under the Preparing Australian Communities Program, $6.661m committed under the Disaster Ready Fund and $4.93m committed under the Urban Rivers and Catchments Program.

Council Capital Contributions



Current Funding Commitments



¹ City of West Torrens ongoing contribution to be reviewed in 2027/28.

² Commonwealth funding commitment includes $10m under the Preparing Australian Communities Program, $6.661m under the Disaster Ready Fund and $4.93m under the Urban Rivers and Catchments Program.

13. Delivery of Capital Works

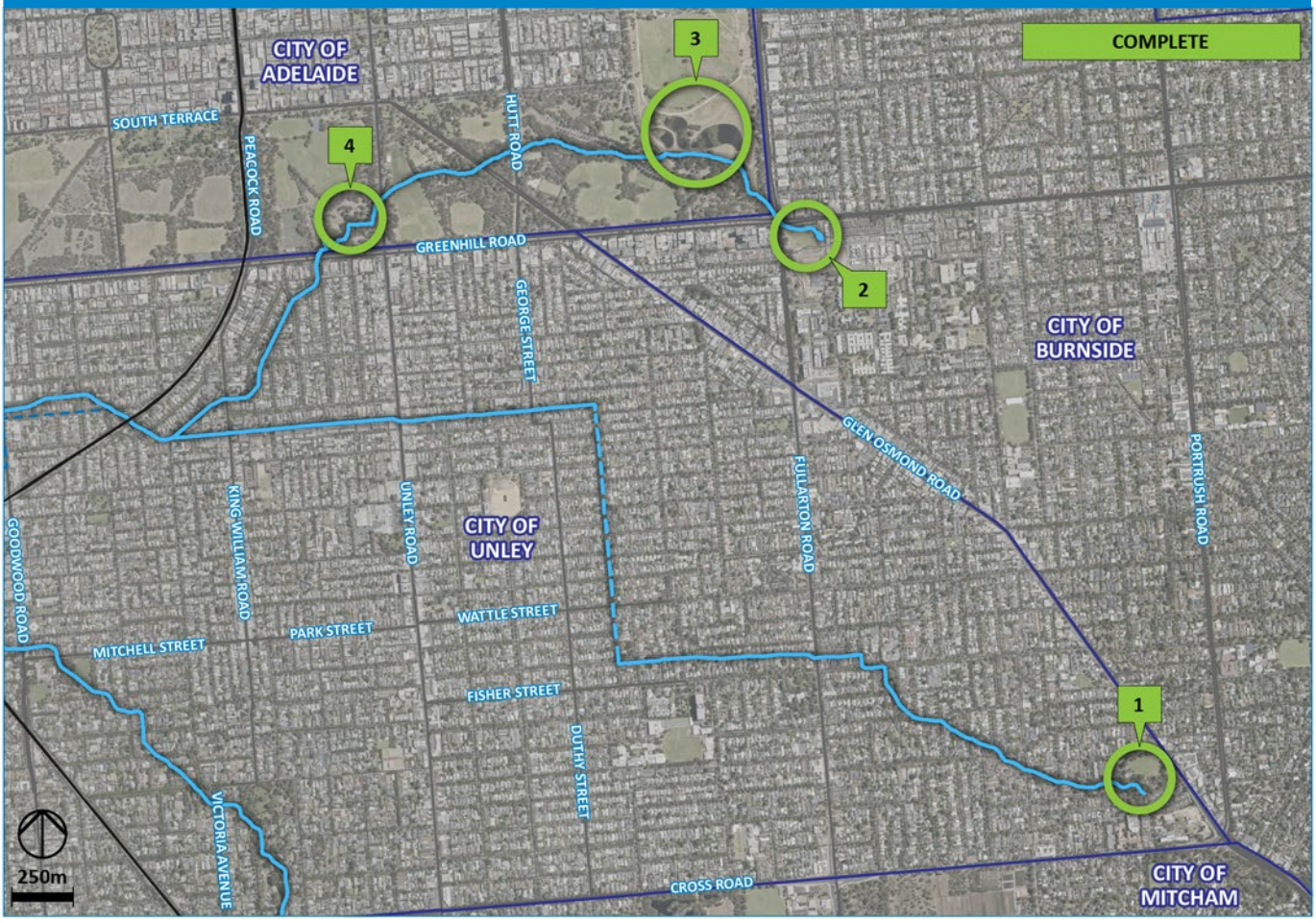
1

Stage 1 - Flood Detention

Detention storages in the upper catchment that will reduce the downstream flow rates. All Stage 1 works are complete.

COMPLETE

Stage 1 Capital Works



1 Ridge Park Flood Control Dam

2 Glenside Detention Basin

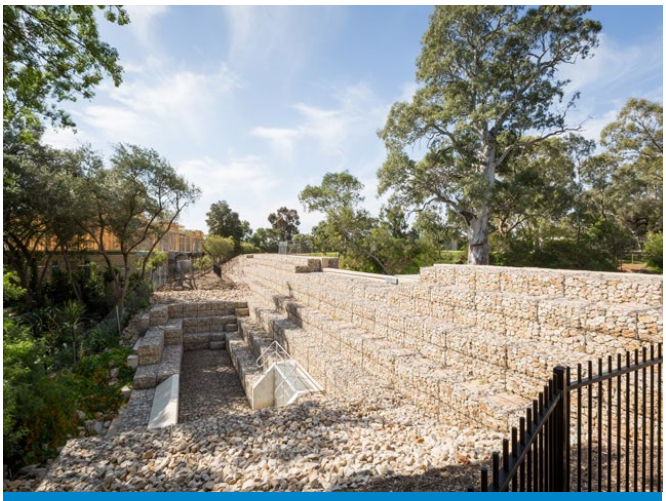
3 Pakapakanthi Wetland in Victoria Park (Park 16)

4 Kurangga Creek Works in Blue Gum Park (Park 20)

Ridge Park Flood Control Dam

A flood control dam was constructed on Glen Osmond Creek in Ridge Park Reserve, Myrtle Bank to reduce peak stormwater flow in Glen Osmond Creek and reduce the risk of flooding in downstream areas along Glen Osmond and Keswick Creeks.

Commissioned in July 2015, the Ridge Park flood control dam also collects stormwater for the City of Unley's managed aquifer recovery (MAR) scheme. Under the MAR, harvested stormwater is stored in an underground aquifer for irrigation of Unley's parks during periods of dry weather.



Flood Control Dam

Concrete swale and fencing

Glenside Detention Basin

This project involved enlargement of an existing detention basin from a capacity of 18ML to 37ML, to limit flow to the existing capacity of the culvert under the Fullarton and Greenhill Roads intersection. The detention basin, together with other works in the South Park Lands, is intended to reduce the peak stormwater flows along Park Lands Creek and further downstream. Excavation of approximately 25,000m³ of material was required to form the detention basin and primary water quality treatment is provided via 3 new large gross pollutant traps.

The site accommodating the detention basin and associated stormwater infrastructure has been developed as a community reserve with playground and associated facilities.

The Glenside project works were delivered by Cedar Woods as part of their residential development and the site was opened to the public on July 2nd 2021.

Pakapakanthi Wetland in Victoria Park (Park 16)

This project involved construction of a wetland at the southern end of Victoria Park/Pakapakanthi (Park 16), adjacent Park Lands Creek. Flows from approximately 600 hectares of urban land and 100 hectares of hills face land travel down Park Lands Creek, through the Glenside site and beneath the Fullarton and Greenhill Roads intersection into the Park Lands. The wetland is of approximately 3.2 hectares in area and provides 100 million litres of flood storage. It comprises areas of permanent water, areas that become inundated with stormwater during regular flow events and a broader area that will only become inundated during more significant flow events. The system provides regional benefits of flood detention, stormwater pollutant removal, amenity and recreational enhancement, and biodiversity creation with over 120 new trees and over 100,000 new plantings, including aquatic species.

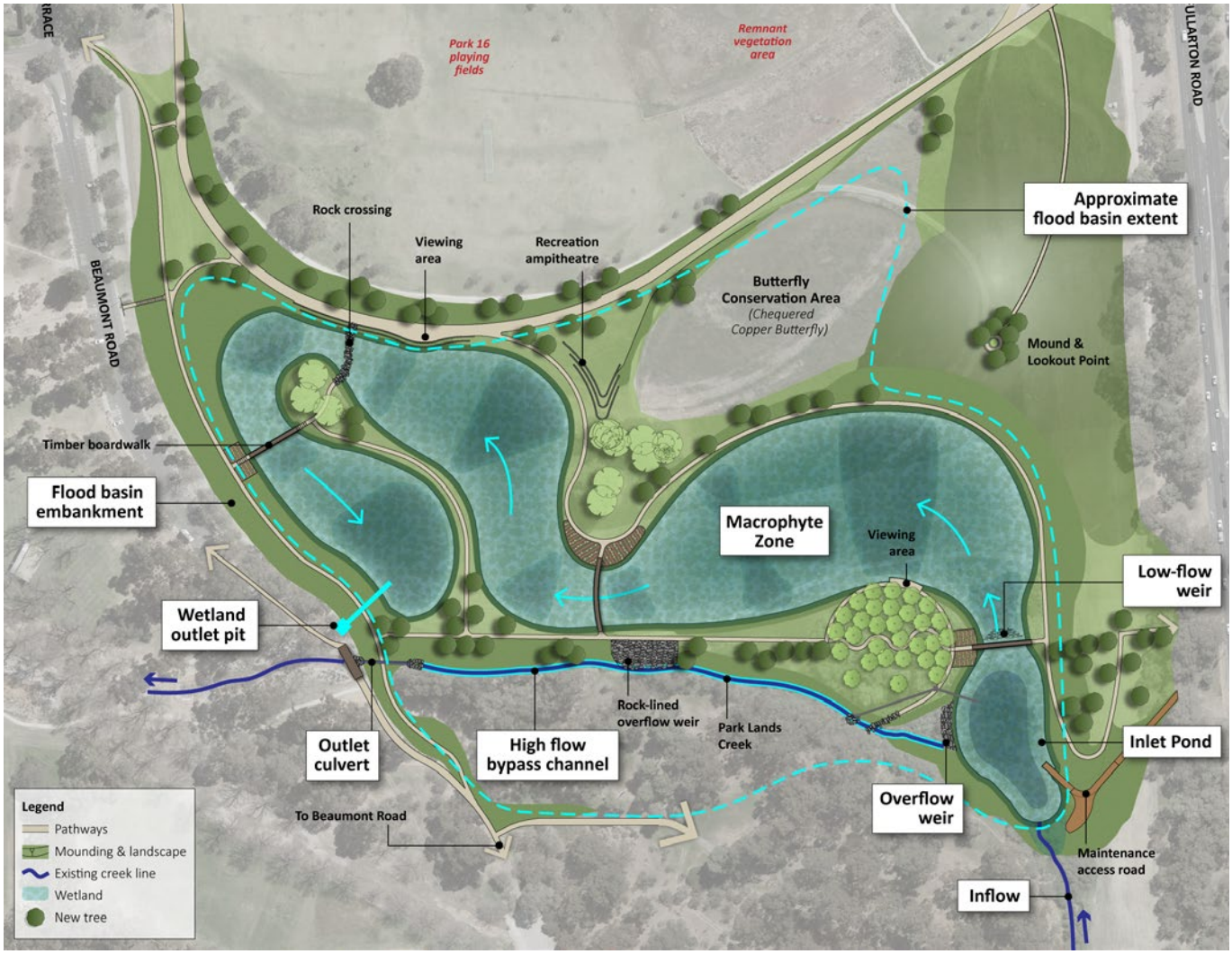
In alignment with the Stormwater Management Plan objective of beneficial reuse of stormwater, flows are now being diverted from the wetland to the ornamental lake in Murlawirrapurka/Rymill Park (Park 14). The lake has been experiencing ongoing issues with leakage and poor water quality, requiring ongoing chemical treatment to manage algal blooms. Surplus water levels are being drawn from the wetland to holding tanks adjacent the lake for use when required.

Park 16 Wetland

Pedestrian Bridge

Government of South Australia
Green Adelaide

The Pakapakanthi Wetland project was supported by funding from Green Adelaide.



Operation of the wetland

Normal rain events

- Flows enter the inlet pond from Park Lands Creek
- A low-flow weir transfers flows under a boardwalk into the shallow vegetated area of the wetland
- Flows take one to two days to reach the wetland outlet pit
- The outlet pit regulates the outflow rate and transfers water back into Park Lands Creek on the western side of the flood basin embankment

High flow or longer duration events

- During high flow or long duration events, water will begin to flow over the overflow weirs from the inlet pond and wetland directly into Park Lands Creek
- These higher flows will travel along the vegetated high flow bypass channel to the outlet culvert
- The outlet culvert controls flows downstream through the flood basin embankment

Significant flood events

- During significant flood events, the outlet culvert will choke flows and water levels will rise within the flood basin, inundating the wetland area
- The culvert regulates flows from the wetland area, therefore protecting against flooding of downstream areas
- Following the flood event, water levels will recede to permanent levels over a number of hours

Kurangga Creek Works in Blue Gum Park (Park 20)

Together with the Victoria Park/ Pakapakanthi (Park 16) wetland, the creek works in Blue Gum Park/ Kurangga (Park 20) reduce the peak stormwater flows from Park Lands Creek into downstream areas.

Works included construction of a low-level mound (typically up to 1 metre in height) and the realignment of existing creek lines in the southern section of the park. The mound is constructed to the south and west of the existing playing fields and stretches for a total distance of approximately 600 metres. Two new open drainage channels converge at a common point at the northern side of the new mound which enables controlled flows to be discharged through a culvert and under Greenhill Road. When large flows exceed the capacity of the culvert, water will build up and be contained behind the mound and temporarily inundate parts of Blue Gum Park/ Kurangga (Park 20) until it subsides.

The new works enabled the existing creeks to be backfilled to support tree health and protect Red Gums against erosion. The works integrate with existing users of this space, including TreeClimb.

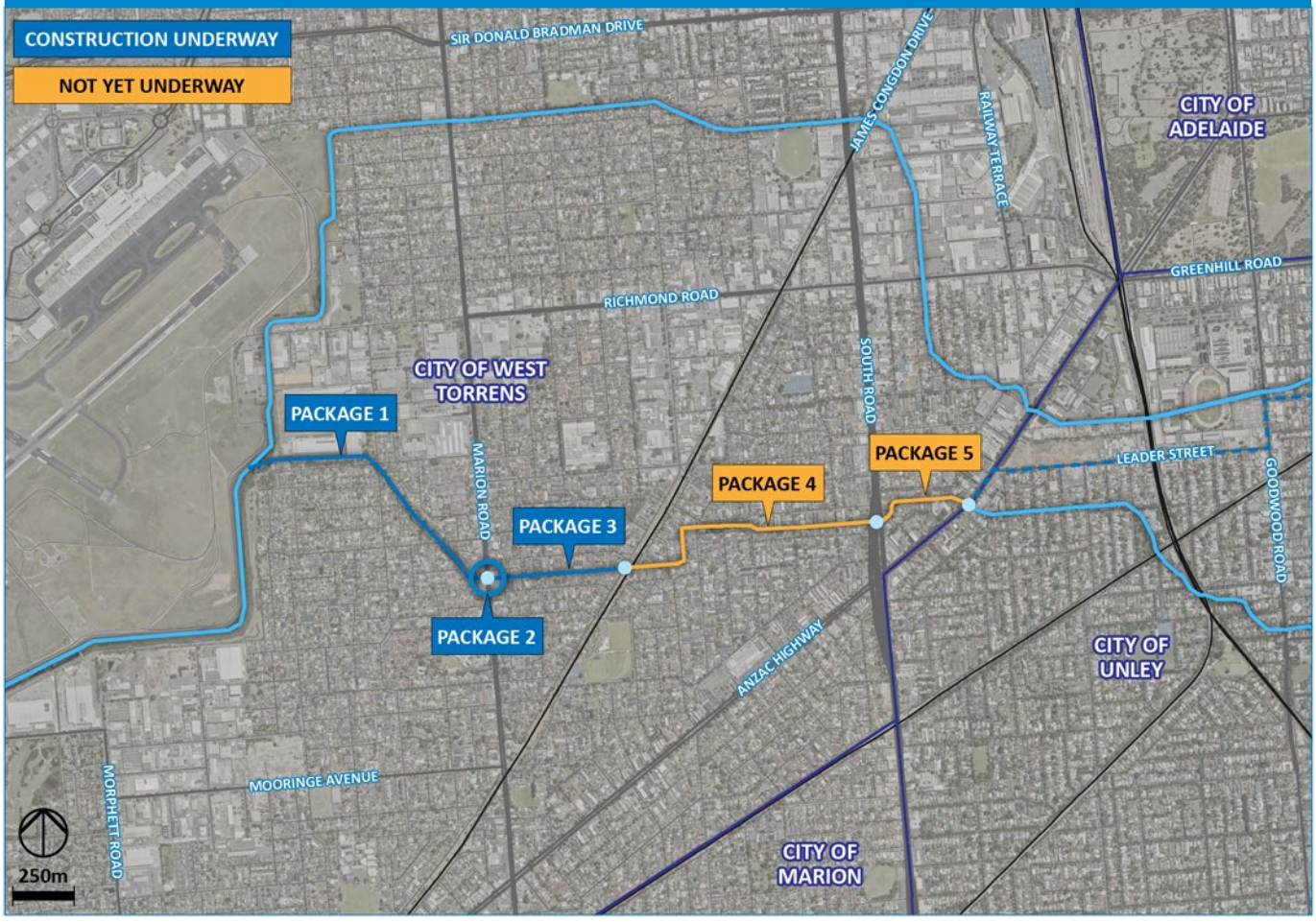
The Park 20 project works were completed in September 2022.

2 Stage 2 - Lower Brown Hill Creek Upgrades

IN PROGRESS

Upgrading the flow capacity of Lower Brown Hill Creek so that it can receive the diverted flows from Keswick Creek. The Upgrades are being delivered in 5 work packages with Packages 1-3 nearing completion.

Stage 2 Capital Works



WORK PACKAGES

1 Watson Avenue to Marion Road
2 Marion Road Bridge Replacement
3 Marion Road to Birdwood Terrace
4 Birdwood Terrace to South Road
5 South Road to Anzac Highway

Lower Brown Hill Creek Upgrades

Lower Brown Hill Creek comprises a 3.3 kilometre-long section of channel extending from the south-eastern corner of Adelaide Airport at the downstream end to a crossing point at Anzac Highway at the upstream end. The channel is primarily situated within City of West Torrens owned drainage corridor, except for a small portion that runs within privately owned land. The upgrades involve doubling the flow capacity through replacement of the existing open channel with a new 6-6.8 metre-wide by 1.8 metre-high rectangular shaped concrete channel, and equivalent sized road crossings.

The Lower Brown Hill Creek capacity upgrades are divided into 5 work packages and the Board secured $10m in Commonwealth Government funding under the Preparing Australian Communities Program to contribute toward delivery of Packages 1-3 over 3 years. The Commonwealth funding is being matched by funding from Constituent Councils and the Stormwater Management Authority.

Packages 1-3 extend for 1.7 kilometres from Adelaide Airport at the downstream end to Birdwood Terrace at the upstream end. Construction of package 1 commenced late in 2022 and works to Birdwood Terrace are now being completed. Design of packages 4 and 5 will commence in the coming months.

Channel construction

Packages 1-3 of the Lower Brown Hill Creek upgrades are being delivered with the support of funding from the Australian Government provided under the Preparing Australian Communities Program.

Beltrame
Civil

Daly Street Bridge

Although Packages 4 and 5 of the Lower Brown Hill Creek upgrades have not yet commenced, the Daly Street bridge upgrade was completed in September 2021. Located in Kurralta Park within package 4, the upgrade of this bridge was delivered by City of West Torrens in conjunction with an adjoining road realignment, with funding contribution from the Commonwealth Government's Local Roads and Community Infrastructure Program.

Previously, the bridge comprised a corrugated domed tunnel of 3.7 metres in width and 2.3 metres in height. The bridge was constructed circa 1950 and had one of the lowest capacities of all existing bridges on Brown Hill Creek. The new bridge comprises twin concrete culverts of 4.2 metres in width and 1.8 metres in height with gabion basket transitions at the upstream and downstream ends.

Bridge Upgrade

The Daly Street bridge upgrade was delivered with the support of funding from the Australian Government provided under the Local Roads and Community Infrastructure Program.

3

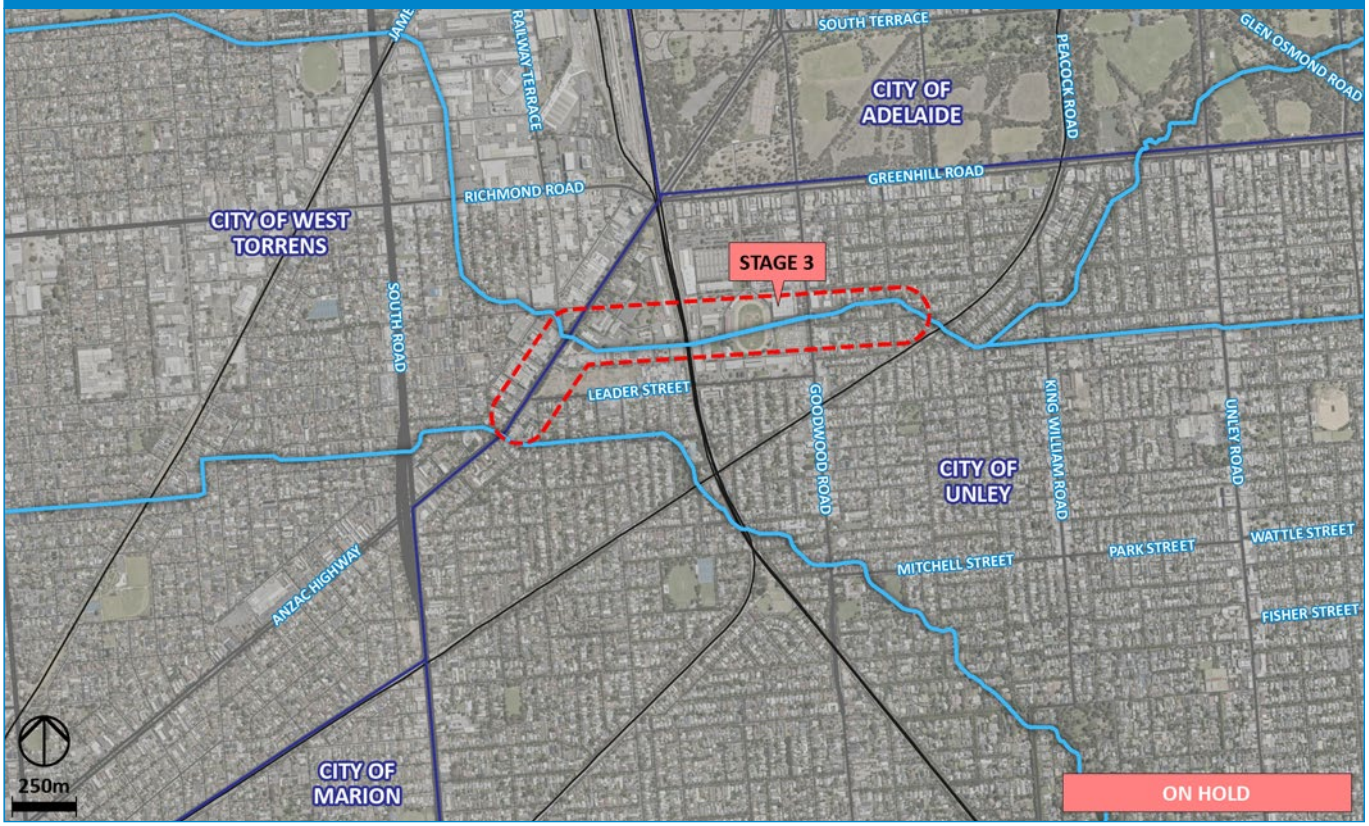
Stage 3 - Keswick Creek Flow Diversions

ON HOLD

The Keswick Creek Flow Diversions, which alone provide 40% of the flood protection benefits offered by the project, will divert flows from Keswick Creek to the upgraded section of Lower Brown Hill Creek before they have the opportunity to 'break-out' of the channel and continue overland through the south-western suburbs. Completion of the Keswick Creek Flow Diversions will provide flood protection benefits to Ashford Hospital, Adelaide Airport, Keswick Army Barracks, the ARTC rail network and Keswick Terminal interstate rail hub, and the Torrens to Darlington (T2D) project.

Completion of stage 3 works will mark a significant milestone for the Brown Hill Keswick Creek Stormwater Project, with stages 1, 2 and 3 collectively delivering 80% of the intended flood protection benefits across the catchment.

Stage 3 Capital Works

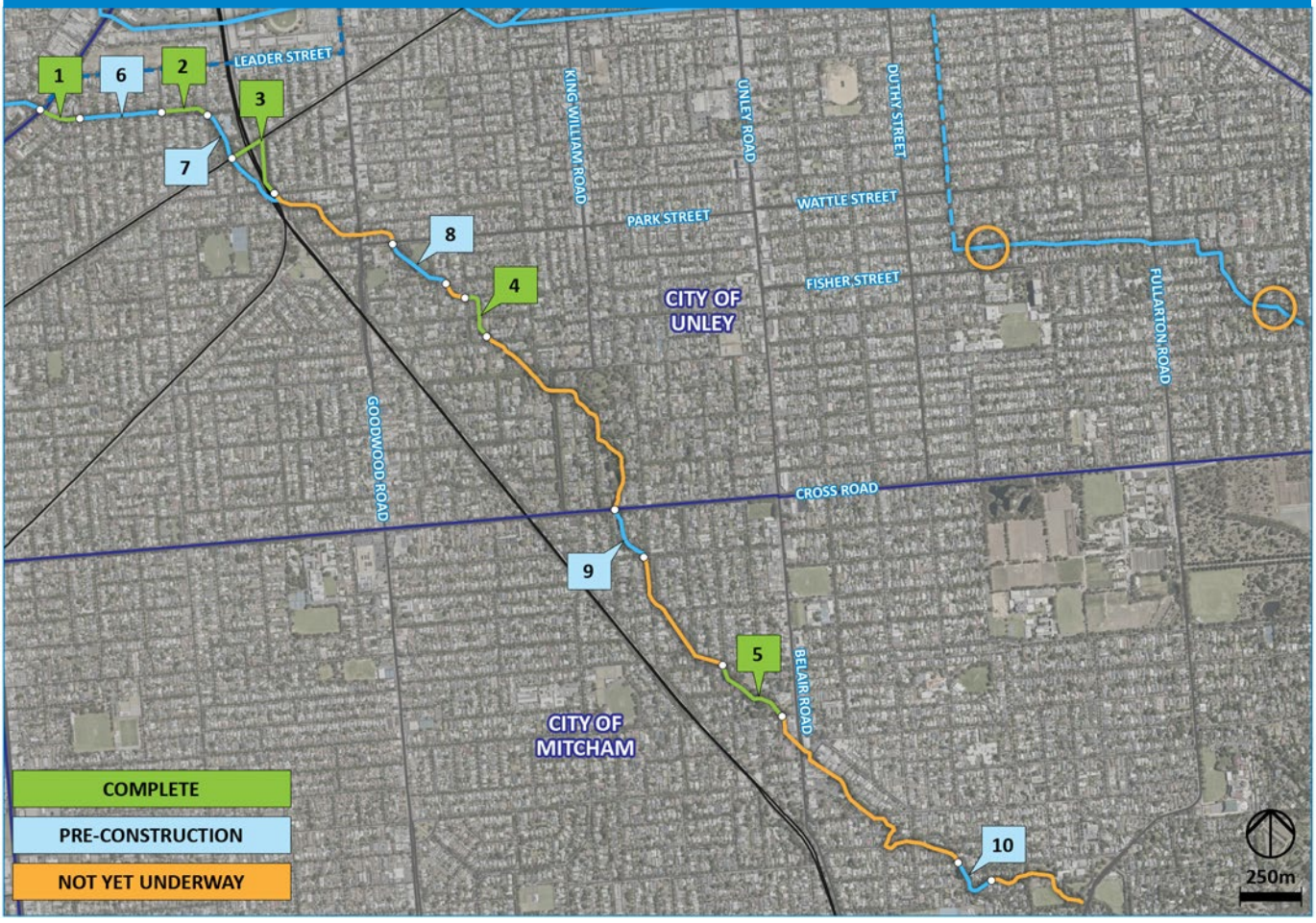


4 Stage 4 - Upper Brown Hill and Glen Osmond Creek Upgrades

IN PROGRESS

Upgrading the flow capacity of Upper Brown Hill Creek and Glen Osmond Creek to prevent 'break-outs' and flooding of private property. Key hot spots are being targeted to align with grant funding opportunities.

Stage 4 Capital Works

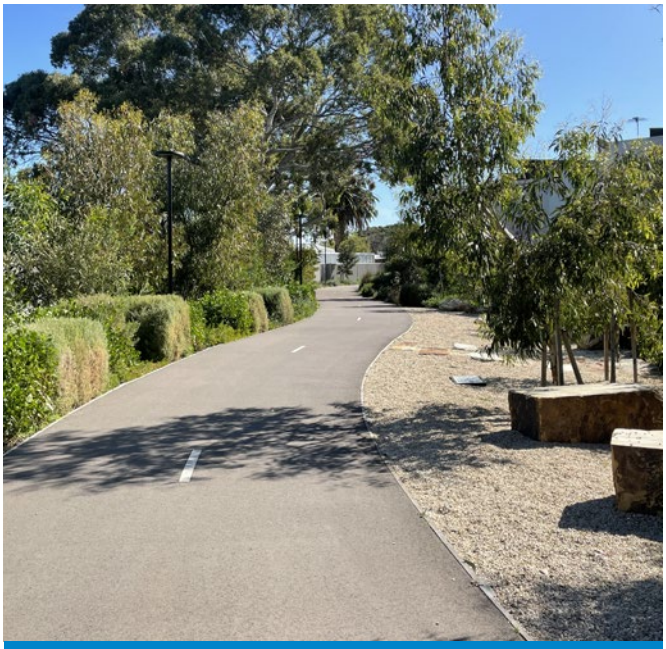


1 Everard Park- Anzac Highway to Third Avenue
2 Forestville- Leah Street to Ethel Street
3 Diversion Culvert
4 Millswood- Regent Street to Malcolm Street
5 Hawthorn Reserve
6 Forestville- Third Avenue to Leah Street
7 Forestville Reserve
8 Orphanage Park
9 Hawthorn- Cross Road to Hampton Street
10 Betty Long Gardens

Everard Park - Anzac Highway to Third Avenue

These works are located between Anzac Highway and Third Avenue and were expedited to take advantage of access to the site that would be significantly restricted following completion of an adjoining high density residential development. The project involved replacement of an existing open concrete channel with an increased capacity underground covered culvert. Subsequent to installation of the culvert, the City of Unley extended Wilberforce Walk to Anzac Highway, with a shared use path for pedestrians and cyclists traversing the culvert.

Culvert construction works commenced in April 2020 and were completed in August 2020, at which point the site was handed over to City of Unley for the shared use path improvements to be delivered.



Shared Use Path

Constructed Culvert

Diversion Culvert

A section of Brown Hill Creek in Forestville was diverted by the Department of Planning, Transport and Infrastructure in 2013 as part of the Goodwood Junction Rail Upgrade project. The works, delivered in collaboration with and funded by the Brown Hill Keswick Creek Stormwater Project, involved diverting the creek into a new underground culvert constructed generally along the eastern side of the railway corridor from the southern side of Victoria Street, Goodwood to the northern side of the Glenelg tramway. The culvert discharges into the existing Brown Hill Creek within Forestville Reserve.

Hawthorn Reserve

The City of Mitcham upgraded the Hawthorn Reserve precinct in 2018/19 and the creek upgrades were expedited to coincide with this project.

The creek has been widened to ensure sufficient capacity and the banks have been laid back with native plantings in the area adjacent the Mitcham library to retain a natural setting. Stepping boulders and logs have also been installed to create an active nature play space for use when the creek is dry or not flowing. Further downstream, rock filled gabions have been installed and a floodwall has been constructed at George Street to contain creek flows.

Forestville – Leah Street to Ethel Street

These upgrades involve raising the height of the existing channel walls by 600mm and remediating the floor and walls of the existing channel. This section of channel runs within Council drainage corridor for the majority of its length with a small portion intersecting privately owned land at the eastern Ethel Street end.

Works commenced in June 2024 and were completed in November 2024.

Rock filled gabions

Channel Construction

Leah Street to Ethel Street Channel Construction

Scheduled Upper Brown Hill Creek Upgrades

The Board is currently undertaking the design process for several sections of Upper Brown Hill Creek that are scheduled for construction in the 2025/26 and 2026/27 financial years. Site investigations have informed the design process and allowed the consultant team to better understand current conditions. These works are located across the Cities of Unley and Mitcham within privately owned property and Council-owned reserves, as follows:

- Forestville – Third Avenue to Leah Street
- Forestville Reserve
- Orphanage Park
- Hawthorn – Cross Road to Hampton Street
- Betty Long Gardens

The scheduled Upper Brown Hill Creek upgrades are being delivered with the support of funding from the Australian Government provided under the Urban Rivers and Catchments Program and the Disaster Ready Fund.

Millswood – Regent Street to Malcolm Street

The project involves a doubling of the capacity of this section of Brown Hill Creek, from just downstream of Regent Street to Malcolm Street at the upstream end, including upgrade of the Regent Street culvert. The entirety of the creek in this location traverses through privately owned property and the project team have engaged closely with property owners over the course of design development and during construction.

Delivering in a heavily constrained environment, the works have been designed in collaboration with property owners to meet the flow capacity requirements while being sympathetic to the natural environment and the individual and unique objectives of each owner.

Channel solutions include a combination of stacked rock or upright concrete block constructed walls, often transitioning from one treatment to another as the creek moves through different properties. Cobbles have been reinstated within the base of the channel, with more robust base treatment in specified locations where required to support higher velocity flows.

This project is nearing final completion, with works in recent months focusing on remaining landscape reinstatement and maintenance.

> *"We would like to express our appreciation for the Brown Hill Creek upgrade being brought forward in time which enabled us to secure building approval through the Unley Council.*
>
> *It was a pleasure working with Peta and Brett, as well as with Chris and his site team from Camco, whose professionalism and support were greatly valued throughout the process.*
>
> *We are also grateful for the creek works, including the cleaning, widening, and realignment to complement the design of our new home. The use of large sandstone rocks on one side and sandstone cladding on the opposite creek walls has created an impressive and visually striking result that we truly appreciate."*
>
> ***Property Owner***
> *Millswood*

"We were very pleased with the final outcome of the project as far as it affected our property. We found the project team to be extremely helpful and the construction team to be considerate on the effect of the project on our daily lives.

The initial stages of the project were difficult, due the lack of information, however, as the project proceeded, we were kept well informed."

Property Owner
Millswood

"Between mid-2022 and late-2024 the Brown Hill and Keswick Creeks Stormwater Board undertook flood mitigation work on the section of Brown Hill Creek that runs through our property. There was an extensive period of discussion about the proposed works before commencement to try to reach mutual agreement on a final outcome that would be acceptable to all parties.

From our perspective we faced significant loss of a natural tree-lined creek that provided privacy on the southern side of our house. However, we appreciated the need to reduce the flood risk in our area and were prepared to work with the Board towards an outcome that would improve flood flows while retaining some of the visual amenity of the creek channel next to our house.

With completion of the works we have a visually appealing outcome with a small residual strip of land on our southern boundary that has been planted with new trees that will hopefully over time restore some of the privacy that we previously appreciated."

Property Owner
Millswood

Lower Brown Hill Creek Upgrades

14. Financial Snapshot

The activities of the Board are funded by the five Constituent Councils and the Stormwater Management Authority.

Operational expenditure is funded equally by the Constituent Councils.

2024/25 Operational Funding		
City of Adelaide	20%	$162,000
City of Burnside	20%	$162,000
City of Mitcham	20%	$162,000
City of Unley	20%	$162,000
City of West Torrens	20%	$162,000
Total		**$810,000**

Capital expenditure is funded by regular contributions from Constituent Councils and the Stormwater Management Authority with additional grant funding being secured for individual work packages on an ad hoc basis.

2024/25 Capital Funding		
City of Adelaide	8%	$320,000
City of Burnside	12%	$480,000
City of Mitcham	10%	$400,000
City of Unley	21%	$840,000
City of West Torrens	49%	$1,960,000
Stormwater Management Authority		$4,000,000
Commonwealth Grant Funding		$4,358,766[1]
Total		**$12,358,766**

[1] This grant funding comprises payments made under the Preparing Australian Communities Program, the Urban Rivers and Catchment Program and the Disaster Ready Fund.

14. Audited Financial Statements

Brown Hill & Keswick Creeks Stormwater Board

Financial Statements for the year ended - 30 June 2025

Brown Hill & Keswick Creeks Stormwater Board
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As at 30 June 2025

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Brown Hill & Keswick Creeks Stormwater Board
Certification of financial statements
As at 30 June 2025

We have been authorised by the Board to certify the financial statements in their final form. In our opinion:

- The accompanying financial statements comply with the *Local Government Act 1999*, *Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards;
- the financial statements present a true and fair view of Brown Hill & Keswick Creeks Stormwater Board's financial position at 30 June 2025 and the results of its operations and cash flows for the financial year;
- internal controls implemented by the Board provide a reasonable assurance that the Board's financial records are complete, accurate and reliable and were effective throughout the financial year; and
- the financial statements accurately reflect the Board's accounting and other records.

On behalf of the Board

Judith Choate (Sep 24, 2025 15:10:40 GMT+9.5)

Judith Choate

Board Member

_____September 2025

Sep 24, 2025

G. T. Vogt (Sep 24, 2025 20:09:54 GMT+9.5)

Geoffrey Telford Vogt

Board Member

Sep 24, 2025

Brown Hill & Keswick Creeks Stormwater Board
Statement of comprehensive income
For the year ended 30 June 2025

	Note	2025 $	2024 $
Income			
Operating contributions	3	810,000	700,000
Investment income	4	564,438	445,125
		1,374,438	1,145,125
Total income		1,374,438	1,145,125
Expenses			
Employee costs	5	(413,353)	(384,589)
Materials, contracts & other expenses	6	(517,108)	(546,723)
Depreciation	8	(275,515)	(170,371)
Finance costs	7	(211)	(376)
Total expenses		(1,206,187)	(1,102,059)
Operating surplus		168,251	43,066
Capital Funding / Grants for New / Upgraded assets	9	9,792,269	9,703,874
Asset disposal	10	(1,175,084)	-
Net surplus for the year		8,785,436	9,746,940
Other comprehensive income for the year		-	-
Total comprehensive income for the year		8,785,436	9,746,940

The above statement of comprehensive income should be read in conjunction with the accompanying notes

Brown Hill & Keswick Creeks Stormwater Board
Statement of financial position
As at 30 June 2025

	Note	2025 $	2024 $
Assets			
Current assets			
Cash and cash equivalents	11	9,814,112	13,326,831
Trade and other receivables	12	1,838,340	790,259
Total current assets		11,652,452	14,117,090
Non-current assets			
Infrastructure, property, plant and equipment	13	58,134,692	45,181,818
Total non-current assets		58,134,692	45,181,818
Total assets		69,787,144	59,298,908
Liabilities			
Current liabilities			
Trade and other payables	14	6,125,363	8,434,146
Provisions	15	39,424	31,110
Total current liabilities		6,164,787	8,465,256
Non-current liabilities			
Provisions	15	15,745	12,476
Total non-current liabilities		15,745	12,476
Total liabilities		6,180,532	8,477,732
Net assets		63,606,612	50,821,176
Equity			
Capital contributions of constituent councils	16	28,319,907	24,319,907
Asset revaluation reserve	17	570,390	570,390
Capital funding and grants	18	36,720,650	26,928,381
Accumulated surplus/(deficit)		(2,004,335)	(997,502)
Total equity		63,606,612	50,821,176

The above statement of financial position should be read in conjunction with the accompanying notes

Brown Hill & Keswick Creeks Stormwater Board
Statement of changes in equity
For the year ended 30 June 2025

	Capital Contributions of Council $	Capital Funding and Grants $	Asset Revaluation Reserve $	Accumulated Surplus / (Deficit) $	Total equity $
Balance at 1 July 2023	20,319,907	17,224,448	570,390	(1,040,509)	37,074,236
Net surplus for the year	-	-	-	9,746,940	9,746,940
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	9,746,940	9,746,940
Capital contribution of Councils	4,000,000	-	-	-	4,000,000
Transfer to capital funding / grants	-	9,703,933	-	(9,703,933)	-
Balance at 30 June 2024	24,319,907	26,928,381	570,390	(997,502)	50,821,176

	Capital Contributions of Council $	Capital Funding and Grants $	Asset Revaluation Reserve $	Accumulated Surplus / (Deficit) $	Total equity $
Balance at 1 July 2024	24,319,907	26,928,381	570,390	(997,502)	50,821,176
Net surplus for the year	-	-	-	8,785,436	8,785,436
Other comprehensive income for the year	-	-	-	-	-
Total comprehensive income for the year	-	-	-	8,785,436	8,785,436
Capital contribution of Councils	4,000,000	-	-	-	4,000,000
Transfer to capital funding / grants	-	9,792,269	-	(9,792,269)	-
Balance at 30 June 2025	28,319,907	36,720,650	570,390	(2,004,335)	63,606,612

The above statement of changes in equity should be read in conjunction with the accompanying notes

Brown Hill & Keswick Creeks Stormwater Board
Statement of cash flows
For the year ended 30 June 2025

	Note	2025 $	2024 $
Cash flows from operating activities			
Operating receipts from constituent councils		891,000	770,000
Payments to employees		(401,770)	(382,164)
Payments to suppliers		(2,542,221)	(1,463,016)
Interest received		585,188	457,719
Bank fees paid		(211)	(376)
Net cash used in operating activities	28	(1,468,014)	(617,837)
Cash flows from investing activities			
Payments for New / Upgraded assets		(14,403,471)	(12,302,468)
Grants received	9	8,358,766	12,095,735
Net cash used in investing activities		(6,044,705)	(206,733)
Cash flows from financing activities			
Contributions from Constituent Councils	16	4,000,000	4,000,000
Net cash from financing activities		4,000,000	4,000,000
Net increase/(decrease) in cash and cash equivalents		(3,512,719)	3,175,430
Cash and cash equivalents at the beginning of the financial year		13,326,831	10,151,401
Cash and cash equivalents at the end of the financial year	11	9,814,112	13,326,831

The above statement of cash flows should be read in conjunction with the accompanying notes

Note 1. Material accounting policy information

The accounting policies that are material to the Board are set out below. The accounting policies adopted are consistent with those of the previous financial year, unless otherwise stated.

New or amended Accounting Standards and Interpretations adopted
The Board has adopted all of the new or amended Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') that are mandatory for the current reporting period.

Basis of preparation
The financial statements are general purpose financial statements that have been prepared in accordance with the Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board (AASB) and relevant South Australian Legislation. These financial statements comply with International Financial Reporting Standards as issued by the International Accounting Standards Board.

The Brown Hill and Keswick Creeks Stormwater Board (the Board) is a Local Government Regional Subsidiary established under Section 43 of and Schedule 2 to the Local Government Act 1999. The Regional Subsidiary is under the control of City of Adelaide, City of Burnside, City of Unley, City of Mitcham and City of West Torrens.

The Board was established by a Gazettal dated 27 February 2018. The Board has been established to implement the construction and maintenance of infrastructure and other measures for the purposes of a stormwater management plan prepared by the constituent councils and approved by the Stormwater Management Authority. The Board's responsibilities extend to the ongoing maintenance and operation of stormwater infrastructure delivered by the Board under the Stormwater Management Plan. The property owner (whether that be a Council or private land owner) is responsible for maintenance and upkeep of any existing assets, all new non-stormwater assets and all landscaping components. Private property owners may also be responsible for maintenance of stormwater infrastructure delivered by the Board, where that infrastructure was delivered under licence without registration of an easement or Land Management Agreement. This may require the transfer of assets to the property owner subsequent to the initial construction phase or after the defects period. The Board's asset register defines ongoing responsibility for completed works.

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in financial statements containing relevant and reliable information about transactions, events and conditions to which they apply. Material accounting policies adopted in the preparation of these financial statements are presented below and have been applied consistently unless otherwise stated.

The financial statements, except for cash flow information, have been prepared on an accruals basis and are based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities. The amounts presented in the financial statements have been rounded to the nearest dollar.

The financial statements were authorised for issue on 23 September 2025 by the members of the Board.

Critical accounting estimates
The preparation of the financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Board's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements, are disclosed in Note 2.

Note 1. Material accounting policy information (continued)

(a) Revenue recognition

Revenue from contracts with customers

The core principle of AASB 15 is that revenue is recognised on a basis that reflects the transfer of promised goods or services to customers at an amount that reflects the consideration the Board expects to receive in exchange for those goods or services. Revenue is recognised by applying a five-step model as follows:

1. Identify the contract with the customer
2. Identify the performance obligations
3. Determine the transaction price
4. Allocate the transaction price to the performance obligations
5. Recognise revenue as and when control of the performance obligations is transferred

Generally the timing of the payment for sale of goods and rendering of services corresponds closely to the timing of satisfaction of the performance obligations, however where there is a difference, it will result in the recognition of a receivable, contract asset or contract liability.
None of the revenue streams have any significant financing terms as there is less than 12 months between receipt of funds and satisfaction of performance obligations.

All revenue is stated net of the amount of goods and services tax (GST).

Specific revenue streams

The revenue recognition policies for the principal revenue streams of the Board are:

Operating revenue from constituent councils

Operating revenue from constituent councils is recognised as income as and when the Board becomes entitled to receive the funds. This is outlined within the Boards Annual Budget which is agreed with all constituent councils.

Grant revenue

Government grants relating to costs are deferred and recognised in profit or loss over the period necessary to match them with the costs that they are intended to compensate.

When grant revenue received meets the "enforceability" and "sufficiently specific" criteria in accordance with AASB 1058 and AASB 15, the grant revenue is recognised in the statement of financial position as a liability until the performance obligations have been met and delivered to the contributor.

Otherwise the grant is recognised as income in the statement of comprehensive income when the Board obtains control of the grant, it is probable that the economic benefits gained from the grant will flow to the Board and the amount of grant can be measured reliably.

Interest revenue

Interest revenue is recognised using the effective interest method, which for all floating rate financial assets is inherent in the instrument.

Other income

Other income is recognised on an accruals basis when the Board is entitled to it.

(b) Equity
Capital contributions

Capital contributions from constituent councils are recorded directly against equity as and when the Board becomes entitled to receive the funds. This is outlined within the Boards Annual Budget, which is agreed with all constituent councils.

(c) Income tax

The activities of the Board are exempt from taxation under the Income Tax Assessment Act.

Note 1. Material accounting policy information (continued)

(d) Trade and other receivables
The Board has applied the simplified approach to measuring expected credit losses, which uses a lifetime expected loss allowance. To measure the expected credit losses, trade receivables have been grouped based on days overdue.

(e) Financial instruments
Investments and other financial assets are initially measured at fair value. Transaction costs are included as part of the initial measurement, except for financial assets at fair value through profit or loss. Such assets are subsequently measured at either amortised cost or fair value depending on their classification. Classification is determined based on both the business model within which such assets are held and the contractual cash flow characteristics of the financial asset unless an accounting mismatch is being avoided.

Financial assets are derecognised when the rights to receive cash flows have expired or have been transferred and the Board has transferred substantially all the risks and rewards of ownership. When there is no reasonable expectation of recovering part or all of a financial asset, its carrying value is written off.

Financial instruments are recognised initially on the date that the Board becomes party to the contractual provisions of the instrument.

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Classification

On initial recognition, the Board classifies its financial assets into the following categories, those measured at:

- amortised cost
- fair value through profit or loss - FVTPL
- fair value through other comprehensive income - equity instrument (FVOCI - equity)
- fair value through other comprehensive income - debt investments (FVOCI - debt)

Financial assets are not reclassified subsequent to their initial recognition unless the Board changes its business model for managing financial assets.

Financial assets at amortised cost
A financial asset is measured at amortised cost only if both of the following conditions are met: (i) it is held within a business model whose objective is to hold assets in order to collect contractual cash flows; and (ii) the contractual terms of the financial asset represent contractual cash flows that are solely payments of principal and interest.

The Board's financial assets measured at amortised cost comprise trade and other receivables and cash and cash equivalents in the statement of financial position.

Subsequent to initial recognition, these assets are carried at amortised cost using the effective interest rate method less provision for impairment.

Interest income and impairment are recognised in profit or loss. Gain or loss on derecognition is recognised in profit or loss.

Note 1. Material accounting policy information (continued)

Impairment of financial assets
Impairment of financial assets has been determined using the simplified approach in AASB 9 which uses an estimation of lifetime expected credit losses. The Board has determined the probability of non-payment of the receivable and multiplied this by the amount of the expected loss arising from default.

The amount of the impairment is recorded in a separate allowance account with the loss being recognised in finance expense. Once the receivable is determined to be uncollectable then the gross carrying amount is written off against the associated allowance.

Financial liabilities

The Board measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

The financial liabilities of the Board comprise trade payables.

(f) Property, plant and equipment
Initial Recognition

All assets are initially recognised at cost. For assets acquired at no cost or nominal consideration, cost is determined as fair value at the date of acquisition. All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held 'ready for use'. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architects' fees, engineering design costs and all other costs incurred.

The cost of non-current assets constructed by the Board includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. The Board considers that it controls the infrastructure assets in accordance with its Charter. The constructed infrastructure assets may be located on land owned by constituent councils or private property owners and tenure arrangements with private property owners determine ongoing asset responsibility.

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds the materiality thresholds set by the Board within the capitalisation policy. In determining (and in biennially reviewing)) such thresholds, regard is had to the nature of the asset and its estimated service life. Current thresholds applicable to Board assets are as follows:

Drains and culverts - $2,000
Paving and footpaths, kerbs and gutter - $2,000
Office furniture and equipment - $1,000
IT hardware and computer equipment - $ 1,000
Other assets - $1,000

Subsequent Measurement

Stormwater infrastructure is subsequently measured at fair value, based on periodic, at least every 5 years, valuations by external independent valuers, less accumulated depreciation and impairment. Fair value is determined with regard to the asset's highest and best use (considering legal or physical restrictions imposed on the asset, public announcements or commitments made in relation to the intended use of the asset) and is determined using the current replacement cost method.

The most recent valuation of infrastructure and land improvements was undertaken on 30 June 2023. The valuation was undertaken by Tina-James Freeman, Asset Consultant at Tonkin. Refer to Note 20 for additional information on fair value determination of stormwater infrastructure.

Computer equipment and office equipment are carried at cost less accumulated depreciation and impairment.

Note 1. Material accounting policy information (continued)

Depreciation

Property, plant and equipment, excluding freehold land, is depreciated on a straight-line basis over the assets useful life to the Board, commencing when the asset is ready for use.

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Land improvements	1.67% - 10%
Stormwater structures	1% - 1.25%
Stormwater quality devices	1% - 10%
Footpaths	2% - 20%
Kerbs and gutters	1% - 2.5%
Office furniture and fittings	10%
Other plant and equipment	3.3% - 50%
IT hardware and computer equipment	14.3% - 50%

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed by the Project Director. The Project Director also reviews the asset register to ensure inclusion of all completed projects and correct delineation of maintenance responsibility between the board and the property owner. In addition, the Board's Asset Capitalisation Policy is reviewed every 2 years, with the last review undertaken in June 2023. Any revisions are accounted for prospectively as a change in estimate.

(g) Impairment of non-financial assets
Non-financial assets are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount.

Recoverable amount is the higher of an asset's fair value less costs of disposal and value-in-use. The value-in-use is the present value of the estimated future cash flows relating to the asset using a pre-tax discount rate specific to the asset or cash-generating unit to which the asset belongs. Assets that do not have independent cash flows are grouped together to form a cash-generating unit.

(h) Employee benefits

Short-term employee benefits
Provision is made for the Board's liability for employee benefits arising from services rendered by employees to the end of the reporting period.

Employee benefits that are expected to be wholly settled within one year have been measured at the amounts expected to be paid when the liability is settled.

No accrual is made for sick leave. The Board does not make payment for untaken sick leave.

Other long-term employee benefits
The liability for annual leave and long service leave not expected to be settled within 12 months of the reporting date are measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Cashflows are discounted using market yields on high quality corporate bond rates, with terms to maturity that match the expected timing of cashflows. Changes in the measurement of the liability are recognised in the profit or loss.

(i) Economic dependence
Brown Hill and Keswick Creeks Stormwater Board is dependent on its constituent councils and other funding bodies for the majority of its revenue used to achieve its objectives. At the date of this report, the Board believe that the Member Councils and other bodies will continue to support the Board.

Note 2. Critical accounting judgements, estimates and assumptions

The Board makes estimates and judgements during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgements are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgements made have been described below.

Allowance for expected credit losses
The allowance for expected credit losses assessment requires a degree of estimation and judgement. It is based on the lifetime expected credit loss, grouped based on days overdue, and makes assumptions to allocate an overall expected credit loss rate for each group. These assumptions include recent sales experience and historical collection rates.

The fair value of assets and liabilities classified as level 3 is determined by the use of valuation models. Level 3 inputs are unobservable inputs. These include discounted cash flow analysis or the use of observable inputs that require significant adjustments based on unobservable inputs. For further information relating to fair value measurement, refer to Note 20.

Impairment of property, plant and equipment
The Board assesses impairment of property, plant and equipment at each reporting date by evaluating conditions specific to the Board and to the particular asset that may lead to impairment. If an impairment trigger exists, the recoverable amount of the asset is determined. This involves fair value less costs of disposal or value-in-use calculations, which incorporate a number of key estimates and assumptions.

Key estimates fair valuation of stormwater infrastructure and land improvements
Stormwater infrastructure assets are carried at fair value. As there is no market for the Board to use to determine fair value, all assets have been valued as Level 3 inputs using a cost approach. Level 3 inputs are unobservable inputs. For further information relating to fair value measurement refer to Note 20.

Note 3. Operating contributions

	2025 $	2024 $
City of Mitcham	162,000	140,000
City of Burnside	162,000	140,000
City of West Torrens	162,000	140,000
The Corporation of the City of Adelaide	162,000	140,000
The Corporation of the City of Unley	162,000	140,000
	810,000	700,000

In accordance with the Charter of the Brown Hill and Keswick Creeks Stormwater Board Schedule 1, operating contributions are received equally from each of the constituent councils at an agreed rate. The total value of operating contributions to be received is agreed in the annual budget prepared by the Board.

Note 4. Investment income

	2025 $	2024 $
Bank Interest	564,438	445,125

Note 5. Employee costs

	2025 $	2024 $
Salaries and wages - board	91,000	87,000
Salaries and wages - employee	265,726	254,520
Superannuation contributions	41,024	37,493
Workers compensation	4,020	2,775
Employee entitlement costs	11,583	2,801
Total Employee costs	413,353	384,589

Note 6. Materials, contracts & other expenses

	2025 $	2024 $
Contractor & consultant services	94,245	38,514
Meeting room hire and teleconference	1,529	1,794
Financial services	45,580	37,960
Insurance - mutual liability scheme	54,002	51,430
IT services	6,039	4,809
Legal services	10,278	19,522
Office expenses, printing and postage	2,613	1,933
PR, website and graphic design	18,716	14,755
Professional development	6,000	6,904
Asset operating costs & maintenance	270,809	345,755
Asset management plan & valuations	-	16,171
Prescribed expenses - audit remuneration	5,900	5,700
Sundry	1,397	1,476
Total Materials, contracts & other expenses	517,108	546,723

Asset operating and maintenance costs are budgeted with reference to the Board's Infrastructure and Asset Management Plan. They are generally expected to increase over time as additional project works are completed. Maintenance costs associated with the South Park Lands wetland are, however, expected to be higher in the early establishment phase (years 1-4).

Note 7. Finance costs

	2025 $	2024 $
Bank fees	211	376

Note 8. Depreciation

	2025 $	2024 $
Infrastructure and land improvements	275,320	168,522
Office equipment	195	1,849
	275,515	170,371

Note 9. Capital Funding / Grants for New / Upgraded assets

	2025 $	2024 $
Stormwater Management Authority	5,332,497	5,642,025
Federal Funding	4,459,772	4,061,849
	9,792,269	9,703,874

The table below shows the reconciliation of capital funding received, recognised as revenue and resulting income in advance.

	Stormwater Management Authority	Federal Funding	Total
Income in advance 1 July 2023	-	3,534,119	3,534,119
Funding received	8,500,000	3,595,735	12,095,735
Revenue recognised	(5,642,025)	(4,061,849)	(9,703,874)
Income in advance 30 June 2024	2,857,975	3,068,005	5,925,980
Funding received	4,000,000	4,358,766	8,358,766
Revenue recognised	(5,332,497)	(4,459,772)	(9,792,269)
Income in advance 30 June 2025 (note 14)	1,525,478	2,966,999	4,492,477

Note 10. Asset disposal

	2025 $	2024 $
Carrying amount of assets transferred to council and private property owners	1,175,084	-

Note 11. Cash and cash equivalents

	2025 $	2024 $
Current assets		
Cash at bank and in hand	9,814,112	13,326,831

As at 30 June 2025, cash held includes an amount of $5,850,283 (2024: $2,254,917) which is restricted for the purpose of approved capital development projects (refer to Note 24 'Commitments').

Note 12. Trade and other receivables

	2025 $	2024 $
Current assets		
Trade receivables	1,212,220	125,432
GST receivable	609,399	629,584
Accrued revenue	-	20,750
Prepayments	16,721	14,493
	1,838,340	790,259

Note 12. Trade and other receivables (continued)

The carrying value of trade receivables is considered a reasonable approximation of fair value due to the short-term nature of the balances.

The maximum exposure to credit risk at the reporting date is the fair value of each class of receivable in the financial statements.

Note 13. Infrastructure, property, plant and equipment

	2025 $	2024 $
Non-current assets		
Infrastructure and Land Improvements - at independent valuation and at cost	38,616,262	26,728,566
Infrastructure and Land Improvements - accumulated depreciation	(761,889)	(486,569)
	37,854,373	26,241,997
Computer equipment - at cost	4,213	2,454
Less: Accumulated depreciation	(2,649)	(2,454)
	1,564	-
Capital works-in-progress	20,278,755	18,939,821
	58,134,692	45,181,818

Reconciliations
Reconciliations of the written down values at the beginning and end of the current and previous financial year are set out below:

	Capital Works in Progress $	Infrastructure and Land Improvements $	Office Equipment $	Total $
Balance at 1 July 2023	4,257,119	26,410,519	1,849	30,669,487
Additions	14,682,702	-	-	14,682,702
Depreciation expense	-	(168,522)	(1,849)	(170,371)
Balance at 30 June 2024	18,939,821	26,241,997	-	45,181,818
Additions	14,401,714	-	1,759	14,403,473
Transfers in/(out)	(13,062,780)	13,062,780	-	-
Disposals	-	(1,175,083)	-	(1,175,083)
Depreciation expense	-	(275,321)	(195)	(275,516)
Balance at 30 June 2025	20,278,755	37,854,373	1,564	58,134,692

Asset valuations
In line with the Board's capitalisation policy, a valuation of assets was not undertaken in the financial year ended 30 June 2025. The last valuation of completed infrastructure and land improvements was undertaken as at 30 June 2023. The valuation was undertaken by Tina-James Freeman, Asset Consultant at Tonkin. The valuation basis used for the infrastructure and land improvement assets is the depreciated replacement cost basis.

Note 13. Infrastructure, property, plant and equipment (continued)

Cost approach for projects completed post asset valuations
The assessment process has involved detailed analysis of project costs for completed works to determine and assign expenditure to asset components. This analysis has been completed by the Board's Project Director, who is a Valuer with extensive experience in the preparation of asset valuations and establishment of depreciation registers for financial reporting purposes, and the Board's Program Manager, an Engineer with extensive stormwater infrastructure experience.

	2025 $	2024 $
Capital works-in-progress		
Betty Long Gardens (Urban Rivers)	110,648	1,915
Reference Design	912,038	912,038
Lower Brown Hill Creek - Package 1	4,291,934	13,410,195
Lower Brown Hill Creek - Package 2	4,486,011	341,052
Lower Brown Hill Creek - Package 3	5,503,522	186,512
Upper Brown Hill Creek - Area 3A Millswood	4,223,464	3,618,084
Upper Brown Hill Creek - Area 1C Forestville	-	148,503
Forestville Reserve (Urban Rivers)	46,693	-
Orphanage park (Urban Rivers)	67,560	-
Flood Model	111,648	-
Flow Diversions	50,933	15,587
Upper Brown Hill Creek - Wilberforce (DRF)	61,194	160
Upper Brown Hill Creek - 1A Everard Park Land	2,903	2,903
Upper Brown Hill Creek - Denning (DRF)	116,417	9,082
South Park Lands - Remaining works	293,790	293,790
	20,278,755	18,939,821

Note 14. Trade and other payables

	2025 $	2024 $
Current liabilities		
Trade payables	1,604,896	2,421,974
Accrued expenses	5,900	64,448
Credit card	(595)	(597)
PAYG payable	12,515	12,819
Superannuation payable	10,170	9,522
Payments received in advance (capital grants)	4,492,477	5,925,980
	6,125,363	8,434,146

Trade and other payables are unsecured, non-interest bearing and are normally settled within 30 days. The carrying value of trade and other payables is considered a reasonable approximation of fair value due to the short-term nature of the balances.

Note 15. Provisions

	2025 $	2024 $
Current liabilities		
Provision for annual leave	39,424	31,110
Non-current liabilities		
Provision for long service leave	15,745	12,476
	55,169	43,586

Note 16. Capital contributions of constituent councils

	2025 $	2024 $
City of Mitcham	2,831,991	2,431,991
City of Burnside	3,398,389	2,918,389
City of West Torrens	13,876,754	11,916,754
Corporation of the City of Adelaide	2,265,593	1,945,593
Corporation of the City of Unley	5,947,180	5,107,180
Total Contributions by Owners	28,319,907	24,319,907

	2025 $	2024 $
City of Mitcham Movement Table		
Opening balance	2,431,991	2,031,991
Contributions	400,000	400,000
	2,831,991	2,431,991

	2025 $	2024 $
City of Burnside Movement Table		
Opening balance	2,918,389	2,438,389
Contributions	480,000	480,000
	3,398,389	2,918,389

	2025 $	2024 $
City of West Torrens Movement Table		
Opening balance	11,916,754	9,956,754
Contributions	1,960,000	1,960,000
	13,876,754	11,916,754

Note 16. Capital contributions of constituent councils (continued)

	2025 $	2024 $
Corporation of the City of Adelaide Movement Table		
Opening balance	1,945,593	1,625,593
Contributions	320,000	320,000
	2,265,593	1,945,593

	2025 $	2024 $
Corporation of City of Unley Movement Table		
Opening balance	5,107,180	4,267,180
Contributions	840,000	840,000
	5,947,180	5,107,180

Capital contributions of constituent councils are payments received for investing in infrastructure. The rates of contributions are agreed in the Charter of the Board.

Summary of capital contributions of constituent councils during the year:

	2025 $	2024 $
City of Mitcham	400,000	400,000
City of Burnside	480,000	480,000
City of West Torrens	1,960,000	1,960,000
City of Adelaide	320,000	320,000
City of Unley	840,000	840,000
	4,000,000	4,000,000

Note 17. Asset revaluation reserve

	2025 $	2024 $
Infrastructure and land improvement		
Opening balance 1 July	570,390	570,390
Net increment/(decrement)	-	-
Closing balance 30 June	570,390	570,390

Note 18. Capital funding and grants

	2025 $	2024 $
Opening balance	26,928,381	17,224,448
Transfer from accumulated surplus	9,792,269	9,703,933
	36,720,650	26,928,381

Capital funding and grants reserve records the total revenue recognised from the funding providers for capital works to date, including funding from the Stormwater Management Authority and other government grant funding.

Note 19. Financial instruments

Financial risk management objectives
The Board is exposed to a variety of financial risks through its use of financial instruments. The most significant financial risks to which the Board is exposed to are described below:

Specific risks
- Liquidity risk
- Credit risk

The principal categories of financial instrument used by the Board are:
- Trade receivables
- Cash at bank
- Trade and other payables

Objectives, policies and processes

The Board Members have overall responsibility for the establishment of the Board's financial risk management framework. This includes the development of policies covering financial governance and the identification and management of financial risk in accordance with the Board's risk management policy.

Details of significant accounting policies and methods adopted including the criteria for the recognition, the basis of measurement and the basis on which income and expenses are recognised with respect to each class of financial asset, financial liability and equity instruments are disclosed in note 1 Material Accounting Policy Information.

Mitigation strategies for specific risks faced are described below:

Credit risk
Credit risk refers to the risk that a counterparty will default on its contractual obligations resulting in a financial loss to the Board.

Credit risk arises from cash and cash equivalents, deposits with banks and financial institutions, as well as credit exposure to customers, including outstanding receivables and committed transactions.

The credit risk for liquid funds and other short-term financial assets is considered negligible, since the counterparties are reputable banks with high quality external credit ratings and the Local Government Finance Authority, which as established under the Local Government Finance Authority Act 1983 as a Body Corporate and is administered by a Board of Trustees.

Credit risk is managed through maintaining procedures to regularly monitor the financial stability of customers and counterparties. There is no collateral held by the Board securing trade and other receivables.

Liquidity risk
Liquidity risk arises from the management of working capital. It is the risk that the Board will encounter difficulty in meeting its financial obligations as they fall due.

The Board manages this risk by preparing and monitoring budgets, only investing surplus cash with major financial institutions and proactively monitoring the recovery of unpaid debts.

At the reporting date, the Board has sufficient liquid resources to meet its obligations under all reasonably expected circumstances. The following table depicts the categorisation of financial instruments held by the Board, noting that due to the nature of the balances held, carrying value is equal to fair value:

Note 19. Financial instruments (continued)

	2025 $	2024 $
Financial assets		
Held at amortised cost		
Cash and cash equivalents (due less than 1 year)	9,814,112	13,326,831
Trade and other receivables (due less than 1 year)	1,838,340	790,259
Total financial assets	11,652,452	14,117,090

	2025 $	2024 $
Financial liabilities		
Held at amortised cost		
Trade and other payables	1,632,886	2,508,166

Remaining contractual maturities
The table below reflects the undiscounted contractual maturity analysis for financial liabilities:

2025	Weighted average interest rate %	1 year or less $	Between 1 and 2 years $	Between 2 and 5 years $	Over 5 years $	Remaining contractual maturities $
Non-derivatives						
Non-interest bearing						
Trade and other payables (excluding estimated annual leave)	-	1,632,886	-	-	-	1,632,886
Total non-derivatives		1,632,886	-	-	-	1,632,886

The timing of expected outflows is not expected to be materially different from contracted cashflows.

Note 20. Fair value measurement

When an asset or liability, financial or non-financial, is measured at fair value for recognition or disclosure purposes, the fair value is based on the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date; and assumes that the transaction will take place either: in the principal market; or in the absence of a principal market, in the most advantageous market.

Fair value is measured using the assumptions that market participants would use when pricing the asset or liability, assuming they act in their economic best interests. For non-financial assets, the fair value measurement is based on its highest and best use. Valuation techniques that are appropriate in the circumstances and for which sufficient data are available to measure fair value, are used, maximising the use of relevant observable inputs and minimising the use of unobservable inputs.

Assets and liabilities measured at fair value are classified into three levels, using a fair value hierarchy that reflects the significance of the inputs used in making the measurements. Classifications are reviewed at each reporting date and transfers between levels are determined based on a reassessment of the lowest level of input that is significant to the fair value measurement.

For recurring and non-recurring fair value measurements, external valuers may be used when internal expertise is either not available or when the valuation is deemed to be significant. External valuers are selected based on market knowledge and reputation. Where there is a significant change in fair value of an asset or liability from one period to another, an analysis is undertaken, which includes a verification of the major inputs applied in the latest valuation and a comparison, where applicable, with external sources of data.

Note 20. Fair value measurement (continued)

Fair value hierarchy

Infrastructure assets are carried at fair value. AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a 'level' in the fair value hierarchy as follows:
Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date
Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly
Level 3: Unobservable inputs for the asset or liability

In determining fair values for infrastructure and land improvements there is no known market for these assets, and they are valued at depreciated current replacement cost. This method involves:

- The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience, or on industry construction guides where these are more appropriate; and

- The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the prime cost depreciation method adopted by the Board.

This method has significant inherent uncertainties, relying on estimates of quantities of materials and labour, residual values and useful lives, and the possibility of changes in prices for materials and labour, and the potential for development of more efficient construction techniques. Accordingly, the fair value of all assets within the infrastructure and land improvements class are considered Level 3 in the fair value hierarchy.

Note 21. Key management personnel disclosures

Compensation
Key management personnel of the Board include the Project Director and members of the Board appointed under section 112 of the *Local Government Act 1999*. The aggregate compensation made to key management personnel of the Board is set out below:

	2025 $	2024 $
Short-term employee benefits	311,726	300,262
Post-employment benefits	35,849	33,029
	347,575	333,291

Note 22. Remuneration of auditors

During the financial year the following fees were paid or payable for services provided by the auditor of the Board:

	2025 $	2024 $
Audit remuneration	5,900	5,700

Note 23. Contingent liabilities

In the opinion of the Board Members, the Board is unaware of any liability, contingent or otherwise, which has not already been recorded elsewhere in this financial report at 30 June 2025 (30 June 2024 : None).

Note 24. Commitments

	2025 $	2024 $
Other capital commitments		
UBHC Millswood	38,798	409,939
UBHC 1C Forestville	-	399,729
LBHC Packages 1-3	5,483,127	1,403,089
UBHC Commonwealth Funded	178,048	42,160
Operating	12,500	-
Flood Model	137,810	-
	5,850,283	2,254,917

	2025 $	2024 $
Total contracted commitments	5,850,283	2,254,917

All contracted commitments noted above are expected to be paid within the next twelve months.

The Authority has been awarded the following Commonwealth Government grants:

Grant	Value	Year Awarded	To be paid	Projects
Preparing Australian Communities	$10m	FY22	FY23 - FY26	Lower Brown Hill Creek Packages 1 - 3
Disaster Ready Fund Round 1	$3.7m	FY24	FY25 - FY27	Upper Brown Hill Creek Wilberforce
Disaster Ready Fund Round 1	$2.387m	FY24	FY25 - FY27	Upper Brown Hill Creek Denning St
Urban Rivers & Catchments	$4.93m	FY24	FY24 - FY27	Forrestville Reserve, Orphanage Park and Betty Long Gardens
Disaster Ready Fund Round 2	$150k	FY25	FY25-FY26	Flood Model
Disaster Ready Fund Round 2	$424k	FY25	FY25-FY28	Upper Brown Hill Creek Millswood Design

Note 25. Related parties

Key management personnel
Disclosures relating to key management personnel are set out in note 21.

There were no transactions with related parties during the current and previous financial year.

Other related parties include close family members of key management personnel and entities that are controlled or significantly influenced by those key management personnel or their close family members. There were no transactions with other related parties for the year ending 30 June 2025 (2024: Nil).

Note 26. Statutory Information

The registered office and principal place of business of the Board is:
Brown Hill & Keswick Creeks Stormwater Board
PO Box 124 Unley SA 5061

Note 27. Events after the reporting period

No matter or circumstance has arisen since 30 June 2025 that has significantly affected, or may significantly affect the Board's operations, the results of those operations, or the Board's state of affairs in future financial years.

Note 28. Reconciliation of net surplus to net cash used in operating activities

	2025 $	2024 $
Net surplus for the year	8,785,436	9,746,940
Adjustments for:		
Depreciation and amortisation	275,515	170,371
Capital funding / grants	(9,792,269)	(9,703,874)
Net loss on disposal of non-current assets	1,175,084	(2,380,234)
Change in operating assets and liabilities:		
Increase in trade and other receivables	(1,066,603)	(506,390)
Decrease in accrued revenue	20,750	12,594
Increase in prepayments	(2,229)	(942)
Increase in employee benefits	11,583	2,801
(Decrease)/ increase in trade and other payables (excluding income in advance relating to capital grants)	(875,281)	2,040,897
Net cash used in operating activities	(1,468,014)	(617,837)

Brown Hill & Keswick Creeks Stormwater Board
Certification of auditor independence
As at 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Brown Hill and Keswick Creeks Stormwater Board for the year ended 30 June 2025, the Board's Auditor, Dean Newbery has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

Judith Choate (Sep 24, 2025 15:10:40 GMT+9.5)

Judith Choate
Board Member
_____September 2025
Sep 24, 2025

G. T. Vogt
G. T. Vogt (Sep 24, 2025 20:09:54 GMT+9.5)

Geoff Vogt
Board Member
_____September 2025
Sep 24, 2025

Brown Hill and Keswick Creeks Stormwater Board

Certification of Auditor Independence

for the year ended 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Brown Hill and Keswick Creeks Stormwater Board for the year ended 30 June 2025, the Board's Auditor, Dean Newbery, has maintained its independence in accordance with requirements of the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

Angelo Catinari
CEO, City of West Torrens .....

Date 14 / 08 /2025

Brown Hill and Keswick Creeks Stormwater Board

Certification of Auditor Independence

for the year ended 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Brown Hill and Keswick Creeks Stormwater Board for the year ended 30 June 2025, the Board's Auditor, Dean Newbery, has maintained its independence in accordance with requirements of the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

Peter Tsokas
CEO, City of Unley .....

Date 13 / 08 /2025

Brown Hill and Keswick Creeks Stormwater Board

Certification of Auditor Independence

for the year ended 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Brown Hill and Keswick Creeks Stormwater Board for the year ended 30 June 2025, the Board's Auditor, Dean Newbery, has maintained its independence in accordance with requirements of the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

Matt Pears
CEO
City of Mitcham
Date: 27/08/2025

Brown Hill and Keswick Creeks Stormwater Board

Certification of Auditor Independence

for the year ended 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Brown Hill and Keswick Creeks Stormwater Board for the year ended 30 June 2025, the Board's Auditor, Dean Newbery, has maintained its independence in accordance with requirements of the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

Michael Sedgman
CEO, City of Adelaide .....

Date: 26 / 09 / 2025

Brown Hill and Keswick Creeks Stormwater Board

Certification of Auditor Independence

for the year ended 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Brown Hill and Keswick Creeks Stormwater Board for the year ended 30 June 2025, the Board's Auditor, Dean Newbery, has maintained its independence in accordance with requirements of the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

Julia Grant
CEO, City of Burnside .....

Date 19/08/2025

DeanNewbery

Chartered
Accountants

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214 Melbourne Street
North Adelaide SA 5006

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North Adelaide SA 5006

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Dean Newbery
ABN: 48 007 865 081

Certification of Auditor's Independence

I confirm that, for the audit of the financial statements of the Brown Hill & Keswick Creeks Stormwater Board for the year ended 30 June 2025, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Part 4A, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011.*

SAMANTHA CRETEN

Director

DEAN NEWBERY

26 September 2025

DeanNewbery

Chartered Accountants

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Dean Newbery
ABN: 48 007 865 081

Independent Auditor's Report

To the members of the Brown Hill & Keswick Creeks Stormwater Board

Opinion

We have audited the accompanying financial report of the Brown Hill & Keswick Creeks Stormwater Board (the Authority), which comprises the statement of financial position as at 30 June 2025, statement of comprehensive income, statement of changes in equity, the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and other explanatory information, and the Certification of the Financial Statements.

In our opinion, the financial report presents fairly, in all material aspects, the financial position of the Authority as at 30 June 2025, and its financial performance and its cash flows for the year then ended in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulation 2011* and the Australian Accounting Standards.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described as in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Authority in accordance with the auditor independence requirements of the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110: *Code of Ethics for Professional Accountants (Including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Authority's Responsibility for the Financial Report

The Authority is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations), the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* and for such internal control as the Authority determines is necessary to enable the preparation of the financial report to be free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Authority is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the Authority either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so. Those charged with governance are responsible for overseeing the Authority's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that the audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Authority.
- Conclude on the appropriateness of the Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

DEAN NEWBERY

SAMANTHA CRETEN
Director

29 September 2025

Brown Hill Keswick Creek
STORMWATER PROJECT

P 1800 934 325

E info@bhkcstormwater.com.au

PO Box 124 Unley SA 5061

www.bhkcstormwater.com.au

City of Adelaide
Instrument of delegation

1. The City of Adelaide (**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; and

(b) contained in each by-law of the Council in operation as at the date of this instrument to the Chief Executive Officer.

2. The delegations are granted pursuant to section 44 of the *Local Government Act 1999*, excepting that the functions and powers of the Council:

(a) as an administering agency under the *Environment Protection Act 1993* are delegated pursuant to section 18C of the Environment Protection Act;

(b) acting as an enforcement agency under the *Food Act 2001* are delegated pursuant to section 91 of the Food Act; and

(c) acting as a road manager under the *Heavy Vehicle National Law* are delegated pursuant to section 22B of the *Heavy Vehicle National Law (South Australia) Act 2013*;

3. The delegations granted pursuant to:

(a) 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;

(b) the Fire and Emergency Services Act may be sub-delegated by the delegate;

(c) the Food Act may be sub-delegated by the delegate; and

(d) the Heavy Vehicle National Law (South Australia) Act may be sub-delegated by the delegate;

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 143(1): the power to write off debts is limited to debts not exceeding $10,000;

(iii) 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:.....

CITY OF ADELAIDE

COMBINED INSTRUMENT OF DELEGATION

CHIEF EXECUTIVE OFFICER

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Authorisations made by the Council to Officers under the Road Traffic Act 1961 in accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
Clause A.7	In accordance with Clause A.7of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A. 7 of the Instrument	Shaun Coulls Aaron Barnes	Limited to the install, removal and maintenance of on-street ticketed parking ~~controls~~
Clause A.7	In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A. 7 of the Instrument in respect of Traffic Impact Statements:	Penelope Bennett Justine Austin Sean Howie	
Clause A.7	In accordance with Clause A.7of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A. 7 of the Instrument:	Amy Smith Christian Blias Darren Mitchell Jarrod Armitage Penelope Bennett Stephanie Papandrea	

Authorisations made by the Council to Officers under the Road Traffic Act 1961 in accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Justine Austin Sean Howie	
Clause E.2	In accordance with Clause of the Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans	Amy Smith Christian Blias Darren Mitchell Jarrod Armitage Penelope Bennett Stephanie Papandrea Justine Austin Sean Howie	

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure

Authorisations made by the Council to Officers under the Road Traffic Act 1961 in accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
Section 17(1) and 17(2)	A. Traffic control devices Install, maintain, alter, operate or remove, or cause to be installed, maintained. altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)	Shaun Coulls, Aaron Barnes, Sharon Prior	As set out in clause A of the General Approval Limited to the display, alter, and operate functions of parking ~~machines~~

Instrument of Authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 Aug 2013) under the Road Traffic Act 1961			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
Section 17(1) and 17(2)	A. Traffic control devices Install, maintain, alter, operate or remove, or cause to be installed, maintained. altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those	Amy Smith Christian Blias Darren Mitchell Fiona Crombie	As set out in clause A of the General Approval

Instrument of Authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 Aug 2013) under the Road Traffic Act 1961			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)	Jarrod Armitage Jessica Nitschke Karen Harvey Nikki Calicchio Penelope Bennett Stephanie Papandrea Justine Austin Sean Howie	
Section 20(2)	B. Speed limits at works on roads Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council	Fiona Crombie Jessica Nitschke Karen Harvey Nikki Calicchio	As set out in clause B of the General Approval
Section 17(3)	C. Traffic control devices at works on roads Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Road Traffic Act 1961 or any other Act	Darren Mitchell Fiona Crombie Jarrod Armitage Jessica Nitschke Karen Harvey Nikki Calicchio Justine Austin Sean Howie	As set out in clause C of the General Approval
Section 17(3)	D. Temporary parking controls Install, display, alter, operate or remove a traffic control device for the purposes of	Amy Smith Darren Mitchell	As set out in clause D of the General Approval

Instrument of Authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 Aug 2013) under the Road Traffic Act 1961			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council	Jarrod Armitage Karen Harvey	
Section 17	F. Grant approval to another road authority Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority	Amy Smith Christian Blias Darren Mitchell Jarrod Armitage Karen Harvey Penelope Bennett Bicky Shakya Stephanie Papandrea Justine Austin Sean Howie	As set out in clause F of the General Approval

Instrument of Delegation under the Community Titles Act 1996

Community Titles Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 15A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	Chief Executive Officer		council (as holder of a statutory encumbrance)
section 3(11)	Endorse scheme description	Chief Executive Officer		relevant development authority
section 27(1)(b)(i)	Consent to encroachment over land vested in, or under the control, of the council	Chief Executive Officer		council
section 30(4)	Require modification to a scheme description prior to endorsing the scheme description	Chief Executive Officer		relevant development authority
section 31(3)	Endorse a certified copy of an amended scheme description	Chief Executive Officer		relevant development authority
section 53A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	Chief Executive Officer		council (as holder of a statutory encumbrance)
section 70(3)	Approve the retention of a primary or secondary lot	Chief Executive Officer		relevant development authority

Instrument of Delegation under the Cost of Living Concessions Act 1986

Cost of Living Concessions Act 1986				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 6(1)	Apply to the Treasurer for the amount of rates remitted under the Cost of Living Concessions Act to be paid to the rating authority	Chief Executive Officer		rating authority

Instrument of Delegation under the Crown Land Management Act 2009

Crown Land Management Act 2009				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 18A(1)	Seek the consent of the Minister to the exclusion of dedicated land from classification as community land	Chief Executive Officer		council
section 27(2)	Request the Minister to exercise power or functions under Division 4, Part 3 of the Crown Land Management Act in respect of the Adelaide Park Lands under the care, control and management of the council (other than land in relation to which a power to grant easements otherwise exists under the Act or the Real Property Act 1886).	Chief Executive Officer		Adelaide City Council

Instrument of Delegation under the Disability Inclusion Act 2018

Disability Inclusion Act 2018				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 16(2)	Prepare a disability access and inclusion plan	Chief Executive Officer		State authority
section 16(4)(b)	Consult with people with disability and person or bodies representing the interests of people with disability and other persons or bodies in preparing a disability access and inclusion plan	Chief Executive Officer		State authority
16(4)(c)	Call for submissions from members of the public	Chief Executive Officer		State authority section
section 16(5)	Seek the approval of the Minister to prepare a single disability access and inclusion plan for the council and one or more other councils	Chief Executive Officer		council
section 16(6)	Vary a disability access and inclusion plan	Chief Executive Officer		State authority
section 16(7)	Publish a disability access and inclusion plan, and any variation to a plan, on a website	Chief Executive Officer		State authority
section 17(1)	Report annually to the Chief Executive Officer on the operation of the disability access and inclusion plan	Chief Executive Officer		State authority

Disability Inclusion Act 2018				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 18(1)	Review the disability access and inclusion plan at least once in every 4 year period and prepare a report of the review	Chief Executive Officer		State authority
section 18(2)	Provide a copy of the report prepared under section 18(1) of the Disability Inclusion Act to the Minister	Chief Executive Officer		State authority
section 23Q(1)	Provide to the Senior Authorising Officer such information relating to a specified person that the Senior Authorising Officer reasonably requires	Chief Executive Officer		State authority
section 23Q(2)	Provide the information to the Senior Authorising Officer in the manner and within the period specified in the notice	Chief Executive Officer		State authority
section 23Q(3)	Participate in consultation with the Senior Authorising Officer regarding a refusal or failure to comply with a notice	Chief Executive Officer		State authority
section 26(1)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	Chief Executive Officer		State authority
section 26(2)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	Chief Executive Officer		State authority
section 27(2)	Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body	Chief Executive Officer		State authority

Instrument of Delegation under the Disability Inclusion Regulations 2019

Disability Inclusion Regulations 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 9(2)	Determine the manner and form and time period for the calling of public submissions under section 16(4)(c) of the Disability Inclusion Act	Chief Executive Officer		State authority
regulation 9(3)	Publish the disability access and inclusion plan on a website	Chief Executive Officer		State authority
regulation 9(4)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	Chief Executive Officer		State authority
regulation 10	Keep residents informed of the preparation by the council of a single disability access and inclusion plan which is for more than one council	Chief Executive Officer		council
regulation 11(1)	Comply with the steps under regulation 9 in regard to the variation of a disability access and inclusion plan as if the variation were the plan	Chief Executive Officer		State authority
regulation 11(2)	Vary a disability access and inclusion plan	Chief Executive Officer		State authority
regulation	Provide public notice of a variation to a disability access and	Chief Executive Officer		State authority

Disability Inclusion Regulations 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
11(3)	inclusion plan			
regulation 12(2)(a)	Prepare a report on the operation of a disability access and inclusion plan	Chief Executive Officer		State authority

Instrument of Delegation under the Dog and Cat Management Act 1995

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 25A(1)	Appoint authorised persons	Chief Executive Officer		council
section 25A(2)	Impose conditions on appointment of an authorised person	Chief Executive Officer		council
section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	Chief Executive Officer		council
section 25B(1)	Issue identity card to an authorised person	Chief Executive Officer		council
section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	Chief Executive Officer		council
section 26(1)(a)	Maintain a register of dogs	Chief Executive Officer		council
section 26(1)(ab)	Provide information to the Dog and Cat Management Board	Chief Executive Officer		council
section 26(1)(ac)	Maintain other registers	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 26(1)(ad)	Make registers publicly available	Chief Executive Officer		council
section 26(1)(ae)	Limit inspection of register	Chief Executive Officer		council
section 26(1)(b)	Appoint a Registrar	Chief Executive Officer		council
section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	Chief Executive Officer		council
section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	Chief Executive Officer		council
section 26(1)(e)	Make arrangements for the detention of dogs and cats	Chief Executive Officer		council
section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	Chief Executive Officer		council
section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	Chief Executive Officer		council
section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 26(5)	Pay moneys into the Dog and Cat Management Fund	Chief Executive Officer		council
section 26(6)(a)	Charge fees for the provision of register extracts	Chief Executive Officer		council
section 26(6)(ab)	Charge fees for receipt and management of information	Chief Executive Officer		council
section 26(b)(i)	Charge fees for registration of dogs or businesses	Chief Executive Officer		council
section 26(b)(ii)	Charge fees for late payment of registration	Chief Executive Officer		council
section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	Chief Executive Officer		council
section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	Chief Executive Officer		council
section 26A(1)	Prepare a dog and cat management plan	Chief Executive Officer		council
section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 26A(5)	Amend dog and cat management plan	Chief Executive Officer		council
section 33(4)(c)	Approve boarding kennel	Chief Executive Officer		council
section 39	Rectify the register	Chief Executive Officer		council
section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	Chief Executive Officer		council
section 47(5)	Recover cost of giving effect to order if an order has been contravened and authorised person takes steps to effect the order	Chief Executive Officer		council
section 50(1)(a)	Make a Destruction Order	Chief Executive Officer		council
section 50(1)(b)	Make a Control (Dangerous Dog) Order	Chief Executive Officer		council
section 50(1)(c)	Make a Control (Menacing Dog) Order	Chief Executive Officer		council
section 50(1)(d)	Make a Control (Nuisance Dog) Order	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 50(1)(e)	Make a Control (Barking Dog) Order	Chief Executive Officer		council
section 50(2)(b)	Approve a place to detain dogs	Chief Executive Officer		council
section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	Chief Executive Officer		council
section 52(1)(a)	Ascertain owners or persons responsible for a dog	Chief Executive Officer		council
section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	Chief Executive Officer		council
section 52(2)(b)	Note order in register	Chief Executive Officer		council
section 52(3)	Provide notice of order to each owner or person responsible for a dog	Chief Executive Officer		council
section 52(4)	Revoke order	Chief Executive Officer		council
section 52(5)	Note revocation of order in register	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 52(6)	Note order made by Dog and Cat Management Board in register	Chief Executive Officer		council
section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	Chief Executive Officer		council
section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	Chief Executive Officer		council
section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area	Chief Executive Officer		council
section 59A(1)	Make a Prohibition Order	Chief Executive Officer		council
section 59A(2)	Approve place to detain dog	Chief Executive Officer		council
section 59A(5)(b)	Record a Prohibition Order	Chief Executive Officer		council
section 59A(6)	Revoke a Prohibition Order	Chief Executive Officer		council
section 59A(7)	Note revocation of a Prohibition Order in register	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	Chief Executive Officer		council
section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	Chief Executive Officer		council
section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	Chief Executive Officer		council
section 61(6)	Recover cost of microchipping or desexing dog	Chief Executive Officer		council
section 64(2)(c)	Nominate facility for the detention of cats	Chief Executive Officer		council
section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	Chief Executive Officer		council
section 64B(2)	Recover cost of microchipping or desexing a dog or cat	Chief Executive Officer		council
section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	Chief Executive Officer		council
section 72	Responding to South Australian Civil and Administrative	Chief Executive Officer		council

Dog and Cat Management Act 1995				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Tribunal review of council decision			
section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiration of Offences Act 1996	Chief Executive Officer		council
section 89	Lay a complaint regarding offence under Dog and Cat Management Act	Chief Executive Officer		council

Instrument of Delegation under the Dog and Cat Management Regulations 2017

Dog and Cat Management Regulations 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 6(3)(b)	Apply payment received under regulation 6(2) to furthering the objects of the Dog and Cat Management Act	Chief Executive Officer		council
regulation 20(1)(a)	Receive notification of prescribed information regarding the keeping of guard dogs on premises	Chief Executive Officer		council

Instrument of Delegation under the Electricity (Principles of Vegetation Clearance) Regulations 2021

Electricity (Principles of Vegetation Clearance) Regulations 2021				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	Chief Executive Officer		council
regulation 4(2)	Inspect overhead powerlines and clear vegetation	Chief Executive Officer		council
regulation 4(4)	Seek approval of the Technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	Chief Executive Officer		council
regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	Chief Executive Officer		council
regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area	Chief Executive Officer		council
regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	Chief Executive Officer		council
regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	Chief Executive Officer		council

Electricity (Principles of Vegetation Clearance) Regulations 2021				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	Chief Executive Officer		council
regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	Chief Executive Officer		council

Instrument of Delegation under the Electricity Act 1996

Electricity Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 4(1)	Authorise a person to exercise powers conferred on a council officer under the Electricity Act	Chief Executive Officer		council
section 47(3)	Agree with an electricity entity to the carrying out of work on public land	Chief Executive Officer		council
section 47(7)	Refer a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	Chief Executive Officer		council
section 47(9)(a)	Make representations to the Minister in relation to a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	Chief Executive Officer		council
section 47(9)(b)	Agree to settle a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work	Chief Executive Officer		council
section 55(1a)	Comply with the requirements of a vegetation clearance scheme	Chief Executive Officer		council
section 55(3)	Carry out vegetation clearance work in relation to vegetation planted or nurtured contrary to the principles of vegetation	Chief Executive Officer		council

Electricity Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	clearance.			
section 55(3)	Recover the cost of carrying out vegetation clearance work under section 55(3) from a person who planted or nurtured the vegetation	Chief Executive Officer		council
section 55A(1)	Agree a vegetation clearance scheme with an electricity entity	Chief Executive Officer		council
section 55A(4)	Modify a vegetation clearance scheme by written agreement with the electricity entity	Chief Executive Officer		council
section 55B(2)	Ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5	Chief Executive Officer		council
section 55C(2)(c)	Apply to the Technical Regulator for a decision not to determine a vegetation clearance scheme dispute under Division 2, Part 5	Chief Executive Officer		council
section 55D(2)(a)	Consent to the Technical Regulator conferring on the council the duty to keep vegetation clear of public powerlines	Chief Executive Officer		council
section 55M	Enforce a vegetation clearance scheme with an electricity entity as a contract	Chief Executive Officer		council
section 56(1)	Make an arrangement with an electricity entity conferring on the council a specified role in relation to vegetation clearance around public powerlines outside of prescribed areas	Chief Executive Officer		council

Electricity Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 58A(2)	Agree to contribute to the cost of undergrounding powerlines in the council area on the basis determined by the Minister	Chief Executive Officer		council
section 58A(5)	Participate in consultation with, and provide proposals to, the Minister in respect of the undergrounding of powerlines	Chief Executive Officer		council
section 58A(8)	Participate in consultation with the Minister in respect of a variation of the program for undergrounding of powerlines	Chief Executive Officer		council

Instrument of Delegation under the Environment Protection (Air Quality) Policy 2016

Environment Protection (Air Quality) Policy 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 6(1)	Issue a burning permit	Chief Executive Officer		administering agency (as the relevant council delegate)
clause 16(1)	Fix a testing point in premises to evaluate emissions from the premises	Chief Executive Officer		administering agency
clause 6(2)	Determine the manner and form for applying for a burning permit	Chief Executive Officer		administering agency (as the relevant council delegate)

Instrument of Delegation under the Environment Protection (Used Packaging Materials) Policy 2012

Environment Protection (Used Packaging Materials) Policy 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 9	Provide prescribed information to the Environment Protection Authority	Chief Executive Officer		council

Instrument of Delegation under the Environment Protection (Waste to Resources) Policy 2010

Environment Protection (Waste to Resources) Policy 2010				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 10(1)(b)	Provide a receptacle or waste collection service for the kerbside collection of waste	Chief Executive Officer		council
clause 10(2)	Provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) to residential premises in the council area	Chief Executive Officer		council
clause 15(2)(a)	Provide a receptacle or waste collection service for the kerbside collection of listed waste	Chief Executive Officer		council
clause 16(1)(a)	Collect medical waste produced in the course of prescribed activity	Chief Executive Officer		council
clause 17(2)	Comply with prescribed requirements in respect of medical waste received by the council	Chief Executive Officer		council
clause 18(1)(a)	Provide a receptacle or service for the collection of sharps by a kerbside waste collection service	Chief Executive Officer		council

Instrument of Delegation under the Environment Protection Act 1993

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees	Chief Executive Officer		council
section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act	Chief Executive Officer		council
section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act	Chief Executive Officer		council
section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act	Chief Executive Officer		council
section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	Chief Executive Officer		administering agency
section 18C(1)	Delegate a function conferred on the administering agency under Division 1A, Part 3	Chief Executive Officer		administering agency
section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	Chief Executive Officer		administering agency
section	Enter into an environment performance agreement with the	Chief Executive Officer		public authority

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
59(1)	Minister			
section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement	Chief Executive Officer		council
section 85(3)	Appoint authorised officers	Chief Executive Officer		council
section 85(4)	Impose conditions on the appointment of an authorised officer	Chief Executive Officer		council
section 85(5)	Revoke the appointment of an authorised officer	Chief Executive Officer		council
section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer	Chief Executive Officer		council
section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the other council's area	Chief Executive Officer		council
section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87	Chief Executive Officer		council
section 93(1)	Issue an environment protection order	Chief Executive Officer		administering agency
section	Provide notice to the authority under the Natural Resource	Chief Executive Officer		administering

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
93(2a)	Management Act 2004			agency
section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	Chief Executive Officer		administering agency
section 93(7)	Revoke or vary an environment protection order	Chief Executive Officer		administering agency
section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	Chief Executive Officer		administering agency
section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	Chief Executive Officer		administering agency
section 94(6)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	Chief Executive Officer		administering agency
section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	Chief Executive Officer		administering agency
section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	Chief Executive Officer		administering agency
section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	Chief Executive Officer		administering agency

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	Chief Executive Officer		administering agency
section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a charge on land or the cancellation of such registration	Chief Executive Officer		administering agency
section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	Chief Executive Officer		administering agency
section 96(1)	Issue an information discovery order	Chief Executive Officer		administering agency
section 96(4)	Vary or revoke an information discovery order	Chief Executive Officer		administering agency
section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	Chief Executive Officer		administering agency
section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	Chief Executive Officer		administering agency
section	Issue an instrument of authority to a person authorised under	Chief Executive Officer		administering

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
97(3)(a)	section 97(2) who is not an authorised officer			agency
section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	Chief Executive Officer		administering agency
section 99(1)	Issue a clean-up order	Chief Executive Officer		administering agency
section 99(2a)	Give notice to the relevant authority under the Natural Resources Management Act 2004 of proposed issuing or variation of a clean-up order	Chief Executive Officer		administering agency
section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	Chief Executive Officer		administering agency
section 99(7)	Vary or revoke a clean-up order	Chief Executive Officer		administering agency
section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	Chief Executive Officer		administering agency
section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	Chief Executive Officer		administering agency
section	Apply to the Registrar General to cancel the registration of an	Chief Executive Officer		administering

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
101(8)	environment protection order as a charge on land			agency
section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	Chief Executive Officer		administering agency
section 102(2)	Authorise a person to take action on behalf of the council under section 102(1)	Chief Executive Officer		administering agency
section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	Chief Executive Officer		administering agency
section 103(1)	Recover reasonable costs and expenses incurred in council taking action on non-compliance with a clean-up order	Chief Executive Officer		administering agency
section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	Chief Executive Officer		administering agency
section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	Chief Executive Officer		administering agency
section 104(1)(d)	Apply for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm	Chief Executive Officer		public authority

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 104(7)(a)	Apply for an order under section 104	Chief Executive Officer		administering agency
section 104(7)(b)	Apply for an order under section 104	Chief Executive Officer		council
section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	Chief Executive Officer		administering agency
section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	Chief Executive Officer		administering agency
section 116(b)	Allow the payment a fee or levy by instalments	Chief Executive Officer		administering agency
section 120	Require the verification of information by statutory declaration	Chief Executive Officer		administering agency
section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	Chief Executive Officer		administering agency
section 130	Advise a person who submits a report to the council of the action which the council has taken or proposes to take in respect of the allegation	Chief Executive Officer		administering agency

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 135(1)	Issue a notice requiring a person who has contravened the Environment Protection Act to pay a fee fixed by, or calculated in accordance with, the regulations or the reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking sample or conducting tests, examination or analyses	Chief Executive Officer		administering agency
section 135(2)	Fix the period for payment of an amount under section 135	Chief Executive Officer		administering agency
section 135(3)(a)	Extend the period for payment of an amount under section 135	Chief Executive Officer		administering agency
section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	Chief Executive Officer		administering agency
section 135(8)	Recover an unpaid amount under section 135 as a debt	Chief Executive Officer		administering agency
section 138(1)	Exercise the powers of a mortgagee under the Real Property Act 1886 in regard to a default on the payment of money secured by the mortgage in the event that there is a default in the payment of an amount subject to a charge on land in favour of the council	Chief Executive Officer		administering agency
section	Execute a certificate certifying as to a matter relating to an	Chief Executive Officer		administering

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
139(1)(a)	environmental authorisation of other authorisation under the Environment Protection Act			agency
section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	Chief Executive Officer		administering agency
section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or authority under the Environment Protection Act	Chief Executive Officer		administering agency
section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	Chief Executive Officer		administering agency
section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	Chief Executive Officer		administering agency
section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	Chief Executive Officer		administering agency
section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred	Chief Executive Officer		public authority

Environment Protection Act 1993				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 140(3a)(b)	Certify a code, standard or other document for the purposes of legal proceedings	Chief Executive Officer		administering agency

Instrument of Delegation under the Expiation of Offences Act 1996

Expiation of Offences Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 5(1)	Give an expiation notice to an alleged offender	Chief Executive Officer		issuing authority
section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	Chief Executive Officer		issuing authority
section 5(3)(b	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	Chief Executive Officer		issuing authority
section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	Chief Executive Officer		issuing authority
section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that the offence is trifling	Chief Executive Officer		issuing authority
section 8A(2)	Require applicant to provide further information	Chief Executive Officer		issuing authority
section 8A(3)	Require application to be verified by a statutory declaration	Chief Executive Officer		issuing authority
section 8A(4)	Determine application	Chief Executive Officer		issuing authority

Expiation of Offences Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	Chief Executive Officer		issuing authority
section 11(1)	Issue an expiation reminder notice to alleged offender	Chief Executive Officer		issuing authority
section 11A(1)	Issue an expiation enforcement warning notice	Chief Executive Officer		issuing authority
section 11A(2)	Assess acceptability of nomination, statutory declaration or other document provided by alleged offender	Chief Executive Officer		issuing authority
section 12	Accept a later payment of amount due under an expiation notice	Chief Executive Officer		issuing authority
section 16(1)	Withdraw an expiation notice in prescribed circumstances	Chief Executive Officer		issuing authority
section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	Chief Executive Officer		issuing authority
section 16(5)	Prosecute offence following withdrawal of expiation notice	Chief Executive Officer		issuing authority
section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	Chief Executive Officer		issuing authority

Expiation of Offences Act 1996				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	Chief Executive Officer		issuing authority
section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	Chief Executive Officer		issuing authority
section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	Chief Executive Officer		issuing authority

Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017

Fines Enforcement and Debt Recovery Act 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 9(2)	Pay prescribed fee to Chief Recovery officer for a determination under section 9	Chief Executive Officer		issuing authority
section 20(4)	Receive notice of an arrangement between the Chief Recovery Officer and an alleged offender	Chief Executive Officer		issuing authority
section 20(18)	Receive notice from the Chief Recovery Officer of the termination or an arrangement with an alleged offender	Chief Executive Officer		issuing authority
section 20(19)(c)	Receive notice from the Chief Recovery Officer of the reinstatement of an arrangement with an alleged offender	Chief Executive Officer		issuing authority
section 22(1)	Provide to the Chief Recovery Officer prescribed particulars to enable enforcement of an expiation notice against an alleged offender	Chief Executive Officer		issuing authority
section 22(2)	Pay prescribed fee to Chief Recovery Officer for enforcement of an expiation notice	Chief Executive Officer		issuing authority
section 22(16)	Receive notice from the Chief Recovery Officer of an enforcement determination	Chief Executive Officer		issuing authority
section	Participate in proceedings reviewing an enforcement	Chief Executive Officer		issuing authority

Fines Enforcement and Debt Recovery Act 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
23(3)	determination of the Chief Recovery Officer			

Instrument of Delegation under the Fire and Emergency Services Act 2005

Fire and Emergency Services Act 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Not delegated		rural council councils with a designated urban bushfire risk area

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area	Not delegated	only applies to Councils within a fire district	council
section 71C	Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities	Chief Executive Officer		council
section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities	Chief Executive Officer		council
section	Participate in consultation with a bushfire	Not delegated		council

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
73A(7)(b)(iv)	management committee regarding creation or amendment of a bushfire management area plan which includes the council area		only relevant where Councils area is wholly or partly within a bushfire management area	
section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (SACFS Chief Officer) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Not delegated		rural council councils with a designated urban bushfire risk area
section 87(1)	Require a person to remove flammable debris on or in the vicinity of, a road as a result of work carried on by that person	Not delegated		rural council councils with a designated urban bushfire risk area
section 87(2)(a)	Burn or remove flammable debris left on road in contravention of a requirement under section 87(1)	Not delegated		rural council councils with a designated urban bushfire risk area
section 87(2)(b)	Recover costs of burning or removing flammable debris left on road in contravention of a requirement under section 87(1)	Not delegated		rural council councils with a designated urban bushfire risk area
section 94(3)	Participate in consultation with the SACFS Chief	Not delegated		rural council

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Officer with respect to a proposed withdrawal of council functions and powers			councils with a designated urban bushfire risk area
section 94(4)(a)	Make a written submission to the Minister in relation to a recommendation of the SACFS Chief Officer to withdraw council function and powers	Not delegated		rural council councils with a designated urban bushfire risk area
section 94(4)(b)	Request and undertake a delegation to the Minister to discuss a recommendation of the SACFS Chief Officer to withdraw council function and powers	Not delegated		rural council councils with a designated urban bushfire risk area
section 94(6)	Receive written reasons for a decision of the Minister to withdraw the powers and functions of the council	Not delegated		rural council councils with a designated urban bushfire risk area
section 103(1)	Request the SACFS Chief Officer to appoint a person as a fire control officer	Not delegated	only to rural Councils	council
section 103(2)	Participate in consultation with the SACFS Chief Officer regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area	Not delegated	only to rural Councils	council

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council	Not delegated		council
section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act	Chief Executive Officer		council
section 105B(1)	Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area	Not delegated	only to rural Councils	council
section 105B(4)	Apply to SACFS Chief Officer for an exemption from requirement to appoint a fire prevention officer	Chief Executive Officer		council
section 105D(1)(c)	Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body	Chief Executive Officer		council
section 105D(4)	Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body	Chief Executive Officer		council
section 105E	Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for the council area to the SAFES Commission, the State Bushfire Coordination	Not delegated	only relevant to Councils with Fire prevention Officers	council

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Committee or a bushfire management committee for the council area			
section 105F(5)	Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property	Not delegated		authorised person
section 105F(9)(c)	Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land	Not delegated		authorised person
section 105F(10)	Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property	Not delegated		authorised person
section 105G(1)	Take reasonable steps in regard to land under the care, control or management of the council which is situated in the country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land	Not delegated	only rural Councils	council

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 105G(5)	Participate in consultation with the Minister regarding a referral from the SACFS Chief Officer alleging a failure of the council to comply with section 105G(1)	Not delegated	only rural Councils	council
section 105G(6)	Receive notice of requirements from the Minister	Chief Executive Officer		council
section 105G(7)	Comply with requirements of a notice issued to the council by the Minister under section 105G(6)	Not delegated	only rural Councils	council
section 105J(1)(a)	Give notice of intended entry of land to the owner of land	Not delegated		authorised person
section 105J(1)(b)	Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required	Not delegated		authorised person
section 105J(3)	Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land	Not delegated		authorised person
section 105J(4)(a)	Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing	Not delegated		authorised person
section 105J(4)(b)	Take photographs, films, audio, video or other recordings	Not delegated		authorised person

Fire and Emergency Services 2005				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 105J(4)(a)	Give directions reasonably required in connection with the exercise of a power under Part 4A	Not delegated		authorised person
section 105J(5)	Select assistants to accompany authorised person in exercise of power under Part 4A	Not delegated		authorised person
section 105J(6)	Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply	Not delegated		authorised person
section 105J(7)	Authorise a person to carry out requirements of a notice under section 105F(6) on behalf of an authorised person if the owner of land fails to comply	Not delegated		council
section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)	Not delegated		authorised person
section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency	Not delegated		council

Instrument of Delegation under the Fire and Emergency Services Regulations 2021

Fire and Emergency Services Regulations 2021				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 30(4)	Participate in consultation with the South Australian Country Fire Service Chief Officer in regard to a notice prohibiting or restricting the lighting or maintaining of a fire	Chief Executive Officer		council
regulation 32(3)	Declare by notice in the Gazette that part of the council area is an area in which a person may operate a gas or electric element for cooking purposes in the open air contrary to the terms of a total fire ban	Chief Executive Officer		council
regulation 32(4)(d)	Determine conditions to apply to a notice published under regulation 32(3)	Chief Executive Officer		council
regulation 32(5)	Provide a copy of a notice published under regulation 32 to the South Australian Country Fire Service Chief Officer	Not delegated		council
regulation 48(2)	Issue a certificate of identity to a fire prevention officer or assistant fire prevention officer	Not delegated		council
regulation 48(4)	Accept the surrender of a certificate of identity on person ceasing to be a fire prevention officer or assistant fire prevention officer	Not delegated		council
regulation 49(1)(a)	Light a fire on a road or on the verge of a road	Not delegated		responsible authority

Fire and Emergency Services Regulations 2021				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 49(1)(b)	Direct or regulate the movement of persons, vehicles or animals along a road where a fire lit by the council under regulation 49(1)(a) is burning	Not delegated		responsible authority
regulation 64(b)	Make representations in relation to a fire or other emergency to the South Australian Fire and Emergency Services Commission or an emergency services organisation	Chief Executive Officer		council

Instrument of Delegation under the Food Act 2001

Food Act 2001				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 29	Elect to charge a person with a summary offence	Chief Executive Officer		council
section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	Chief Executive Officer		enforcement agency
section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order	Chief Executive Officer		enforcement agency
section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	Chief Executive Officer		enforcement agency
section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	Chief Executive Officer		enforcement agency
section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	Chief Executive Officer		enforcement agency
section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	Chief Executive Officer		enforcement agency
section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	Chief Executive Officer		enforcement agency

Food Act 2001				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	Chief Executive Officer		enforcement agency
section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	Chief Executive Officer		enforcement agency
section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	Chief Executive Officer		enforcement agency
section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	Chief Executive Officer		enforcement agency
section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented	Chief Executive Officer		enforcement agency
section 79(4)	Change the priority classification of a food business in the council area	Chief Executive Officer		enforcement agency
section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business	Chief Executive Officer		enforcement agency
section	Receive a report from a food safety auditor of the results of any	Chief Executive Officer		enforcement agency

Food Act 2001				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
81(1)	audit or assessment carried out by the food auditor for the purposes of the Act			
section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	Chief Executive Officer		enforcement agency
section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	Chief Executive Officer		enforcement agency
section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area	Chief Executive Officer		enforcement agency
section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	Chief Executive Officer		enforcement agency
section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	Chief Executive Officer		enforcement agency
section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	Chief Executive Officer		enforcement agency
section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the	Chief Executive Officer		enforcement agency

Food Act 2001				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Act or by delegation			
section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	Chief Executive Officer		enforcement agency
section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	Chief Executive Officer		enforcement agency
section 94(2)	Prepare and maintain a list of authorised officers	Chief Executive Officer		enforcement agency
section 95(1)	Provide each authorised officer with a certificate of authority	Chief Executive Officer		enforcement agency
section 95(2)	Limit the authority of an authorised officer	Chief Executive Officer		enforcement agency
section 104(1)	Send samples retained under the Act to an independent analyst in accordance with a court order	Chief Executive Officer		enforcement agency

Instrument of Delegation under the Food Regulations 2017

Food Regulations 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 13(a)	Impose a fee for the carrying out of an inspection of food premises or food transport vehicles	Chief Executive Officer		enforcement agency
regulation 13(b)	Recover a fee imposed under regulation 13(a) from the occupier of the premises or owner or operator of the vehicle	Chief Executive Officer		enforcement agency

Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018

Freedom of Information (Fees and Charges) Regulations 2018				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 5	Waive or remit fee or charge	Chief Executive Officer		agency

Instrument of Delegation under the Freedom of Information Act 1991

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations	Chief Executive Officer		agency
section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public	Chief Executive Officer		agency
section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified	Chief Executive Officer		agency
section 16(1)	Transfer an application for access to a document to another agency	Chief Executive Officer		agency
section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency	Chief Executive Officer		agency
section 17(1)	Request the applicant to pay a reasonable amount by way of advance deposit if the cost of dealing with an application is likely to exceed the application fee	Chief Executive Officer Chief Operating Officer		agency
section 17(2)	Request the applicant to pay a reasonable amount by way of	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid			
section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	Chief Executive Officer		agency
section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	Chief Executive Officer		agency
section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information	Chief Executive Officer		agency
section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request	Chief Executive Officer		agency
section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application	Chief Executive Officer		agency
section 19(1)	Determine: (a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and (c) any charge payable for dealing with the application	Chief Executive Officer		agency
section 20(1)	Refuse access to a document	Chief Executive Officer		agency
section 21(1)	Defer access to a document	Chief Executive Officer		agency
section 22(1)	Determine the form of access to a document	Chief Executive Officer		agency
section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant	Chief Executive Officer		agency
section 22(4)	Agreeing with an applicant the form of access to a document	Chief Executive Officer		agency
section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid	Chief Executive Officer		agency
section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of another State) as to whether a document is an exempt document	Chief Executive Officer		agency
section 25(2)	Provide view as to whether a document is an exempt document	Chief Executive Officer		council
section 25(3)	Notify the relevant government or council (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer		agency
section 25(3)(d)	Apply for a review of a decision to provide access to a document under section 25(3)	Chief Executive Officer		council
section 26(2)	Notify a person that access to a document containing information concerning his or her personal affairs is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Chief Executive Officer		agency
section 26(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document;	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	(b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review			
section 26(4)(c)	Form the opinion that disclosure of information may have an adverse effect on the physical or mental health, or emotional state, of the applicant	Chief Executive Officer		agency
section 27(2)	Notify a person that access to a document concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Chief Executive Officer		agency
section 27(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer		agency
section 28(2)	Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or on behalf of the person is being sought under the	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Freedom of Information Act and seek that person's views on whether the document is an exempt document			
section 28(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer		agency
section 29(3)	Confirm, vary or reverse a determination under Part 3 following an application for an internal review	Chief Executive Officer		agency
section 29(4)	Refund any application fee paid in respect of the internal review if the agency varies or reverses a determination so that access to a document is given	Chief Executive Officer		agency
section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given	Chief Executive Officer		agency
section 34(a)	Amend records in accordance with an application under section 30	Chief Executive Officer		agency
section 34(a)	Refuse to amend records in accordance with an application	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	under section 30			
section 35	Refuse an application to amend records	Chief Executive Officer		agency
section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record	Chief Executive Officer		agency
section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date	Chief Executive Officer		agency
section 37(2)	Notify the applicant of the nature of the notation	Chief Executive Officer		agency
section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its records in compliance with section 37(2)	Chief Executive Officer		agency
section 37(3)(b)	Provide a statement as to the reasons for the agency's refusal to amend the records in accordance with the notation	Chief Executive Officer		agency
section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review	Chief Executive Officer		agency
section	Participate in a settlement between the participants to a review	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
39(5)(c)(i)		Chief Operating Officer		
section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated	Chief Executive Officer		agency
section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review	Chief Executive Officer		agency
section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest	Chief Executive Officer		agency
section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law	Chief Executive Officer		agency
section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest	Chief Executive Officer		agency
section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the party's representative in respect of a restricted document	Chief Executive Officer		agency
section 53(2a)	Waive, reduce or remit a fee or charge	Chief Executive Officer		agency

Freedom of Information Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge	Chief Executive Officer		agency
section 53(5)	Recover a fee or charge as a debt	Chief Executive Officer		agency
section 54AA(a)	Furnish information to the Minister as required by notice in the Gazette	Chief Executive Officer		agency
section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records	Chief Executive Officer		agency
clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State	Chief Executive Officer		council
clause 13(2)(b)(iii), Schedule 1	Approve a term of a contract which contains matter the disclosure of which would constitute a breach of contract or found an action for breach of confidence	Chief Executive Officer		agency
clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)	Chief Executive Officer		agency

Instrument of Delegation under the Gas Act 1997

Gas Act 1997				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 47(3)(b)	Agree to a gas entity carrying out work on public land owned by the council	Chief Executive Officer		council
section 47(7)	Refer a dispute between the council and a gas entity regarding whether work should be permitted on public land of the conditions on which work should be permitted to the Minister	Chief Executive Officer		council
section 47(9)(a)	Make representations to the Minister on questions at issue in the dispute	Chief Executive Officer		council
section 47(9)(b)	Settle a dispute with a gas entity by agreement	Chief Executive Officer		council

Instrument of Delegation under the Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 118(1)(b)	Consent to a mass or dimension exemption (notice) for a category of heavy vehicle	Chief Executive Officer		road manager
section 124(1)(b)	Consent to a mass or dimension exemption (permit) for a heavy vehicle	Chief Executive Officer		road manager
section 139(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (notice)	Chief Executive Officer		road manager
section 145(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (permit)	Chief Executive Officer		road manager
section 156(2)	Request an extension to the time periods in section 156(1)	Chief Executive Officer		road manager
section 156A(4)	Provide a written statement to the Regulator explaining the road manager's decision not to consent to the grant of a mass or dimension authority	Chief Executive Officer		road manager
section 159(2)	Notify the regulator that a route assessment is required for the road manager determining whether to give consent and the fee	Chief Executive Officer		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	payable under law (if any) for the route assessment			
section 159(4)(a)	Cease considering whether or not to provide consent pending the payment of a fee	Chief Executive Officer		road manager
section 160(1)	Require a condition on the mass or dimension authority that: (a) except in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition is imposed on the authority; or (b) in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority	Chief Executive Officer		road manager
section 160(2)(a)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	Chief Executive Officer		road manager
section 161(1)	Require a condition on the mass or dimension authority that a stated travel condition is imposed on the authority	Chief Executive Officer		road manager
section 161(2)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	Chief Executive Officer		road manager
section 162(1)	Request the Regulator to impose a stated vehicle conditions on a mass or dimension authority	Chief Executive Officer		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 167(2)(b)	Provide notice of objection to the Regulator in relation to a proposed replacement authority	Chief Executive Officer		road manager
section 167(2)(b)	Seek an extension of time in which to lodge a notice of objection to a proposed replacement authority	Chief Executive Officer		road manager
section 167(2)(b)	Provide notice to Regulator that the road manager gives or refuses consent to a proposed replacement authority	Chief Executive Officer		road manager
section 169(1)	Consent to the grant of a mass or dimension authority for a trial period	Chief Executive Officer		road manager
section 170(3)	Lodge an objection with the Regulator in respect of the renewal of a mass or dimension authority for a further trial period	Chief Executive Officer		road manager
section 174(2)	Request the Regulator to amend the mass or dimension authority or cancel the authority	Chief Executive Officer		road manager
section 176(4)(c)	Consent to an amendment of a mass or dimension authority requested by the holder of the permit	Chief Executive Officer		road manager
section 178(2)	Request the Regulator to amend or cancel a mass or dimension authority	Chief Executive Officer		road manager
section 611(2)	Apply for a compensation order	Chief Executive Officer		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 612(2)(c)	Issue a certificate for the purposes of the assessment of a compensation order	Chief Executive Officer		road manager
section 613(1)	Provide a copy of a certificate to be submitted under section 612(2)(c) in a proceeding for a compensation order to the defendant at least 28 days prior to the date fixed for the hearing or the proceeding	Chief Executive Officer		public authority
section 643(2)	Undertake an internal review of a reviewable decision	Chief Executive Officer		road manager
section 645(5)	Provide notice of internal review decision and reasons for decision to the Regulator	Chief Executive Officer		road manager
section 646(6)(a)(ii)	Agree with the Regulator a longer period for undertaking an internal review	Chief Executive Officer		road manager

Instrument of Delegation under the Independent Commission Against Corruption Act 2012

Independent Commission Against Corruption Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act	Chief Executive Officer		public authority
section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	Chief Executive Officer		public authority
section 18E(3)(a)	Produce a specified document or document relating to specified matter	Chief Executive Officer		public authority
section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	Chief Executive Officer		public authority
section 18F(1)(b)	Act on a referral from the Office for Public Integrity	Chief Executive Officer		public authority
section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration	Chief Executive Officer		public authority

Independent Commission Against Corruption Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act	Chief Executive Officer		public authority
section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 36(8)	Provide comments to the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 39A(1)	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	Chief Executive Officer		public authority
section 39A(3)	Apply to the Supreme Court for an order authorising the council to withhold information relating to the determination from a	Chief Executive Officer		public authority

Independent Commission Against Corruption Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	person the subject of the investigation			
section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	Chief Executive Officer		public authority
section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 41(4)	Provide comments to the Independent Commission Against Corruption	Chief Executive Officer		public authority
section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	Chief Executive Officer		public authority
section 56A(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action	Chief Executive Officer		public authority/ prosecution authority
Clause 9(6), Schedule 4	Act on a referral of the inspector	Chief Executive Officer		public authority

Instrument B – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s7(5)(a)	1. Environment and Food Production Areas – Greater Adelaide 1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.	Chief Executive Officer	
s7(5)(d)	1. Environment and Food Production Areas – Greater Adelaide 1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.	Chief Executive Officer	
s99(2)(b)(ii)	2. Related Provisions 2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s99(3)	2. Related Provisions 2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.	Chief Executive Officer	
s102(1)	3. Matters Against Which Development Must be Assessed 3.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the relevant provisions of the Building Rules (building consent).	Chief Executive Officer	
s102(8)	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.	Chief Executive Officer	
s118(1)	4. Building Consent 4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).	Chief Executive Officer	
s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	with the performance requirements of the Building Code or a Ministerial building standard.		
s118(2)	4. Building Consent 4.3 The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if: 4.3.1 the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied: 4.3.1.1 that: (a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and (b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or 4.3.1.2 in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.	Chief Executive Officer	
s118(4)	4. Building Consent 4.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Ministerial building standard.		
s118(6)	4. Building Consent 4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.	Chief Executive Officer	
s118(7)	4. Building Consent 4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.	Chief Executive Officer	
s118(8)	4. Building Consent 4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that: 4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or 4.7.2 such compliance is certified by a building certifier.	Chief Executive Officer	
s118(10)	4. Building Consent 4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification		
s118(11)	4. Building Consent 4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document): 4.9.1 the variance; and 4.9.2 the grounds on which the decision is being made.	Chief Executive Officer	
s119(1)(b)	5. Application and Provision of Information 5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	Chief Executive Officer	
s119(3)	5. Application and Provision of Information 5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant: 5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application; 5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act; 5.2.3 to consult with an authority or body prescribed by the regulations;	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	5.2.4 to comply with any other requirement prescribed by the regulations.		
s119(6)(b)	5. Application and Provision of Information 5.3 The power pursuant to Section 119(6)(b) of the PDI Act if a request is made under Section 119(3) of the PDI Act and the request is not complied with within the time specified by the Regulations, subject to Section 119(6)(b)(ii), to refuse the application.	Chief Executive Officer	
s119(7)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	Chief Executive Officer	
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.1 permit an applicant: 5.5.1.1 to vary an application; 5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);	Chief Executive Officer	
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	Chief Executive Officer	
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	Chief Executive Officer	
s119(10)	5. Application and Provision of Information 5.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	Chief Executive Officer	
s119(12)	5. Application and Provision of Information 5.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	Chief Executive Officer	
s119(14)	5. Application and Provision of Information	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	5.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.		
s122(1)	6. Referrals to Other Authorities or Agencies 6.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to: 6.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and 6.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act.	Chief Executive Officer	
s122(5)(b)	6. Referrals to Other Authorities or Agencies 6.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body: 6.2.1 to refuse the application; or 6.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.	Chief Executive Officer	
s122(7)	6. Referrals to Other Authorities or Agencies	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	6.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.		
s122(10)	7. Referrals to Other Authorities or Agencies 7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.	Chief Executive Officer	
s124(1)	7. Proposed Development Involving Creation of Fortifications 7.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	Chief Executive Officer	
s124(5)	7. Proposed Development Involving Creation of Fortifications 7.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: 7.2.1 if the proposed development consists only of the creation of fortifications – refuse the application; 7.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.	Chief Executive Officer	
s124(6)	7. Proposed Development Involving Creation of Fortifications	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	7.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.		
s124(7)	7. Proposed Development Involving Creation of Fortifications 7.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.	Chief Executive Officer	
s126(1)	8. Determination of Application 8.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	Chief Executive Officer	
s126(3)	8. Determination of Application 8.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.	Chief Executive Officer	
s127(1)	9. Conditions 9.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s127(2)(c)	9. Conditions 9.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	Chief Executive Officer	
s128(1) and (2)	10. Variation of Authorisation 10.1 The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variation of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).	Chief Executive Officer	
s128(2)(d)	10. Variation of Authorisation 10.2 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.	Chief Executive Officer	
s133(3)	11. Saving Provisions 11.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.	Chief Executive Officer	
s134(1)	12. Requirement to Up-grade 12.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.	Chief Executive Officer	
s134(1)	12. Requirement to Up-grade 12.2 The power pursuant to Section 134(1) of the PDI Act, if:	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	12.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or 12.2.1.2 a change of classification of a building; and 12.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.		
s134(2)	12. Requirement to Up-grade 12.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.	Chief Executive Officer	
s134(3)	12. Requirement to Up-grade 12.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act: 12.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and 12.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s134(4)	12. Requirement to Up-grade 12.5 The power pursuant to Section 134(4) of the PDI Act if: 12.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and 12.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities, to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).	Chief Executive Officer	
s134(5)	12. Requirement to Up-grade 12.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act: 12.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and 12.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.	Chief Executive Officer	
s135(2)(d)	13. Urgent Building Work	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	13.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.		
s143(1)	14. Cancellation of Development Authorisation 14.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	Chief Executive Officer	
s143(2)	14. Cancellation of Development Authorisation 14.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	Chief Executive Officer	
s235(1)	15. Professional Advice to be Obtained in Relation to Certain Matters 15.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	Chief Executive Officer	
s235(2)	15. Professional Advice to be Obtained in Relation to Certain Matters 15.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	Chief Executive Officer	
cl18(2) sch8	16. Continuation of Processes 16.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to: 16.1.1 adopt any findings or determinations of a relevant authority under the repealed Act	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 16.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 16.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and 16.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 16.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.		

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r25(7)(c)	17. Accredited Professionals 17.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.		
r31(1)	18. Verification of Application 18.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 18.1.1 determine the nature of the development; and	Chief Executive Officer	
r31(1)	18. Verification of Application 18.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 18.1.2 if the application is for planning consent - determine: 18.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and 18.1.2.2 the category or categories of development that apply for the purposes of development assessment; and	Chief Executive Officer	
r31(1)	18. Verification of Application	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	18.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 18.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and		
r31(1)	18. Verification of Application 18.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 18.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application): 18.1.4.1 check that the appropriate documents and information have been lodged with the application; and 18.1.4.2 confirm the prescribed fees required to be paid at that point ; and 18.1.4.3 provide an appropriate notice via the SA planning portal; and	Chief Executive Officer	
r31(1)	18. Verification of Application 18.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 18.1.5 if the relevant authority is not the correct entity to assess the application (or any	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	part of the application): 18.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and 18.1.5.2 provide an appropriate notice via the SA planning portal.		
r35(3)	19. Amended Applications 19.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.	Chief Executive Officer	
r35(4)	19. Amended Applications 19.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.	Chief Executive Officer	
r38(1)	20. Withdrawing/Lapsing Applications 20.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify: 20.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and 20.1.2 any person who has made a representation in relation to the application under	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Division 3 of the General Regulations, of the withdrawal.		
r38(2)	20. Withdrawing/Lapsing Applications 20.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.	Chief Executive Officer	
r38(3)	20. Withdrawing/Lapsing Applications 20.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to: 20.3.1 take reasonable steps to notify the applicant of the action under consideration; and 20.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.	Chief Executive Officer	
r40	21. Court Proceedings 21.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.	Chief Executive Officer	
r42(1)	22. Additional Information or Amended Plans 22.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r45(1)	23. Building Matters 23.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that: 23.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or 23.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or 23.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code, refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.	Chief Executive Officer	
r45(2)	23. Building Matters 23.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.	Chief Executive Officer	
r45(3)	23. Building Matters 23.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.	Chief Executive Officer	
r45(4)	23. Building Matters	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	23.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority: 23.4.1 recommends against the granting of building consent; or 23.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate: 23.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or 23.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent, to: 23.4.5 refer the application to the Commission; and 23.4.6 not grant consent unless the Commission concurs in the granting of the consent.		
r45(5)	23. Building Matters 23.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.	Chief Executive Officer	
r57(2)(b)	24. Notice of Decision (Section 126(1)) 24.1 The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r57(4)(a)	24. Notice of Decision (Section 126(1)) 24.2 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	Chief Executive Officer	
r60	25. Consideration of Other Development Authorisations 25.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.	Chief Executive Officer	
r61(4)(c)	26. Certificate of Independent Technical Expert in Certain Cases 26.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.	Chief Executive Officer	
r63(1)	27. Urgent Work 27.1 The power pursuant to Regulation 63(1) of the General Regulations to, 27.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 27.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r63(2)	27. Urgent Work 27.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	Chief Executive Officer	
r63(3)	27. Urgent Work 27.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	Chief Executive Officer	
r65(1)(a)	28. Variation of Authorisation (Section 128) 28.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.	Chief Executive Officer	
r99(4)	29. Construction Industry Training Fund 29.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.	Chief Executive Officer	
r99(5)	29. Construction Industry Training Fund 29.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification	Chief Executive Officer	

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

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r5(1)	31. Calculation or Assessment of Fees 31.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal): 31.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and 31.1.2 to make any other determination for the purposes of the Fees Regulations a related set of regulations or a fee notice (even if the Council is not a relevant authority)	Chief Executive Officer	
r5(2)	31. Calculation or Assessment of Fees 31.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.	Chief Executive Officer	
5(3)	31. Calculation or Assessment of Fees 31.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.	Chief Executive Officer	
r7	32. Waiver or Refund of Fee 32.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 32.1.1 waive the payment of the fee, or the payment of part of the fee; or 32.1.2 refund the whole or a part of the fee.	Chief Executive Officer	

State Planning Commission Practice Direction 18 Outline Consent			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
cl5(1)(b)	33. Circumstances in Which Outline Consent May be Granted 33.1 The power pursuant to clause 5(1)(b) of the State Planning Commission Practice Direction 18 Outline Consent (PD18) to provide advice to an applicant that if the application were to be for planning consent, the council would request the Minister to give notice under Section 94(1)(g) of the PDI Act.	Chief Executive Officer	

Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sections 17(1) and 17(2)	A. Traffic control devices Install, maintain, alter, operate or remove, or cause to be installed, maintained. altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)	Chief Executive Officer Amy Smith Christian Blias Darren Mitchell Fiona Crombie Jarrad Parsons Jarrod Armitage Jessica Nitschke Karen Harvey Nikki Calicchio Penelope Bennett Stephanie Papandrea Justine Austin Sean Howie	As set out in clause A of the General Approval
section 20(2)	B. Speed limits at works on roads Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site	Chief Executive Officer Darren Mitchell Fiona Crombie	As set out in clause B of the General Approval

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	where workers are engaged, or works are in progress at the direction of the Council	Jessica Nitschke Karen Harvey Nikki Calicchio	
section 17(3)	C. Traffic control devices at works on roads Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Road Traffic Act 1961 or any other Act	Chief Executive Officer Christian Blias Darren Mitchell Fiona Crombie Jarrad Parsons Jarrod Armitage Jessica Nitschke Karen Harvey Nikki Calicchio Penelope Bennett Stephanie Papandrea Justine Austin Sean Howie	As set out in clause C of the General Approval
section 17(3)	D. Temporary parking controls Install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council	Chief Executive Officer Amy Smith Darren Mitchell Jarrod Armitage Karen Harvey	As set out in clause D of the General Approval
section 17	F. Grant approval to another road authority	Chief Executive Officer	As set out in clause F of the

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority	Amy Smith Christian Blias Darren Mitchell Jarrod Armitage Karen Harvey Penelope Bennett Bicky Shakya Stephanie Papandrea Justine Austin Sean Howie	General Approval

Instrument of delegation by the Chief Executive Officer

Food Act 2001			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 46(1)	Serve a prohibition order on the proprietor of a food business	Chief Executive Officer	
section 46(5)	Provide a certificate of clearance	Chief Executive Officer	
section 88(5)	Consent to the delegation of power or function by a relevant authority to the Chief Executive Officer	Chief Executive Officer, Chief Operating Officer	
section 93(1)	Report to the relevant authority on the performance of functions under the Food Act by persons employed or engaged by the council	Chief Executive Officer	
section 93(2)	Forward to the relevant authority details of any proceedings for an offence under the Food Act or the regulations taken by an officer of the council	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 4(1aa)(a)(ii)(A)	Determine a website for the publication of a public notice by the council	Chief Executive Officer	
section 12(19)(b)	Refer a failure by the council of a type listed in section 12(1) of the Local	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Government Act to the Electoral Commissioner		
section 54(1)(b)	Receive notice of resignation of a council member	Chief Executive Officer	
section 54(6)	Notify council members of a vacancy in the office of a member of a council	Chief Executive Officer	
section 54(6)	Provide notice in the Gazette of a vacancy in the office of a member of a council	Chief Executive Officer	
section 55(c)	Receive a notice of disqualification from a member of the council	Chief Executive Officer	
section 56(1)	Publish a notice in the Gazette indicating that Division 2, Part 2, Chapter 5 of the Local Government Act applies to the council	Chief Executive Officer	
section 56(2)	Fix a polling day	Chief Executive Officer	
section 61(2)	Receive a request for access to a document	Chief Executive Officer	
section 61(3)	Indicate that information contained in a document is confidential	Chief Executive Officer	
section 65	Receive a primary return from a council member	Chief Executive Officer	
section 66	Receive an ordinary return from a council member	Chief Executive Officer	
section 67(1)	Receive notification from a council member of a change or variation in the information appearing on the Register of Interests	Chief Executive Officer	
section 68(1)	Maintain a Register of Interests and cause information furnished pursuant to Subdivision 2, Division 1, Part 4, Chapter 5 of the Local Government Act and	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Schedule 3 to the Local Government Act to be entered on the register		
section 68(2)	Notify a council member of a failure by that member to submit a return and the consequences of not submitting a return	Chief Executive Officer	
section 68(3a)(a)	Determine website for publishing notice	Chief Executive Officer	
section 68(3a)(a)	Publish a notice on a website determined by the chief executive officer specifying date return submitted	Chief Executive Officer	
section 68(4)	Supress an address of a person from the Register of Interests	Chief Executive Officer	
section 70(a1)	Determine a website for publication of the Register	Chief Executive Officer	
section 72A(2)	Determine requirements for provision of details of gifts or benefits received by a council member	Chief Executive Officer	
section 72A(4)	Maintain a register of gifts and benefits received by members and ensure details of each gift and benefits provided under this section included in the register	Chief Executive Officer	
section 72(3)(a)	Receive a primary return or ordinary return from a board member of a regional subsidiary of the council	Chief Executive Officer	
section 72(3)(b)	Participate in consultation with a regional subsidiary of the council to ensure that a Register of Interest relating to its board members is maintained and available for public inspection	Chief Executive Officer	
section 75G(1)(b)	Issue a reasonable direction to a member for the purposes of ensuring the	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
and 75G(2)	member's acts or omissions do not adversely affect the health or safety of employees of the council		
section 75G(5)	Ensure a complaint relating to the matter is referred to the Behavioural Standards Panel	Chief Executive Officer	
section 79(1)	Keep a Register of Allowances and Benefits	Chief Executive Officer	
section 79(2)	Ensure that an appropriate record is made in the Register of Allowances and Benefits	Chief Executive Officer	
section 80A(2h)	Maintain a register relating to training and development	Chief Executive Officer	
section 80A(2i)	Request a member provide within a period specified in the request information relating to training and development by the member	Chief Executive Officer	
section 80B(1)(b)	Suspend a member subject to a relevant interim intervention order from the office of member of the council where the person protected by the order is an employee of the council	Chief Executive Officer	
section 80B(4)	Revoke a suspension	Chief Executive Officer	
section 80B(7)	Notify the member of the suspension under section 80B(5) of the Local Government Act	Chief Executive Officer	
section 81(3)	Appoint a time and place at which an ordinary meeting of the council will be held	Chief Executive Officer	
section 81(4)(a)	Appoint a time and place at which the first ordinary meeting of the council will be	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	held after being constituted under Chapter 3 of the Local Government Act		
section 81(4)(b)	Appoint a time and place at which the first ordinary meeting of the council will be held after a general election of the council	Chief Executive Officer	
section 82(1)	Call a special meeting of the council	Chief Executive Officer	
section 83(1)	Provide notice of an ordinary meeting of the council	Chief Executive Officer	
section 83(2)	Provide notice of a special meeting of the council	Chief Executive Officer	
section 83(4)(a)	Ensure that items on an agenda for a council meeting are described with reasonable particularity and accuracy	Chief Executive Officer	
section 83(4)(b)	Supply to a council member a copy of any documents or reports that are to be considered at a council meeting	Chief Executive Officer	
section 83(5)	Indicate on a document or report any information or matters that may, if the council so determined, be considered in confidence under Part 3 of the Local Government Act and the basis for a confidentiality order	Chief Executive Officer	
section 83(7)	Take action to bring a notice to the attention of a council member	Chief Executive Officer	
section 84(1)	Give notice to the public of the times and places of meetings of the council	Chief Executive Officer	
Section 84(1a)	Publicly display notice at principal office of the Council and publish notice and agenda in accordance with Section 132(1)(a) of the Local Government Act	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 84(2a)	Give notice to the public of the times and places of meetings of the council	Chief Executive Officer	
section 84(5)	Ensure that a reasonable number of copies of any document or report supplied to council members for consideration at a meeting are available for inspection by members of the public	Chief Executive Officer	
Section 84(5)(a)	Determine website for publication of document or report	Chief Executive Officer	
section 86(3)	Preside at a meeting of the council until a council member is chosen to preside	Chief Executive Officer	
section 87(4)	Provide notice to a member of a council committee of an ordinary meeting of the committee	Chief Executive Officer	
section 87(5)	Call a special meeting of a council committee	Chief Executive Officer	
section 87(7)	Provide notice to a member of a council committee of a special meeting of the committee	Chief Executive Officer	
section 87(9)(a)	Ensure that items on an agenda for a council committee meeting are described with reasonable particularity and accuracy	Chief Executive Officer	
section 87(9)(b)	Supply to a council committee member a copy of any documents or reports that are to be considered at a council committee meeting	Chief Executive Officer	
section 87(10)	Indicate on a document or report any information or matters that may, if the council so determined, be considered in confidence under Part 3 of the Local Government Act and the basis for a confidentiality order	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 87(12)	Take action to bring a notice to the attention of a council member	Chief Executive Officer	
section 87(13)	Maintain a record of all notices given under section 87 of the Local Government Act	Chief Executive Officer	
section 88(1)	Give public notice of the times and places of council committee meetings	Chief Executive Officer	
Section 88(1a)	Publicly display notice at principal office of the Council and publish the notice and agenda in accordance with Section 132(1)(a) of the Local Government Act	Chief Executive Officer	
section 88(2a)	Give public notice of the times and places of council committee meetings	Chief Executive Officer	
section 88(5)	Ensure that a reasonable number of copies of any document or report supplied to council committee members for consideration at a meeting are available for inspection by members of the public	Chief Executive Officer	
section 91(1)	Ensure minutes are kept of council and council committee meetings	Chief Executive Officer	
section 91(11)	Sign minutes of a council or council committee meeting	Chief Executive Officer	
section 92(5)	Determine a website for publishing a code of practice or alterations or substitutions to a code of practice	Chief Executive Officer	
section 93(2)	Give public notice of the time and place of a meeting of electors	Chief Executive Officer	
section 93(10)	Ensure that minutes are kept of the proceedings at a meeting of electors	Chief Executive Officer	
section 99(1)(a)	Ensure that the policies and lawful decisions of the council are implemented in a	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	timely and efficient manner		
section 99(1)(b)	Undertake responsibility for the day-to-day operations and affairs of the council	Chief Executive Officer	
section 99(1)(c)	Provide advice and reports to the council on the exercise and performance of the council's powers and functions under the Local Government Act or any other Act	Chief Executive Officer	
section 99(1)(d)	Co-ordinate proposals for consideration by the council for developing objectives, policies and programs for the area	Chief Executive Officer	
section 99(1)(e)	Provide information to the council to assist the council to assess performance against its strategic management plans	Chief Executive Officer	
section 99(1)(f)	Ensure that timely and accurate information about council policies and programs is regularly provided to the council's community, and to ensure that appropriate and prompt responses are given to specific requests for information made to the council	Chief Executive Officer	
section 99(1)(g)	Ensure that the assets and resources of the council are properly managed and maintained	Chief Executive Officer	
section 99(1)(h)	Ensure that records required under this or another Act are properly kept and maintained	Chief Executive Officer	
section 99(1)(i)	Give effect to the principles of human resource management prescribed by the Local Government Act and to apply proper management practices	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 99(1)(ia)	Ensure that effective policies, systems and procedures are established and maintained for the identification, assessment, monitoring, management and annual review of strategic, financial and operational risks	Chief Executive Officer	
section 99(1)(ib)	Report annually to the relevant audit and risk committee on the council's internal audit processes	Chief Executive Officer	
section 99(1)(j)	Exercise, perform or discharge other powers, functions or duties conferred on the chief executive officer by or under the Local Government Act or other Acts, and to perform other functions lawfully directed by the council	Chief Executive Officer	
section 99(2)	Consult with the council when determining, or changing to a significant degree, the organisational structure for the staff of the council, the processes, terms or conditions that are to apply to the appointment of senior executive officers or the appraisal scheme that is to apply to senior executive officers	Chief Executive Officer	
section 100(1)	Determine whether to have a deputy chief executive officer	Chief Executive Officer	
section 100(2)	Appoint a deputy chief executive officer	Chief Executive Officer	
section 100(3)	Obtain the concurrence of the council before appointing a deputy chief executive officer or removing a deputy chief executive officer	Chief Executive Officer	
section 103(1)	Appointing, managing, suspending and dismissing employees of the council	Chief Executive Officer	
section 104	Determine the conditions of service of an employee of the council	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 105(1)	Ensure that a Register of Salaries is kept	Chief Executive Officer	
section 105(2)	Ensure that a record is made in the Register of Salaries of a change in the salary, wage or remuneration, or an allowance or benefit, payable to, or provided for the benefit of, an employee or the payment or provision of an allowance or benefit not previously recorded in the Register	Chief Executive Officer	
section 107(1)	Ensure that sound principles of human resource management are applied to employment in the administration of the council, and must take reasonable steps to ensure that those principles are known to all employees	Chief Executive Officer	
section 113(b)	Receive a primary return from a prescribed officer	Chief Executive Officer	
section 114(b)	Receive an ordinary return from a prescribed officer	Chief Executive Officer	
section 116(1)	Maintain a Register of Interests and cause to be entered in the Register all information pursuant to Subdivision 2, Division 1, Part 4, Chapter 7 of the Local Government Act	Chief Executive Officer	
section 116(2)	Notify a person who fails to submit a return of the failure	Chief Executive Officer	
section 118	Enable the inspection of the Register of Interests by a council member	Chief Executive Officer	
section 119A(2)	Determine requirements for provision of details of gifts and benefits received by an employee	Chief Executive Officer	
section 119A(4)	Maintain a register of gifts and benefits received by employees of the council	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	and ensure details of each gift and benefit provided under this section are included in the register		
section 119A(5)	If the register includes information by reference to another register, publish or make available for inspection at the council that other register or information	Chief Executive Officer	
section 120(2)(a)	Receive a disclosure of an interest in a matter from an employee of the council	Chief Executive Officer	
section 120(2)(b)	Determine an employee of the council may act in relation to the matter	Chief Executive Officer	
section 122(4a)(a)	Provide a report to the council on the sustainability of the council's long-term financial performance and position	Chief Executive Officer	
section 123(4)(a)	Determine a website for the publication of a notice informing the public of the preparation of a draft annual business plan and inviting attendance at a meeting or the making of submissions	Chief Executive Officer	
section 123(9)(c)	Determine a website for the publication of annual business plan and budget	Chief Executive Officer	
section 125A(1)	Consult with the relevant audit and risk committee before appointing a person to be primarily responsible for the internal audit function or assigning such responsibility to an employee of the council on the appointment or assignment of responsibility	Chief Executive Officer	
section 126(4)(g)(ii)	Provide annual report in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 126A(4)(g)(ii)	Provide annual report in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures	Chief Executive Officer	
section 128(5)(b)	Receive a notice of resignation from an auditor	Chief Executive Officer	
section 129(5b)(b)	Participate in consultation with the principal member of the council in relation to whether the opinions and advice of the auditor should be a late item on the agenda for a council meeting	Chief Executive Officer	
section 130(1)	Produce accounts, accounting records and other documents to the auditor	Chief Executive Officer	
section 130(2)	Produce explanations or information to the auditor	Chief Executive Officer	
section 130A(4)	Produce any documents relevant to an examination to, and provide any explanation or information required by, a person undertaking an examination under section 130A of the Local Government Act	Chief Executive Officer	
section 130(6)(b)	Participate in consultation with the principal member of the council in relation to whether a report on an examination under section 130A of the Local Government Act should be a late item on the agenda for a council meeting	Chief Executive Officer	
section 132(1)	Determine a website for the publication of documents referred to in Schedule 5 of the Local Government Act	Chief Executive Officer	
section 132(3a)	Determine website for the publication of a document or part of a document if an order under section 91(7) expires or ceases to apply to the document or a part	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	of the document		
section 143(2)	Certify that reasonable attempts have been made to recover a debt or that the costs of recovery are likely to equal or exceed the amount to be recovered	Chief Executive Officer	
section 172(1)	Ensure that an assessment record is kept	Chief Executive Officer	
section 172(2)	Receive an application to have an occupier's name entered in the assessment record as the principal ratepayer in respect of land	Chief Executive Officer	
section 172(2)	Determine the manner and form of an application under section 172(2) of the Local Government Act	Chief Executive Officer	
section 172(3)	Enter an occupier's name in the assessment record as the principal ratepayer in respect of land	Chief Executive Officer	
section 172(4)	Suppress the name or address of a person from the assessment record	Chief Executive Officer	
section 172(5)	Suppress the name or address of a person from the assessment record	Chief Executive Officer	
section 172(6)(b)	Make any alteration to the assessment record	Chief Executive Officer	
section 173(1)	Receive an application to alter the assessment record	Chief Executive Officer	
section 173(2)	Approve the manner and form of an application under section 173(1) of the Local Government Act	Chief Executive Officer	
section 184(15)	Provide a statutory declaration to the Registrar-General stating that the	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	requirements of section 184 of the Local Government Act have been observed in regard to the sale of land		
section 187(3)(d)	Receive an application for a certificate of liabilities	Chief Executive Officer	
section 219(7)(c)	Determine a website for publishing a notice of the adoption or alteration of a policy under section 219 of the Local Government Act	Chief Executive Officer	
section 234A(6)(c)	Determine a website for publishing a resolution passed under section 234A of the Local Government Act	Chief Executive Officer	
section 252(7)	Provide a certificate for the purposes of section 252(5) or 252(6) of the Local Government Act	Chief Executive Officer	
section 264(1)(b)	Lodge a complaint against a council member with the South Australian Civil and Administrative Tribunal	Chief Executive Officer	
section 264(1)(b)	Lodge a complaint with SACAT	Chief Executive Officer	
section 287	Certify a copy of, or extract from, the assessment record kept under Chapter 10 of the Local Government Act	Chief Executive Officer	
section 289	Certify a copy of, or extract from, a register kept under the Local Government Act	Chief Executive Officer	
section 290(1)	Certify a copy of a by-law in force within the council area	Chief Executive Officer	
section 291	Issue a certificate giving details of the boundaries of the council area	Chief Executive Officer	

Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 293	Issue a certificate giving details of the cost of work undertaken, the portion payable by a person and the date of the completion of the work	Chief Executive Officer	
clause 9(6), schedule 1B	Provide a statutory declaration stating that the requirements of clause 9 of Schedule 1B of the Local Government Act and the regulations have been observed in relation to the sale of land	Chief Executive Officer	
clause 3(5)(b), schedule 2	Determine a website for publishing a copy of a subsidiary charter	Chief Executive Officer	
clause 19(5)(b), schedule 2	Determine, in conjunction with the chief executive officers of the other constituent councils, a website for publishing a copy of a regional subsidiary charter	Chief Executive Officer	

Local Government (Financial Management) Regulations 2011			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
regulation 14(a)	Sign the financial statements of the council	Chief Executive Officer	
regulation 16(3)	Certify that the information provided under regulation 16(2) of the Local Government (Financial Management) Regulations has been reconciled to, and is consistent with, the audited financial statements of the council	Chief Executive Officer	
regulation	Determine, in conjunction with the chief executive officers of other constituent councils,	Chief Executive Officer	

Local Government (Financial Management) Regulations 2011			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
18(4)	a website or websites for the publication of a notice given to a regional subsidiary under regulation 18 of the Local Government (Financial Management) Regulations		
regulation 18(4)	Ensure, in conjunction with the chief executive officers of the other constituent councils, that a notice given to a regional subsidiary under regulation 18 of the Local Government (Financial Management) Regulations is published on a website or websites determined by the chief executive officers	Chief Executive Officer	
regulation 21(4)	Lay before the council any audited financial statements of a subsidiary received for the purposes of clause 12(3)(a) or 28(2)(a) of Schedule 2 to the Local Government Act	Chief Executive Officer	
regulation 22(3)(a)	Provide a statement certifying compliance for the financial year with the requirement that the auditor be independent of the council	Chief Executive Officer	
regulation 22(3)(b)(i)	Provide a statement certifying compliance for the financial year with the requirement that the auditor be independent of the regional subsidiary	Chief Executive Officer	

Local Government (General) Regulations 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
regulation 8AB	Determine website for publication of information listed in regulation 8AB of the Local Government (General) Regulations	Chief Executive Officer	

Local Government (Procedures at Meetings) Regulations 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
regulation 7(2)	Adjourn a meeting where the number of apologies received indicates that the meeting will lack a quorum to a specified day and time	Chief Executive Officer	
regulation 7(3)	Adjourn a meeting which lacks a quorum to a specified day and time	Chief Executive Officer	
regulation 7(4)	Record in the minute book the reason for an adjournment, the names of any members present and the date and time to which the meeting is adjourned	Chief Executive Officer	
regulation 7(5)(a)	Give notice of an adjourned meeting to each council member setting out the date, time and place of the meeting	Chief Executive Officer	
regulation 7(5)(b)	Give notice of an adjourned meeting to the public setting out the date, time and place of the meeting	Chief Executive Officer	
regulation 9(1)	Receive written notice of a question on notice	Chief Executive Officer	
regulation 9(2)(a)	Place a question on notice on the agenda for the meeting at which the question will be asked	Chief Executive Officer	
regulation 10(2)	Place a petition (or, if provided for in a policy of the council, a summary of the petition as described in regulation 10(2) of the Local Government (Procedures at Meetings) Regulations) on the agenda for the next ordinary meeting of the council (or, if provided for in a policy of the council, on the agenda for the next ordinary meeting of a council committee)	Chief Executive Officer	

Local Government (Procedures at Meetings) Regulations 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
regulation 11(2)	Transmit a request for a deputation to the presiding member of the council	Chief Executive Officer	
regulation 11(4)	Take reasonable steps to inform a person or persons requesting a deputation of the outcome of the request	Chief Executive Officer	
regulation 12(2)	Receive a notice of motion	Chief Executive Officer	
regulation 12(20)	Report on each question that lapses under regulation 12(19) at the first ordinary meeting of the council after a general election	Chief Executive Officer	
regulation 16(1)	Read out a motion before a vote is taken	Chief Executive Officer	
regulation 17(4)	Record in the minutes the names of the council members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote) when a division is taken	Chief Executive Officer	
regulation 18(1)	Table documents relating to a motion that is before a meeting	Chief Executive Officer	
regulation 18(2)	Indicate an opinion that consideration should be given to dealing with a document on a confidential basis under sections 90 or 91 of the Local Government Act	Chief Executive Officer	
regulation 21(1)	Submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council	Chief Executive Officer	

Local Government (Procedures at Meetings) Regulations 2013			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
regulation 21(2)	Place a report under regulation 21(1) of the Local Government (Procedures at Meetings) Regulations on the agenda for the meeting at which the report is to be considered	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
clause 5(2)(g)	Provide submissions on the proposal to initiate	Chief Executive Officer	

Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Power of a Council as a Relevant Authority

Instrument of Delegation Under the Planning, Development and Infrastructure Act 2016 of Power of a Council as a Relevant Authority			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s7(5(a) and (d)	1. Environment and Food Production Areas – Greater Adelaide 1.1 The power pursuant to Section 7(5)(a) and (d) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments: 1.1.1 to seek the concurrence of the Commission in the granting of the development authorisation to the development; 1.1.2 to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.	Not delegated	

Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s33(1)	2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing: (a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and (b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules: (i) rule 221: using hazard warning lights; (ii) rule 230: crossing a road – general; (iii) rule 231 crossing a road at pedestrian lights; (iv) rule 232: crossing a road at traffic lights; (v) rule 234: crossing a road on or near a crossing for pedestrians; (vi) rule 237: getting on or into a moving vehicle (provided that	Chief Executive Officer	3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions: (a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	the speed of the vehicle does not exceed 5 km/h); (vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy); (viii) rule 250: riding on a footpath or shared path; (ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h); (x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h); (xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h); (xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h) (xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and (xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).		

Instrument of Delegation under the Labour Hire Licensing Act 2017

Labour Hire Licensing Act 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 16(1)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence under section 15 of the Labour Hire Licensing Act 2017	Chief Executive Officer		designated entity
section 32(2)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence to which section 31 of the Labour Hire Licensing Act 2017 applies	Chief Executive Officer		designated entity
section 42(2)	Appeal against the grant of a licence to the District Court	Chief Executive Officer		designated entity
section 42(4)	Require the Commissioner for Consumer Affairs to provide reasons for the Commissioner's decision	Chief Executive Officer		designated entity

Instrument of Delegation under the Land and Business (Sale and Conveyancing) Act 1994

Land and Business (Sale and Conveyancing) Act 1994				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 7	Respond to enquiries regarding prescribed matters by a vendor of land	Chief Executive Officer		council
section 8	Respond to enquiries regarding prescribed matters by a vendor of a small business	Chief Executive Officer		council
section 12	Provide information regarding any charge or prescribed encumbrance over land within the council's area of which the council has the benefit or insurance under Division 3 of Part 5 of the Building Work Contractors Act 1995 in relation to a building on land within the council's area	Chief Executive Officer		council

Instrument of Delegation under the Landscape South Australia (General) Regulations 2020

Landscape South Australia (General) Regulations 2020				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 10(1)(b)	Make submissions to the regional landscape board	Chief Executive Officer		council
regulation 13(3)	Pay monies to the regional landscape board	Chief Executive Officer		council
regulation 14(9)	Furnish a regional landscape board with a reasonable estimate of the costs that the council expects to claim under regulation 14 of the Landscape South Australia (General) Regulations 2019	Chief Executive Officer		council
regulation 14(13)	Furnish a regional landscape board with an invoice setting out the amount the council is claiming and the calculations used by the council to determine the amount	Chief Executive Officer		council

Instrument of Delegation under the Landscape South Australia (Water Management) Regulations 2020

Landscape South Australia (Water Managementl) Regulations 2020				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 22(2)	Determine the form of notice to be provided for the purpose of section 113(2)(c) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
regulation 24(2)	Increase the period of time for the purposes of section 113(5) of the Landscape South Australia Act from the period prescribed in regulation 24(1) of the Landscape South Australia (Water Management) Regulations	Chief Executive Officer		relevant authority

Instrument of Delegation under the Landscape South Australia Act 2019

Landscape South Australia Act 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 17(4)(a)	Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board	Chief Executive Officer		council
section 25(4)	Work collaboratively with the regional landscape board	Chief Executive Officer		council
section 32(7)	Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council	Chief Executive Officer		council
section 37(1)(c)	Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council	Chief Executive Officer		council
section 41(b)	Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council	Chief Executive Officer		public authority
section 47(7)	Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act	Chief Executive Officer		council
section 51(5)(b)	Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by	Chief Executive Officer		council

Landscape South Australia Act 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	regulations			
section 66(1)	Contribute to the costs of the regional landscape board performing its functions	Chief Executive Officer		council
section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions	Chief Executive Officer		council
section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions	Chief Executive Officer		council
section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy	Chief Executive Officer		council
section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council	Chief Executive Officer		public authority
section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council	Chief Executive Officer		public authority
section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource	Chief Executive Officer		relevant authority
section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the ‘relevant authority’	Chief Executive Officer		relevant authority

Landscape South Australia Act 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 104(3)	Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility)	Chief Executive Officer		relevant authority
section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority

Landscape South Australia Act 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 112(14)	Serve notice of the variation or revocation of a permit	Chief Executive Officer		relevant authority
section 113(2)	Give notice of an application for a permit in accordance with the regulations	Chief Executive Officer		relevant authority
section 113(3)	Receive representations in relation to the granting or refusal of a permit	Chief Executive Officer		relevant authority
section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an	Chief Executive Officer		relevant authority

Landscape South Australia Act 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	opportunity to respond in writing			
section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority	Chief Executive Officer		relevant authority
section 113(7)	Allow an applicant to appear personally or by representative before the authority	Chief Executive Officer		relevant authority
section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape South Australia Act	Chief Executive Officer		relevant authority
section 113(13)	Provide for inspection and purchase written representations made under section 113 of the Landscape South Australia Act and the written response of the applicant	Chief Executive Officer		relevant authority
section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer	Chief Executive Officer		council
section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and	Chief Executive Officer		council

Landscape South Australia Act 2019				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	provide submissions to the Minister on the proposed agreement			
clause 89(4)(e) Schedule 5	Consent to property, assets, rights or liabilities vesting in or attaching to the Council	Not delegated		authority

Instrument of Delegation under the Liquor Licensing Act 1997

Liquor Licensing Act 1997				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	Chief Executive Officer		council
section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	Chief Executive Officer		prescribed body
section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	Chief Executive Officer		council
section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	Chief Executive Officer		council
section 106(4)	Request that the matter proceed direct to a hearing	Chief Executive Officer		council
section 106(5)	Request that the Commissioner determine the matter	Chief Executive Officer		council
section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	Chief Executive Officer		council

Liquor Licensing Act 1997				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	Chief Executive Officer		council
section 128E(1)	Prepare a draft local liquor accord	Chief Executive Officer		council
section 128H(3)	Request a variation of a local liquor accord	Chief Executive Officer		council
section 128H(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	Chief Executive Officer		council
section 128H(6)	Request the Commissioner to terminate a local liquor accord	Chief Executive Officer		council
section 128H(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	Chief Executive Officer		council
section 131(1ab)	Prohibit the consumption or possession or both of liquor in a public place within the council area during a specified period by notice published in the Gazette	Chief Executive Officer		council
section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police	Chief Executive Officer		council
section 131(1c)	Vary or revoke a notice published under section 131(1ab)	Chief Executive Officer		council

Instrument of Delegation under the Local Government (Building Upgrade Agreements) Regulations 2017

Local Government (Building Upgrade Agreements) Regulations 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 8(b)	Send a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act to any ratepayer in respect of the relevant land and any registered mortgagee of the land	Chief Executive Officer		council
regulation 8(c)(i)	Place a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a newspaper circulating throughout the State	Chief Executive Officer		council
regulation 8(c)(ii)	Leave a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a conspicuous place on the relevant land	Chief Executive Officer		council
regulation 8(e)	Set a reserve price for the sale of land by auction	Chief Executive Officer		council
regulation 8(f)	Advertise the auction in a newspaper circulating throughout the State	Chief Executive Officer		council
regulation 8(g)	Cancel an auction	Chief Executive Officer		council

Local Government (Building Upgrade Agreements) Regulations 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 8(h)	Sell land by private contract	Chief Executive Officer		council

Instrument of Delegation under the Local Government (Elections) Act 1999

Local Government (Elections) Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 4(2)(d)	Fix a day for a poll	Chief Executive Officer		council
section 8(1)	Appoint a person or persons to the office or officer not filled by a supplementary election which has wholly or partially failed or been declared void	Chief Executive Officer		council
section 8(1a)	Appoint a person or persons to the office or officer that remain unfilled where not all vacancies are filled	Chief Executive Officer		council
section 9(1)	Hold a poll	Chief Executive Officer		council
section 9(3)	Fix a day as polling day for a poll by notice published on the council website	Chief Executive Officer		council
section 9(4)	Fix a day as the day on which the voters roll for the purposes of the poll closes	Chief Executive Officer		council
section 10(3)	Nominate a person as a deputy returning officer of the council area	Chief Executive Officer		council
section	Participate in consultation with the Electoral Commissioner	Chief Executive Officer		council

Local Government (Elections) Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
10(9)	regarding the proposed removal of a deputy returning officer nominated by the council			
section 12(b)	Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area	Chief Executive Officer		council
section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll	Chief Executive Officer		council
section 13A(2)(b)	Arrange advertising Informing potential electors in the council area of the requirements to be enrolled on the voters roll	Chief Executive Officer		council
section 15(14)	Provide copies of the voters roll for the council area for inspection at the principal office of the council	Chief Executive Officer		council
section 15(15)	Provide a copy of the voters roll to a nominated candidate for the election	Chief Executive Officer		council
section 55(1)	Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll	Chief Executive Officer		council
section 70(3)	Contest a petition to the Court by lodging a reply	Chief Executive Officer		council

Local Government (Elections) Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 75(1)(a)	Participate in proceedings as a party pursuant to an order of the Court	Chief Executive Officer		council
section 75(1)(b)	Apply to intervene in proceedings	Chief Executive Officer		council
section 75(3)	Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court directs	Chief Executive Officer		council
section 76	Engage counsel to represent the council in proceedings	Chief Executive Officer		council
section 77	Apply to the court to refer a question of law to the Court of Appeal	Chief Executive Officer		council
section 91A(1)	Prepare and adopt a caretaker policy	Chief Executive Officer		council
section 91A(3)	Apply in writing for an exemption from the prohibition against making a designated decision during an election period	Chief Executive Officer		council

Instrument of Delegation under the Local Government (Financial Management) Regulations 2011

Local Government (Financial Management) Regulations 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 9(1)	Prepare and consider the reports prescribed in regulation 9(1) of the Local Government (Financial Management) Regulations	Chief Executive Officer		council
regulation 10(1)	Prepare and consider the report prescribed in regulation 10(1) of the Local Government (Financial Management) Regulations	Chief Executive Officer		council
regulation 11(1)	Prepare and maintain all accounting records, accounts and financial statements in accordance with all relevant Australian Accounting Standards	Chief Executive Officer		council
regulation 12	Revalue all material non-current assets in accordance with the requirements of Australian Accounting Standards AASB 116	Chief Executive Officer		council
regulation 22(2)	Engage the council's auditor to certify that a grant or subsidy received by the council has been acquitted in accordance with any conditions required by the provider of the grant or subsidy	Chief Executive Officer		council

Instrument of Delegation under the Local Government (General) Regulations 2013

Local Government (General) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 8AB	Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session	Chief Executive Officer		council

Instrument of Delegation under the Local Government (Members Allowances and Benefits) Regulations 2010

Local Government (Members Allowances and Benefits) Regulations 2010				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 5(3)	Aggregate claims for reimbursement of expenses and pay the claim on a quarterly or monthly basis	Chief Executive Officer		council

Instrument of Delegation under the Local Government (Procedures at Meetings) Regulations 2013

Local Government (Procedures at Meetings) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 6(3)	Review the operation of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	Chief Executive Officer		council

Instrument of Delegation under the Local Government Act 1999

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	Chief Executive Officer		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	effects of such hazards			
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 community from any hazard or other event, or that assists in the management of any area)	Chief Executive Officer		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	the council area or local government generally			
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 Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council into wards or abolishing the division of the area of the council into wards	Not delegated		council
section 12(2)	Publish a notice in the Gazette changing the council from a municipal council to a district	Not delegated		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward			
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 presentation review report and form the opinion a person is qualified to address the representation and governance issues	Not delegated		council
Section 12(7)	Undertake public consultation	Chief Executive Officer		council
section 12(11)	Finalise the council report	Chief Executive Officer		council
section	Refer the report to Electoral	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
12(11a)	Commissioner			
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward	Chief Executive Officer		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	the name of a ward			
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		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	Not delegated		council
section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	on the appointment of an investigator			
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		council
section 36(2)	Act outside the council area to the extent necessary or expedient to the performance of the council's	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	functions or in order to provide services to an unincorporated area of the State			
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	Not delegated		council
section 41(2)	Determine the role of the committee	Not delegated		council
section 41(3)	Determine the membership of the committee	Not delegated		council
section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	Not delegated		council
section 41(6)	Appoint the principal member as an ex officio member of the committee	Not delegated		council
section 41(8)	Determine the reporting and other accountability requirements	Not delegated		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	applying to a committee			
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 promote and advance the interests of an industry in which	Not delegated		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	local government has an interest			
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: (a) obtaining value in the expenditure of public money; (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	and transparency in procurement operations			
section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services; (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; (c) the use of local goods and services; and (d) the sale or disposal of land or other assets.	Chief Executive Officer		council
section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	Not delegated		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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)(d)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions	Chief Executive Officer		council
section 50(6)(e)	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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		council
section 80A(2f)	Apply to SACAT for an order disqualifying the member from	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	office of member of the council			
section 80A(3)	Alter or substitute a training and development policy for members	Not delegated		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 88(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a)	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	of the Local Government Act until completion of meeting			
section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	Chief Executive Officer		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	information			
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		council
section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 93(1)	Convene a meeting of electors of the council area or part of the council area	Not delegated		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 98(3)	Invite applications including by advertising on website and take other action	Chief Executive Officer		council
section 98(3)	Determine website to advertise invitation for applications	Chief Executive Officer		council
section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	Chief Executive Officer		council
section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	Chief Executive Officer		council
section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	Chief Executive Officer		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 subdivision 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, altering or substituting employee behavioural standards	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	designated authority			
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 information the designated authority reasonably requires.	Chief Executive Officer		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	ratepayers			
section 124(1)(a)	Keep accounting records	Chief Executive Officer		council
section 125	Implement and maintain appropriate policies, practices and procedures of internal control	Chief Executive Officer		council
section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	Chief Executive Officer		council
section 126(9)	Ensure annual report of audit and risk committee is included in annual report	Chief Executive Officer		council
section 126A(1)	Establish a regional audit and risk committee	Chief Executive Officer		council
section 126A(9)	Ensure annual report of regional audit and risk committee is included in annual report	Chief Executive Officer		Council
section 127(1)	Prepare financial statements, notes and other statement or	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	documents as required by the regulations			
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 relevant audit and risk 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	Not delegated		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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	Not delegated		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	Provide a printed copy of a	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
132(1)(b)	document referred to in Schedule 5 of the Local Government Act			
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 of the 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	Chief Executive Officer - up to $50,000 Chief Operating Officer - up to $10,000 Associate Director, Finance & Procurement - up to $5,000	council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
			Manager, Rates & Receivables – up to $1,000	
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	Chief Executive Officer		council
section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land	Chief Executive Officer		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 college to provide accommodation and other forms of support on a not-for-profit basis	Chief Executive Officer		council
section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Not delegated		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	Not delegated		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Not delegated		council
section 173(6)	Provide written notice of decision on review	Not delegated		council
section 173(7)	Participate in a review of decision of council	Not delegated		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		council
section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	council under the lease or licence in satisfaction of the liability for rates			
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	Not delegated		council
section 181(3)	Adjust the months in which instalments of rates are payable	Not delegated		council
section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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	Not delegated		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	relation to the payment of separate rates or service rates			
section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	Not delegated		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	Not delegated		council
section 182(4)	Grant a remission of rates	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	accordance with the regulations			
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	Not delegated		council
section 184(2)	Send a notice to the principal ratepayer	Chief Executive Officer		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 Crown Lands Act 1929.	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 Crown Lands Act 1929 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		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 Unclaimed Money Act 2021	Chief Executive Officer		council
section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act	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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	decision			
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 charges that is held in credit against future liabilities for rates or charges on the land	Chief Executive Officer		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	Provide a written response to the	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
187B(6)	Ombudsman and complainant			
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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges.			
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	Leases and licences for the purpose of commercial parking	council
section 191(1)	Seek the Minister's consent to acquire land compulsorily	Not delegated		council
section 191(1)	Acquire land compulsorily	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 191(2)	Acquire land compulsorily	Not delegated		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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Not delegated		council
section 195(2)	Giver 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(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Chief Executive Officer		Adelaide City Council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	accordance with any relevant management plan			
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	Delegation is limited to disposing of an interest in land only by way of lease or license, including consenting to lease assignments and surrenders, of value less than $150,000 pa	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		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Highways			
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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	proposed roadwork			
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		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	Seek a determination by a court	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
214(2)(b)	as to the amount of contribution to roadwork to be paid by another 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		council
section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	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			
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,	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	or change the name of a public or private road, or a public place			
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		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	public places in the council area			
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	Not delegated		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		council
section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 conditions under section 224(1) of the Local Government Act	Not delegated		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		council
section 234(2)	Recover the cost of acting under section 234(1) from the person	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	who erected, placed or deposited the structure, object or substance on the road			
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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	incurred by the council in removing or disposing of the abandoned vehicle			
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		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	under a council by-law in a prominent place or in the immediate vicinity of the land			
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		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an approval under the Planning, Development and Infrastructure Act 2016 which could cause damage to any local government land (including a road) within the vicinity of the site of the development	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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	(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)			
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		council
section 255(3)(a)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Government Act			
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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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	Impose a charge over land for an	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
257(5)(b)	unpaid amount recoverable by the council under section 257 of the Local Government Act			
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		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 262W(3)(b)(ii)	Provide report to the Panel detailing: • 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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 with under a scheme	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	involving mediation, conciliation or neutral evaluation			
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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	in relation to the subject matter of an interim report			
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		council
section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	damage to any crops on land			
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 Mining Act 1971	Chief Executive Officer		council
section 296(1)	Recover the cost or a portion of the costs of works as a debt	Not delegated		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	approving a stormwater management plan			
clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 2091), Schedule 1A of the Local Government Act	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		council
clause 24(1), Schedule 1A	Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Local Government Act by: (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: (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			

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	or lake or by any other means; (g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner; (h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water; (i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); (j) undertaking any testing, monitoring or evaluation; and (k) undertaking any other activity of a prescribed kind.			
clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 24(2)(b), Schedule 1A	Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws	Chief Executive Officer		council
clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	Chief Executive Officer		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		council
clause 26(3), Schedule 1A	Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council	Chief Executive Officer		public authority

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	Chief Executive Officer		public authority
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 4B	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		council
clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	Chief Executive Officer		council
clause 7(3)(a),	Hold money pending payment to	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
Schedule 1B	the finance provider			
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 Unclaimed Moneys Act 1891	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	Refund excess payments to the	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
10(3)(d), Schedule 1B	building owner			
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		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Chief Executive Officer		council
clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	Chief Executive Officer		council
clause 4(6), Schedule 2	Appoint a deputy of a board member	Chief Executive Officer		council
clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently			
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	Chief Executive Officer		council
clause 5(12), Schedule 2	Direct the board of management as to procedures	Chief Executive Officer		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	Chief Executive Officer		council
clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	Chief Executive Officer		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	Chief Executive Officer		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	confidential			
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	Chief Executive Officer		council
clause 14(2), Schedule 2	Approve borrowing by a subsidiary	Chief Executive Officer		council
clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	Chief Executive Officer		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	Chief Executive Officer		council
clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	Chief Executive Officer		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	Chief Executive Officer		council
clause 20(7),	Give directions in relation to an	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
Schedule 2	actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility			
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	Chief Executive Officer		council
clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	Chief Executive Officer		council
clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	Chief Executive Officer		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

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	Chief Executive Officer		council
clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	Chief Executive Officer		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	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	adoption of a budget			
clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	Chief Executive Officer		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	Chief Executive Officer		council
clause 28(3), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	report of the council			
clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	Chief Executive Officer		council
clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	Chief Executive Officer		council
clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	Chief Executive Officer		council
clause 3(1)(b), Schedule 6	Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage	Chief Executive Officer		council
clause 4(1),	Provide notice to the Registrar-	Chief Executive Officer		council

Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
Schedule 6	General that the amount a charge relates to has been repaid and apply for the discharge of the charge			

Instrument of Delegation under the Local Nuisance and Litter Control Act 2016

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 7(2)(a)	Take action to manage local nuisance and littering within the council area	Chief Executive Officer		council
section 7(2)(b)	Cooperate with any other person or body in the administration of the Act	Chief Executive Officer		council
section 7(2)(c)	Provide, or support the provision of, educational information within the council areas to help detect, prevent and manage local nuisance and littering	Chief Executive Officer		council
section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act	Chief Executive Officer		council
section 12(3)	Appoint authorised officers	Chief Executive Officer		council
section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers	Chief Executive Officer		council
section 12(6)	Revoke the appointment of an authorised officer	Chief Executive Officer		council

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 12(6)	Vary or revoke a condition applying to the appointment of an authorised officer or impose a further condition	Chief Executive Officer		council
section 13(2)	Issue an identity card to an authorised officer	Chief Executive Officer		council
section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area	Chief Executive Officer		council
section 16(1)(a)	Hold a substance, material or thing seized under Division 3, Part 3 of the Act pending proceedings	Chief Executive Officer		council
section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act	Chief Executive Officer		council
section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order	Chief Executive Officer		council
section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing	Chief Executive Officer		council
section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing	Chief Executive Officer		council
section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16	Chief Executive Officer		council

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 19(1)	Declare a person to be exempt from the application of section 18	Chief Executive Officer		council
section 19(2)	Receive an application for an exemption under section 19	Chief Executive Officer		council
section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19	Chief Executive Officer		council
section 19(4)	Determine conditions to apply to a declaration under section 19	Chief Executive Officer		council
section 19(5)	Vary or revoke a declaration under section 19	Chief Executive Officer		council
section 19(6)	Specify a date of expiry in a declaration under section 19	Chief Executive Officer		council
section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council	Chief Executive Officer		council
section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind	Chief Executive Officer		council
section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council	Chief Executive Officer		council

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act	Chief Executive Officer		council
section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence	Chief Executive Officer		council
section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm	Chief Executive Officer		council
section 30(1)(a)	Issue a nuisance abatement notice	Chief Executive Officer		council
section 30(1)(b)	Issue a litter abatement notice	Chief Executive Officer		council
section 30(7)	Issue and serve a notice confirming an emergency notice	Chief Executive Officer		council
section 30(8)	Vary or revoke a notice issued under section 30	Chief Executive Officer		council
section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled	Chief Executive Officer		council

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled	Chief Executive Officer		council
section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)	Chief Executive Officer		council
section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31	Chief Executive Officer		council
section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council	Chief Executive Officer		council
section 32(4)	Participate as a party to any proceedings under section 32	Chief Executive Officer		council
section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)	Chief Executive Officer		council
section 33(8)(a)	Serve a copy of an application under section 33 on the Minister	Chief Executive Officer		council
section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person	Chief Executive Officer		council

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33	Chief Executive Officer		council
section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33	Chief Executive Officer		council
section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention	Chief Executive Officer		council
section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act	Chief Executive Officer		council
section 34(3)(a)	Serve a notice on a person who the council is satisfied has contravened the Act advising the person that they may elect to be prosecuted for the contravention	Chief Executive Officer		council
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	Chief Executive Officer		council
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	Chief Executive Officer		council
section	Commence proceedings for an offence against the Act	Chief Executive Officer		council

Local Nuisance and Litter Control Act 2016				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
43(1)(d)				
section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act	Chief Executive Officer		council
section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)	Chief Executive Officer		council
section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)	Chief Executive Officer		council
section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt	Chief Executive Officer		council
section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information	Chief Executive Officer		council
section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council	Chief Executive Officer		council
section 51(9)	Participate in consultation with the Minister in regard to proposed regulations	Chief Executive Officer		council

Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017

Local Nuisance and Litter Control Regulations 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 6(1)(a)(ii)(A)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period not exceeding 24 hours	Chief Executive Officer		council
regulation 6(1)(a)(ii)(B)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period of 24 hours or longer	Chief Executive Officer		council
regulation 6(1)(b)	Fix a fee for an application under section 19(2) of the Act	Chief Executive Officer		council
regulation 6(2)	Refuse to consider an application for the purposes of section 19(2) of the Local Nuisance and Litter Control Act	Chief Executive Officer		council
regulation 13(2)(a)	Give notice to the Registrar-General for the purposes of creating a charge on land	Chief Executive Officer		council
regulation 13(2)(g)	Give notice to the Registrar-General for the purposes of cancelling a charge on land	Chief Executive Officer		council
regulation 13(3)	Recover costs or expenses incurred by the council in relation to the creation or cancellation of a charge over land	Chief Executive Officer		council

Local Nuisance and Litter Control Regulations 2017				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 15(1)	Allow a fee payment under the Local Nuisance and Litter Control Act or regulations to be paid in instalments	Chief Executive Officer		council
regulation 15(1)	Add a charge by way of interest or an administrative fee to the payment of a fee by instalments	Chief Executive Officer		council
regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	Chief Executive Officer		council
regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	Chief Executive Officer		council

Instrument of Delegation under the Ombudsman Act 1972

Ombudsman Act 1972				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration	Chief Executive Officer		public authority
section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration	Chief Executive Officer		public authority
section 12H(1)(b)	Act on a referral from the Ombudsman	Chief Executive Officer		public authority
section 12H(2)(a)	Produce a specified document or a document relating to a specified matter	Chief Executive Officer		public authority
section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	Chief Executive Officer		public authority
section 18(4)	To comment on the subject matter of a report	Chief Executive Officer		public authority
section	Comply with a notice of the Ombudsman	Chief Executive Officer		agency

Ombudsman Act 1972				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
19A(1)				
section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable	Chief Executive Officer		agency
section 25(2)	Act in accordance with a recommendation of the Ombudsman	Chief Executive Officer		public authority
section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction	Chief Executive Officer		agency
section 28A(1)	Comply with directions of the Ombudsman	Chief Executive Officer		public authority
section 28A(2)	Comply with varied or further directions of the Ombudsman	Chief Executive Officer		public authority
section 28A(3)	Provide comments to the Ombudsman	Chief Executive Officer		public authority
section 29(8)	Act on a referral of the inspector	Chief Executive Officer		public authority
section 31(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or disciplinary investigation or action	Chief Executive Officer		Agency/ prosecution authority

Instrument of Delegation under the Private Parking Areas Act 1986

Private Parking Areas Act 1986				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 9(1)	Enter into an agreement with the owner of a private parking area for council to enforce Part 3 of the Act with respect to the private parking area	Chief Executive Officer		council

Instrument of Delegation under the Real Property Act 1886

Real Property Act 1886				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 223LDA(b)(i)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered to, or is in force, as to the variation or termination of the statutory encumbrance	Chief Executive Officer		holder of statutory encumbrance
section 223LH(1)(c)	Issue a certificate certifying the council's consent to the division of land	Chief Executive Officer		holder of statutory encumbrance
section 252	Provide the Registrar-General with a map or plan showing particulars of the new street or road vested in the council	Chief Executive Officer		council

Instrument of Delegation under the Road Traffic (Miscellaneous) Regulations 2014

Road Traffic (Miscellaneous) Regulations 2014				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 6(2)	Participate in consultation with respect to an event management plan	Chief Executive Officer		council
regulation 7(3)	Participate in consultation with respect to an order to close a road	Chief Executive Officer		council
regulation 8	Provide information supplied by the Minister for the inspection of the public at the office of the council until the event causing a road closure has occurred	Chief Executive Officer		council
regulation 66	Designate an area for parking	Chief Executive Officer		council

Instrument of Delegation under the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014

Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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

Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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 (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	Chief Executive Officer		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		council

Instrument of Delegation under the Road Traffic Act 1961

Road Traffic Act 1961				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 17(1)	Install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road	Chief Executive Officer		road authority
section 17(2)	Remove a traffic control device or cause a traffic control device to be removed	Chief Executive Officer		road authority
section 17(3)	Install, display, alter, operate or remove traffic control device: (a) in relation to an area where persons are engaged in work or an area affected by works in progress; (b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or (c) for any temporary purposes.	Chief Executive Officer		road authority
section 17(5)	Apply to the Minister for approval to take action under section 17 of the Road Traffic Act	Chief Executive Officer		road authority
section 18(5)	Comply with a direction of the Minister to install, maintain, alter, operate or remove a traffic control device on, above or near a road	Chief Executive Officer		road authority
section 18(6)	Carry out a direction with which a road authority has failed	Chief Executive Officer		council

Road Traffic Act 1961				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	to comply at the direction of the Minister			
section 18(7)	Recover as a debt from a defaulting road authority any expenses incurred in carrying out a direction under section 18(6)	Chief Executive Officer		council
section 19(6)	Maintain a traffic control device for which the council is liable to bear the costs in good order	Chief Executive Officer		council
section 19A(3)	Recover any amount due under a requirement under section 19A as a debt	Chief Executive Officer		road authority
section 20(3)	Place speed limit signs on road	Chief Executive Officer		public authority
section 20(4)(b)	Place speed limit signs on road	Chief Executive Officer		public authority
section 20(5)	Close road pursuant to a permit	Chief Executive Officer		public authority
section 20(6)	Apply to the Minister for a road works permit	Chief Executive Officer		public authority
section 20(9)	Apply to the Minister for an extension of time	Chief Executive Officer		public authority
section 20(13)	Engagement of a contractor to undertake works on behalf of the public authority	Chief Executive Officer		public authority
section 20A(1)	Appeal a decision of the Minister under section 17 or section 20 to the District Court	Chief Executive Officer		public authority

Road Traffic Act 1961				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 20A(2)	Request the Minister to provide reasons in writing for a decision under section 17 or section 20	Chief Executive Officer		public authority
section 21(2)	Certify that there was not proper authority for the installation or display of a specified sign, signal, marking, structure or other device or thing as a traffic control device on, above or near a specified part of a road	Chief Executive Officer		road authority
section 21(3)	Comply with conditions of approval under section 17 or a permit under section 20	Chief Executive Officer		road authority
section 31(2)	Remove any false traffic control device or any device, structure or thing that might constitute a hazard to traffic.	Chief Executive Officer		road authority
section 32(1)	Cause a notice of a proposal to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a	Chief Executive Officer		public authority

Road Traffic Act 1961				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	highway, to be given to the Commissioner of Highways.			
section 32(2)	Consider written submissions made	Chief Executive Officer		public authority
section 32(6)	Cause a notice of a decision to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.	Chief Executive Officer		public authority
section 33(2)	Consent to the closure of a road for an event	Chief Executive Officer		council
section 40P(3)	Offer a vehicle for sale by public auction	Chief Executive Officer		council
section 40P(4)	Dispose of a vehicle as the council thinks fit	Chief Executive Officer		council

Road Traffic Act 1961				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 40P(6)	Make reasonable enquiries to locate the owner of a vehicle	Chief Executive Officer		council
section 86(a)	Determine that a ticket must be obtained for parking in a length of road or area without the payment of a fee	Chief Executive Officer		council
section 86(a)	Vary or revoke a determination under section 86(a)	Chief Executive Officer		council
section 163ZC(2)	Apply for a compensation order	Chief Executive Officer		road authority
section 163ZD(2)(c)	Certify that the road authority maintains a road	Chief Executive Officer		road authority
section 163ZD(2)(c)	Certify other matters including: (a) estimating the monetary value of all or any part of the road infrastructure or of the damage to it; (b) estimating the cost of remedying the damage; or (c) estimating the extent of the offender's contribution to the damage	Chief Executive Officer		road authority
section 163ZE(1)	Serve a certificate referred to in section 163ZD on the defendant	Chief Executive Officer		road authority
section 163ZH(1)(b)	Repay payments under an order to the extent that the order is void	Chief Executive Officer		road authority

Road Traffic Act 1961				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 174A(4)	Issue notice inviting the owner of a vehicle issued with an expiation notice or expiation reminder notice under the Expiation of Offences Act 1996 to provide a nomination setting out the name and address of the driver or the details of the transfer of the vehicle	Chief Executive Officer		council
section 174A(4a)	Form belief a nomination has been made in error and permit nomination to be withdrawn and new nomination made	Chief Executive Officer		council
section 174A(5a)	Require person to verify information by statutory declaration	Chief Executive Officer		council
section 174C(1)	Exempt a person or a person of a specified class or any vehicle or any vehicle of a specified class from compliance within the council areas with a prescribed provision of the Road Traffic Act	Chief Executive Officer		council
section 174C(2)	Specify conditions to apply to the granting of an exemption under section 174C(1)	Chief Executive Officer		council

Instrument of Delegation under the Roads (Opening and Closing) Act 1991

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 4	Make a road process order	Chief Executive Officer		relevant authority
section 5	Commence a road process in relation to a road or a proposed road	Not delegated		council
section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable enquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	Chief Executive Officer		council
section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the Surveyor-General with the prescribed fee	Chief Executive Officer		council
section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	Chief Executive Officer		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable enquiry	Chief Executive Officer		relevant authority
section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	Chief Executive Officer		relevant authority
section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	Chief Executive Officer		council
section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	Chief Executive Officer		council
section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	Chief Executive Officer		council
section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	Chief Executive Officer		council
section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	Chief Executive Officer		council
section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	Chief Executive Officer		council

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 13(3)	Receiving an objection or application in respect of a proposed road process	Chief Executive Officer		relevant authority
section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications	Chief Executive Officer		relevant authority
section 15(1)	Determine whether or not to make a road process order	Chief Executive Officer		relevant authority
section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	Chief Executive Officer		relevant authority
section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	Chief Executive Officer		relevant authority
section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	Chief Executive Officer		relevant authority
section	Give notice of the making of a road process order to any	Chief Executive Officer		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
19(a)	person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3			
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	Chief Executive Officer		relevant authority
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land	Chief Executive Officer		relevant authority
section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council	Chief Executive Officer		relevant authority
section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	Chief Executive Officer		council
section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road	Chief Executive Officer		council

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	was proposed to be opened			
section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Chief Executive Officer		relevant authority
section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Chief Executive Officer		relevant authority
section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	Chief Executive Officer		relevant authority
section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	Chief Executive Officer		relevant authority
section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	Chief Executive Officer		council
section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an	Chief Executive Officer		council

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	interest in the land over which the road was proposed to be opened			
section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into separate components	Chief Executive Officer		council
section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	Chief Executive Officer		council
section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	Chief Executive Officer		council
section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	Chief Executive Officer		council
section 33(4)	Sell or otherwise deal with additional land acquired under section 33	Chief Executive Officer		council
section 33(4)	Apply the proceeds from the sale of additional land to defraying expenses incurred by the council in connection with	Chief Executive Officer		council

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	the road opening			
section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	Chief Executive Officer		council
section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	Chief Executive Officer		council
section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	Chief Executive Officer		council
section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement	Chief Executive Officer		council
section 34B(2)(c)	Make written submissions on the proposal to open or close a road	Chief Executive Officer		council
section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section 34G(4)(a)	Give public notice of the proposal, in accordance with the regulations, if the Minister determines that the application under section 34G(1) should be considered	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section	Give notice of the proposal to any State authority or council	Chief Executive Officer		Adelaide City Council or

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
34G(4)(b)	specified by the Minister			council adjoining the City of Adelaide
section 34G(4)(c)	Give notice of the proposal to the Adelaide Park Lands Authority	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section 34G(6)	Forward to the Surveyor-General any representation in relation to the proposal made to the council within the period under section 34G(5) and any response that the council wishes to make in relation to those representations	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section 34G(9)	Consult with the Surveyor-General regarding survey plans and other documents to be prepared as required by the Registrar-General	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section 34G(9)	Submit survey plans and other documents as required by the Registrar-General to the Minister	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section 34G(14)	Provide any documentation required by the Registrar-General to the Registrar-General	Chief Executive Officer		Adelaide City Council or council adjoining the City of Adelaide
section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	Chief Executive Officer		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	Chief Executive Officer		council
section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in the boundary of the road and abutting the land	Chief Executive Officer		council

Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s5(5)(b)	1. Planning Regions and Greater Adelaide 1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.	Chief Executive Officer	
s6(3)(b)	2. Subregions 2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.	Chief Executive Officer	
s7(5)(b)	3. Environment and Food Production Areas – Greater Adelaide 3.1 The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s22(4)(a)(i)	4. Functions 4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.	Chief Executive Officer	
s35(1)(a)	5. Planning Agreements 5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.	Chief Executive Officer	
s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and	Chief Executive Officer	
s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.2 the constitution of a joint planning board including, in relation to such a board: 5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and 5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	5.2.2.3 the procedures to be followed with respect to the appointment of members; and 5.2.2.4 the terms of office of members; and 5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 5.2.2.6 the appointment of deputy members; and 5.2.2.7 the procedures of the board; and		
s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and	Chief Executive Officer	
s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and	Chief Executive Officer	
s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement,	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.5 financial and resource issues associated with the operations of the joint planning board, including: 5.2.5.1 the formulation and implementation of budgets; and 5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and		
s35(3)	5. Planning Agreements 5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 5.2.6 such other matters as the delegate thinks fit.	Chief Executive Officer	
s35(5)(a)	5. Planning Agreements 5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).	Chief Executive Officer	
s35(5)(b)	5. Planning Agreements 5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	Chief Executive Officer	
s41(2)(a)	6. Appointment of Administrator 6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s44(6)(a)	7. Community Engagement Charter 7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).	Chief Executive Officer	
s44(9)(b)	7. Community Engagement Charter 7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.	Chief Executive Officer	
s44(10)	7. Community Engagement Charter 7.3 The power pursuant to Section 44(10) of the PDI Act to: 7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.	Chief Executive Officer	
s45(2)(c)	8. Preparation and Amendment of Charter 8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.	Chief Executive Officer	
s73(2)(b)(iv)	9. Preparation and Amendment 9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and 9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.		
s73(6)	9. Preparation and Amendment 9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied: 9.2.1 to prepare a draft of the relevant proposal; and 9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 9.2.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and 9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give: 9.2.4.1 an owner or occupier of the land; and 9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and 9.2.5 to consult with any person or body specified by the Commission and any other	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	person or body as the delegate thinks fit; and 9.2.6 to carry out such investigations and obtain such information specified by the Commission; and 9.2.7 to comply with any requirement prescribed by the regulations.		
s73(7)	9. Preparation and Amendment 9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister.	Chief Executive Officer	
s73(8)	9. Preparation and Amendment 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.	Chief Executive Officer	
s73(9)	9. Preparation and Amendment 9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s74(8)(c)	10. Parliamentary Scrutiny 10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.	Chief Executive Officer	
s75(1)	11. Complying Changes – Planning and Design Code 11.1 The power pursuant to Section 75(1) of the PDI Act to submit to the Minister a proposal to agree to an amendment to the Planning and Design Code under Section 75 of the PDI Act if: 11.1.1 the amendment comprises a change to: 11.1.1.1 the boundary of a zone or subzone; or 11.1.1.2 the application of an overlay; and 11.1.2 the amendment is consistent with a recommendation in the relevant regional plan that, through the use of: 11.1.2.1 specific maps or other spatial information; and 11.1.2.2 specific information about the changes that are being proposed, clearly and specifically identifies (in the opinion of the Minister) the changes that are considered to be appropriate.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s75(3)	11. Complying Changes – Planning and Design Code 11.2 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).	Chief Executive Officer	
s82(d)	12. Entities Constituting Relevant Authorities 12.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.	Chief Executive Officer	
s83(1)	13. Panels Established by Joint Planning Boards or Councils 13.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to: 13.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess; 13.1.2 determine: 13.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and 13.1.2.2 the procedures to be followed with respect to the appointment of members; and 13.1.2.3 the terms of office of members; and 13.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	which, and the procedures by which, a member may be removed from office; and 13.1.2.5 the appointment of deputy members; and 13.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.		
s83(1)(h)	13. Panels Established by Joint Planning Boards or Councils 13.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.	Chief Executive Officer	
s83(1)(i)	13. Panels Established by Joint Planning Boards or Councils 13.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.	Chief Executive Officer	
s83(2)	13. Panels Established by Joint Planning Boards or Councils 13.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.	Chief Executive Officer	
s84(1)(c)(ii)(A)	14. Panels Established by Minister 14.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other Councils.	Not delegated	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s84(1)(c)(ii)(B)	14. Panels Established by Minister 14.2 The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas).	Not delegated	
s86(2)(a)	15. Substitution of Local Panels 15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	Chief Executive Officer	
s89(b)	16. Notification of Acting 16.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.	Chief Executive Officer	
s94(1)(g)	17. Relevant Authority - Commission 17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.	Chief Executive Officer	
s102(1)(c)(iv)	18. Matters Against which Development Must be Assessed 18.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.	Chief Executive Officer	
s102(1)(d)(iv)	18. Matters Against which Development Must be Assessed	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	18.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.		
s102(11)(b)	18. Matters Against which Development Must be Assessed 18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.	Chief Executive Officer	
s110(2)(b)	19. Restricted Development 19.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.	Chief Executive Officer	
s110(c)(ii)	19. Restricted Development 19.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.	Chief Executive Officer	
s110(7)	19. Restricted Development 19.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.	Chief Executive Officer	
s112(b)	20. Level of Detail 20.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	the level of detail required in relation to an EIS.		
s113(5)(a)(iii)	21. EIS Process 21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.	Chief Executive Officer	
s114(2)(b)	22. Amendment of EIS 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.	Chief Executive Officer	
s130(6)	23. Essential Infrastructure – Alternative Assessment Process 23.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.	Chief Executive Officer	
s130(14)	23. Essential Infrastructure – Alternative Assessment Process 23.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.	Chief Executive Officer	
s131(7)	24. Development Assessment – Crown Development 24.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s131(15)	24. Development Assessment – Crown Development 24.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.	Chief Executive Officer	
s138(1)	25. Land Division Certificate 25.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.	Chief Executive Officer	
s138(2)	25. Land Division Certificate 25.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	Chief Executive Officer	
s141(1)	26. Action if Development Not Completed 26.1 The power pursuant to Section 141(1) of the PDI Act, if: 26.1.1 an approval is granted under the PDI Act; but 26.1.2 - 26.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or 26.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	period contemplated by the approval, to apply to the Court for an order under Section 141 of the PDI Act.		
s141(5)	26. Action if Development Not Completed 26.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.	Chief Executive Officer	
s141(6)	26. Action if Development Not Completed 26.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act: 26.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	Chief Executive Officer	
s142(1)	27. Completion of Work 27.1 The power pursuant to Section 142(1) of the PDI Act, if: 27.1.1 an approval is granted under the PDI Act; but 27.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.	Chief Executive Officer	
s142(2)	27. Completion of Work 27.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.		
s142(3)	27. Completion of Work 27.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.	Chief Executive Officer	
s142(4)	27. Completion of Work 27.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 27.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	Chief Executive Officer	
s146(3)	28. Notification During Building 28.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.	Chief Executive Officer	
s151(2)	29. Classification of Buildings 29.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.	Chief Executive Officer	
s151(3)	29. Classification of Buildings	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	29.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.		
s152(2)	30. Certificates of Occupancy 30.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.	Chief Executive Officer	
s152(3)(a)	30. Certificates of Occupancy 30.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.	Chief Executive Officer	
s152(5)	30. Certificates of Occupancy 30.3 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.	Chief Executive Officer	
s152(6)	30. Certificates of Occupancy 30.4 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.	Chief Executive Officer	
s152(10)	30. Certificates of Occupancy	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 30.5.1 the refusal; and 30.5.2 the reasons for the refusal; and 30.5.3 the applicant's right of appeal under the PDI Act.		
s152(12)	30. Certificates of Occupancy 30.6 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.	Chief Executive Officer	
s152(13)	30. Certificates of Occupancy 30.7 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.	Chief Executive Officer	
s153(1)	31. Temporary Occupation 31.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.	Chief Executive Officer	
s153(2)	31. Temporary Occupation 31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.	Chief Executive Officer	
s153(3)	31. Temporary Occupation 31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	application to notify the applicant in writing of: 31.3.1 the refusal; and 31.3.2 the reasons for the refusal; and 31.3.3 the applicant's right of appeal under the PDI Act.		
s155(5)	32. Emergency Orders 32.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.	Chief Executive Officer	
s155(6)	32. Emergency Orders 32.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.	Chief Executive Officer	
s155(7)	32. Emergency Orders 32.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	Chief Executive Officer	
s157(16)	33. Fire Safety 33.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.	Chief Executive Officer	
s157(17)	33. Fire Safety	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.1 appoint to the appropriate authority: 33.2.1.1 a person who holds prescribed qualifications in building surveying; and 33.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and 33.2.1.3 a person with expertise in the area of fire safety; and 33.2.1.4 if so determined by the delegate, a person selected by the delegate;		
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;	Chief Executive Officer	
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.3 remove a member of the appropriate authority from office for any reasonable cause;	Chief Executive Officer	
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.4 appoint deputy members;	Chief Executive Officer	
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to:	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	33.2.5 determine the appropriate authority's procedures (including as to quorum).		
s163(3)(b)	34. Initiation of Scheme 34.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.	Chief Executive Officer	
s163(10)	34. Initiation of Scheme 34.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.	Chief Executive Officer	
s164(3)	35. Initiation of Scheme 35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.	Chief Executive Officer	
s164(12)	35. Initiation of Scheme 35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.	Chief Executive Officer	
s166(1)(c)	36. Consideration of Proposed Scheme 36.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.	Chief Executive Officer	
s167(7)	37. Adoption of Scheme 37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Minister in relation to a variation to an outline of a scheme.		
s169(2)(b)	38. Funding Arrangements 38.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.	Chief Executive Officer	
s169(9)	38. Funding Arrangements 38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.	Chief Executive Officer	
s177(4)	39. Contributions by Constituent Councils 39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.	Chief Executive Officer	
s177(5)	39. Contributions by Constituent Councils 39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.	Chief Executive Officer	
s180(7)	40. Imposition of Charge by Councils 40.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.		
s187(1)	41. Authorised Works 41.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.	Chief Executive Officer	
s187(5)	41. Authorised Works 41.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to: 41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and 41.2.3 ensure that proper consideration is given to the views of the road maintenance authority.	Chief Executive Officer	
s187(5)(b)	41. Authorised Works 41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s187(6)	41. Authorised Works 41.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.	Chief Executive Officer	
s188(1)	42. Entry onto Land 42.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to: 42.1.1 enter and pass over any land; and 42.1.2 bring onto any land any vehicles, plant or equipment; and 42.1.3 temporarily occupy land; and 42.1.4 do anything else reasonably required in connection with the exercise of the power.	Chief Executive Officer	
s188(4)	42. Entry onto Land 42.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.	Chief Executive Officer	
s189(1)	43. Acquisition of Land 43.1 The power pursuant to Section 189(1) of the PDI Act, to: 43.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and 43.1.2 with the consent of the Minister, acquire land for a purpose associated with	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	infrastructure works under and in accordance with the Land Acquisition Act 1969.		
s192(1)	44. Land Management Agreements 44.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.	Chief Executive Officer	
s192(2)	44. Land Management Agreements 44.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.	Chief Executive Officer	
s192(4)	44. Land Management Agreements 44.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to: 44.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and 44.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.	Chief Executive Officer	
s192(5)	44. Land Management Agreements	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	44.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.		
s192(8)	44. Land Management Agreements 44.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.	Chief Executive Officer	
s192(9)	44. Land Management Agreements 44.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.	Chief Executive Officer	
s192(10)	44. Land Management Agreements 44.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.	Chief Executive Officer	
s192(11)	44. Land Management Agreements 44.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.	Chief Executive Officer	
s192(12)	44. Land Management Agreements 44.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.		
s192(15)	44. Land Management Agreements 44.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the recission or amendment against the instrument of title, or against the land.	Chief Executive Officer	
s192(16)	44. Land Management Agreements 44.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.	Chief Executive Officer	
s192(17)	44. Land Management Agreements 44.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.	Chief Executive Officer	
s192(17)	44. Land Management Agreements 44.13 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.	Chief Executive Officer	
s192(18)	44. Land Management Agreements 44.14 The power pursuant to Section 192(18) of the PDI Act to take into account the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.		
s193(1)	45. Land Management Agreements – Development Applications 45.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind: 45.1.1 the person; and 45.1.2 any other person who has the benefit of the development authorisation; and 45.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).	Chief Executive Officer	
s193(2)	45. Land Management Agreements – Development Applications 45.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).	Chief Executive Officer	
s193(3)	45. Land Management Agreements – Development Applications 45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 45.3.1 the provisions of the Planning and Design Code; and 45.3.2 the principle that the entering into of an agreement under Section 193 of the PDI	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.		
s193(5)	45. Land Management Agreements – Development Applications 45.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.	Chief Executive Officer	
s193(10)	45. Land Management Agreements – Development Applications 45.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.	Chief Executive Officer	
s193(11)	45. Land Management Agreements – Development Applications 45.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.	Chief Executive Officer	
s193(13)	45. Land Management Agreements – Development Applications 45.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	Chief Executive Officer	
s193(15)	45. Land Management Agreements – Development Applications 45.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title,	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	or against the land.		
s193(16)	45. Land Management Agreements – Development Applications 45.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.	Chief Executive Officer	
s197(1)(b)	46. Off-setting Contributions 46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.	Chief Executive Officer	
s197(2)	46. Off-setting Contributions 46.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate: 46.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or 46.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or 46.2.3 any other initiative or policy: 46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act; 46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s197(3)	46. Off-setting Contributions 46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 46.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 46.3.1.1 to make a contribution to a fund established as part of the scheme; or 46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or 34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 46.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 46.3.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.	Chief Executive Officer	
s197(4)	46. Off-setting Contributions 46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.	Chief Executive Officer	
s197(4)(c)	46. Off-setting Contributions 46.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	in the scheme.		
s197(7)	46. Off-setting Contributions 46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.	Chief Executive Officer	
s198(1)	47. Open Space Contribution Scheme 47.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require: 47.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 47.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or 47.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act, according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s198(3)	47. Open Space Contribution Scheme 47.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.	Chief Executive Officer	
s198(4)(a)	47. Open Space Contribution Scheme 47.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.	Chief Executive Officer	
s198(11)	47. Open Space Contribution Scheme 47.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.	Chief Executive Officer	
s198(12)	47. Open Space Contribution Scheme 47.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.	Chief Executive Officer	
s200(1)	48. Urban Trees Fund 48.1 The power pursuant to Section 200(1) of the PDI Act to, 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s200(2)	48. Urban Trees Fund 48.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.	Chief Executive Officer	
s200(3)	48. Urban Trees Fund 48.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.	Chief Executive Officer	
s200(5)	48. Urban Trees Fund 48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	Chief Executive Officer	
s200(6)	48. Urban Trees Fund 48.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 48.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 48.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.	Chief Executive Officer	
s200(7)	48. Urban Trees Fund 48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act,	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	subject to the qualifications in Sections 200(7)(a) and (b).		
s210(1)	49. Appointment of Authorised Officers 49.1 The power pursuant to Section 210(1) of the PDI Act to: 49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 49.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.	Chief Executive Officer	
s210(2)	49. Appointment of Authorised Officers 49.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.	Chief Executive Officer	
s210(3)	49. Appointment of Authorised Officers 49.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 49.3.1 containing a photograph of the authorised officer; and 49.3.2 stating any conditions of appointment limiting the authorised officer's appointment.	Chief Executive Officer	
s210(5)	49. Appointment of Authorised Officers 49.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s213(1)	50. Enforcement Notices 50.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances: 50.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach; 50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate; 50.1.3 take such urgent action as is required because of any situation resulting from the breach	Chief Executive Officer	
s213(2)	50. Enforcement Notices 50.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.	Chief Executive Officer	
s213(5)	50. Enforcement Notices 50.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.	Chief Executive Officer	
s213(6)	50. Enforcement Notices 50.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action		
s213(7)	50. Enforcement Notices 50.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	Chief Executive Officer	
s214(1)	51. Applications to Court 51.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.	Chief Executive Officer	
s214(2)	51. Applications to Court 51.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.	Chief Executive Officer	
s214(4)	51. Applications to Court 51.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.	Chief Executive Officer	
s214(6)	51. Applications to Court	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	51.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.		
s214(9)	51. Applications to Court 51.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.	Chief Executive Officer	
s214(10)	51. Applications to Court 51.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.	Chief Executive Officer	
s214(11)	51. Applications to Court 51.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.	Chief Executive Officer	
s214(12)	51. Applications to Court 51.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent	Chief Executive Officer	
s214(13)	51. Applications to Court 51.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	notice, within which the amount must be paid by the person.		
s214(17)	51. Applications to Court 51.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.	Chief Executive Officer	
s219(1)	52. Proceedings for Offences 52.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	Chief Executive Officer	
s223(2)	53. Adverse Publicity Orders 53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.	Chief Executive Officer	
s223(4)	53. Adverse Publicity Orders 53.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to: 53.2.1 take the PDI Action or actions specified in the order; and 53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	Chief Executive Officer	
s223(5)	53. Adverse Publicity Orders 53.3 The power pursuant to Section 223(5) of the PDI Act, if: 53.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	53.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.		
s223(6)	53. Adverse Publicity Orders 53.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.	Chief Executive Officer	
s225(1)	54. Civil Penalties 54.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.	Chief Executive Officer	
s225(2)	54. Civil Penalties 54.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	previous record of the offender and any other relevant factors.		
s225(3)	54. Civil Penalties 54.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.	Chief Executive Officer	
s225(13)	54. Civil Penalties 54.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.	Chief Executive Officer	
s225(17)	54. Civil Penalties 54.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.	Chief Executive Officer	
s228(7)	55. Make Good Order 55.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.	Chief Executive Officer	
s229(5)	56. Recovery of Economic Benefit 56.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s230(1)	57. Enforceable Voluntary Undertakings 57.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.	Chief Executive Officer	
s230(4)	57. Enforceable Voluntary Undertakings 57.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.	Chief Executive Officer	
s230(7)	57. Enforceable Voluntary Undertakings 57.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 57.3.1 vary the undertaking; or 57.3.2 withdraw the undertaking.	Chief Executive Officer	
s230(11)	57. Enforceable Voluntary Undertakings 57.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.	Chief Executive Officer	
s230(12)	57. Enforceable Voluntary Undertakings 57.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s230(14)	57. Enforceable Voluntary Undertakings 57.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.	Chief Executive Officer	
s231(1)	58. Advertisements 58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding: 58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or 58.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).	Chief Executive Officer	
s231(3)	58. Advertisements 58.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	person on whom the notice was served.		
s235(1)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	Chief Executive Officer	
s235(2)	59. Professional Advice to be Obtained in Relation to Certain Matters 59.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	Chief Executive Officer	
s239(1)	60. Charges on Land 60.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.	Chief Executive Officer	
s239(6)	60. Charges on Land 60.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.	Chief Executive Officer	
s240(1)	61. Registering Authorities to Note Transfer	Chief Executive Officer	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	61.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.		
cl13(3)(b) sch2	62. Reporting 62.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.	Chief Executive Officer	
cl3(3)	63. Review of Performance 63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.	Chief Executive Officer	
cl3(14)	63. Review of Performance 63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.	Chief Executive Officer	
cl3(15)	63. Review of Performance 63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI	Chief Executive Officer	

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

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r11B(1)	67. Mutual Liability Scheme – Rights of Indemnity 67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	67.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and 67.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.		
r11B(5)	67. Mutual Liability Scheme – Rights of Indemnity 67.2 The power pursuant to Regulation 11B(5) of the General Regulations to: 67.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and 67.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r47(4)(d)	68. Performance Assessed Development and Restricted Development 68.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.	Chief Executive Officer	
r78(1)	69. Underground Main Areas 69.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.	Chief Executive Officer	
r78(2)	69. Underground Main Areas 69.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.	Chief Executive Officer	
r81(4)	70. Width of Roads and Thoroughfares 70.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.	Chief Executive Officer	
r81(5)	70. Width of Roads and Thoroughfares 70.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r81(6)	70. Width of Roads and Thoroughfares 70.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.	Chief Executive Officer	
r82(1)	71. Road Widening 71.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.	Chief Executive Officer	
r83(1)	72. Requirement as to Forming of Roads 72.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.	Chief Executive Officer	
r83(2)	72. Requirement as to Forming of Roads 72.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.	Chief Executive Officer	
r83(4)	72. Requirement as to Forming of Roads 72.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r83(5)	72. Requirement as to Forming of Roads 72.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.	Chief Executive Officer	
r83(6)	72. Requirement as to Forming of Roads 72.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.	Chief Executive Officer	
r84(1)	73. Construction of Roads, Bridges, Drains and Services 73.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.	Chief Executive Officer	
r85(1)	74. Supplementary Provisions 74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.	Chief Executive Officer	
r85(2)	74. Supplementary Provisions 74.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	approved by the delegate before the commencement of the work.		
r85(4)	74. Supplementary Provisions 74.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation and any other water industry entity identified under Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made.	Chief Executive Officer	
r89(1)	75. General Provisions 75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.	Chief Executive Officer	
r89(3)	75. General Provisions 75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 75.2.2 sets out: 75.2.2.1 the date on which any relevant building was erected (if known); and 75.2.2.2 the postal address of the site.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r89(6)(b)	75. General Provisions 75.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.	Chief Executive Officer	
r89(8)	75. General Provisions 75.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7).	Chief Executive Officer	
r93(1)(b)	76. Notifications During Building Work 76.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	Chief Executive Officer	
r93(1)(c)	76. Notifications During Building Work 76.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	Chief Executive Officer	
r94(13)	77. Essential Safety Provisions 77.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	77.1.1 the essential safety provisions were installed 77.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or 77.1.1.2 as part of a performance solution under the Building Code; or 77.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.		
r102(3)	78. Classification of Buildings 78.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by: 78.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.	Chief Executive Officer	
r102(4)	78. Classification of Buildings 78.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.	Chief Executive Officer	
r102(5)	78. Classification of Buildings 78.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).		
r102(6)	78. Classification of Buildings 78.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act: 78.4.1 the maximum number of persons who may occupy the building (or part of the building); and 78.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.	Chief Executive Officer	
Regulation 103A(1)	79. Required Documentation 79.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation: 79.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied; 79.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	evidence as the delegate may reasonably require to show – 79.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or 79.1.2.2 in any other case – that the building is suitable for occupation.		
Regulation 103A(2)	79. Required Documentation 79.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 October 2024 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation: 79.2.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,	Chief Executive Officer	
Regulation 103A(3)	79. Required Documentation 79.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if – 79.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and 79.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	is suitable for occupation.		
Regulation 103C(1)(c)	80. Statement of site suitability 80.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.	Chief Executive Officer	
Regulation 103D(1)	81. Report from fire authority 81.1 The power pursuant to Regulation 103D(1) of the General Regulations, if – 81.1.1 a building is – 81.1.1.1 to be equipped with a booster assembly for use by a fire authority; or 81.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 81.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.	Chief Executive Officer	
Regulation 103D(2)	81. Report from fire authority 81.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	authority does not desire to make a report.		
Regulation 103D(3)	81. Report from fire authority 81.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.	Chief Executive Officer	
Regulation 103E(1)(b)	82. Issue of certificate of occupancy 82.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.	Chief Executive Officer	
Regulation 103E(3)(c)	82. Issue of certificate of occupancy 82.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.	Chief Executive Officer	
Regulation 103F	83. Revocation 83.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy – 83.1.1 if – 83.1.1.1 there is a change in the use of the building; or 83.1.1.2 the classification of the building changes; or 83.1.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m2 is about to commence, or is being or has been carried out; or	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	83.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment, 83.1.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or 83.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or 83.1.4 if the delegate considers – 83.1.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or 83.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.		
r109(1)(b)	84. Mining Production Tenements 84.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.	Chief Executive Officer	
r111(2)	85. Register of Land Management Agreements (Section 193) 85.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.	Chief Executive Officer	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r111(3)	85. Register of Land Management Agreements (Section 193) 85.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.	Chief Executive Officer	
r112(1)	86. Authorised Officers and Inspections 86.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act: 86.1.1 who is an accredited professional who is: 86.1.1.1 an Accredited professional - building level 1; or 86.1.1.2 an Accredited professional - building level 2; or 86.1.1.3 an Accredited professional - building level 3; or 86.1.1.4 an Accredited professional - building level 4; or 86.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 86.1.3 who holds an approval from the Chief Executive.	Chief Executive Officer	

Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r8(1)(c)	66. Adoption of DPAs 66.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.	Chief Executive Officer	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r5(1)	87. Calculation of Assessment of Fees 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): 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 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).	Chief Executive Officer	
r5(2)	87. Calculation of Assessment of Fees 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	Chief Executive Officer	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	the delegate.		
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.	Chief Executive Officer	
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.	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
clause 5(1)	89. Initiating a Code Amendment 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instrument (PD2), to initiate a Code Amendment and lodge the following documents to the Department via the SA Planning Portal: 89.1.1 a Proposal to Initiate; 89.1.2 SA Planning Portal Publication Instructions – for Initiation; 89.1.3 Heritage Report with datasheet(s) and analysis of historic themes	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	(relevant proposals only); 89.1.4 Significant Tree Report with description/s and assessment/s (relevant proposals only).		
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.1 Code Policy 89.2.1.1 an outline of: (a) any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or (b) the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;	Chief Executive Officer	
clause 5(2)	89. Initiating a Code Amendment 89.2.2 Affected Area 89.2.2.1 a map or description of the Affected Area;	Chief Executive Officer	
clause	89. Initiating a Code Amendment	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
5(2)	89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.3 State Planning Policies 89.2.3.1 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;		
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.4 Regional Plan 89.2.4.1 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;	Chief Executive Officer	
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.5 Consultation 89.2.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 89.2.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;	Chief Executive Officer	
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.6 Planning Merit Statement 89.2.6.1 provide a statement detailing how the proposed Code Amendment relates to	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	strategic directions and outlines desired policy/development outcomes and anticipated residential/ employment yields;		
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.7 Investigation Information 89.2.7.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment; 89.2.7.2 commitment to undertake further investigations to support the proposed Code Amendment including the following as applicable: (a) infrastructure (road, civil, corridor); (b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications); (c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects); (d) Code policy (zone, overlay, TNVs, concept plan); (e) hazard risk (analysis of relevant overlays and site conditions); (f) the extent to which there are social, economic, land use, built form or environmental features that present a barrier to the outcomes sought; 89.2.7.3 high-level details of any infrastructure required to support development arising through the proposed Code Amendment and how that infrastructure will be provided (for example potable water and sewerage connection requirements);	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	89.2.7.4 where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment.		
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.8 The power pursuant to clause 5(3) of PD2 to set out in the SA Planning Portal Publication Instructions – for Initiation: 89.2.8.1 a summary of the Code Amendment in plain English, which will be published on the SA Planning Portal; 89.2.8.2 where possible, an indication of when consultation may begin.	Chief Executive Officer	
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.9 The power pursuant to clause 5(4) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a place as a place of local heritage value, provide a report which: 89.2.9.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes: (a) all relevant property details and descriptions (including images); (b) historical background and thematic analysis; (c) a statement of heritage value; (d) an assessment against the Local Heritage Criteria; and (e) the extent of listing (including any exclusions);	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	89.2.9.2 includes an analysis of historic themes of importance to the area; 89.2.9.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and 89.2.9.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.		
clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.10 The power pursuant to clause 5(5) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), provide a report which: 89.2.10.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary); 89.2.10.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria; 89.2.10.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.	Chief Executive Officer	
clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	90.1.1 carry out investigations and obtain such information: 90.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 90.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 90.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;		
clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.2 provide the Department with: 90.1.2.1 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 90.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Agreement;	Chief Executive Officer	
clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.3 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;	Chief Executive Officer	
clause	90. Preparation of a Draft Code Amendment (Prior to Consultation)	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
6(1)	90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and		
clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.5 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.	Chief Executive Officer	
clause 6(2)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.2 The power pursuant to clause 6(2) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report under PD2, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal	Chief Executive Officer	
clause 7(1)	91. Requirements for a Draft Code Amendment 91.1 The power pursuant to clause 7(1) of PD2 to support a draft Code Amendment by the following information: 91.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment);	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	91.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area; 91.1.3 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 Polices, the Regional Plan and any other relevant strategic plans; 91.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and 91.1.5 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.		
clause 9(1)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.1 The power pursuant to clause 9(1) of PD2 to prepare an engagement plan that: 92.1.1 meets the principles and performance outcomes of the Charter; 92.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies: 92.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act; 92.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and 92.1.2.3 who must be consulted with under the Charter; 92.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 92.1.4 describes the evaluation framework for the engagement.	Chief Executive Officer	
clause	92. Preparation of an Engagement Plan (Prior to Consultation)	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
9(2)	92.2 The power pursuant to clause 9(2) of PD2 to, in relation to engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan submit the engagement plan to the Commission for approval prior to commencement of formal engagement on the proposal.		
clause 9(3)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.3 The power pursuant to clause 9(3) of PD2 to, in relation to an engagement plan relating to a proposed amendment to the Code or a Design Standard, submit the engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval.	Chief Executive Officer	
clause 10(1)	93. Preparation of an Engagement Report (Following Consultation) 93.1 The power pursuant to clause 10(1) of PD2 to, at the completion of engagement on a proposal prepare or amend a Designated Instrument, provide the Department with: 93.1.1 if amendments to the proposal are required: 93.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the draft Designated Instrument; and/or 93.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Designated Instrument; 93.1.2 the updated draft Designated Instrument or amendment to the Designated Instrument	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and 93.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister.		
clause 10(2)	93. Preparation of an Engagement Report (Following Consultation) 93.2 The power pursuant to clause 10(2) of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act: 93.2.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement plan; 93.2.2 the outcome of the engagement including a summary of the written submissions or feedback received; 93.2.3 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. This should specifically indicate: 93.2.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and 93.2.3.2 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.	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
cl 11(4)	94. Lodgement of Proposal 94.1 The power pursuant to clause 11(4) of PD2 to submit a completed Lodgement Form with the Department via the SA Planning Portal, to commence the process for a proposed Complying Change.	Chief Executive Officer	
cl 11(5)	94. Lodgement of Proposal 94.2 The power pursuant to clause 11(5) of PD2 to set out in the Lodgement Form: 94.2.1 Affected Area 94.2.1.1 a map of the Affected Area (confirming its consistency with the boundaries of the map(s) relating to the relevant Regional Plan recommendation); 94.2.2 Code Mapping 94.2.2.1 an outline of: (a) any existing overlay, zone, subzone, concept plan or technical and numeric variation in the Code within the Affected Area which is proposed to be amended; (b) the proposed spatial application of any overlay/s and/or amendment/s to the boundary of a zone or subzone; and (c) any associated proposed application of a concept plan/s and/or all relevant technical or numeric variation/s within the Affected Area in connection with the proposed change outlined in clause 11(5)(c)(ii) of PD2; 94.2.3 Regional Plan Recommendation 94.2.3.1 a description of the relevant recommendation/s in the Regional Plan; 94.2.3.2 confirmation that the details outlined in clauses 11(5)(c)(ii) and (iii) of PD2 are consistent with the recommendation in the Regional Plan (where relevant); and	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	confirmation that a time period of not more than two years has elapsed since the relevant recommendation in the Regional Plan was given effect pursuant to Section 73(12) of the PDI Act (unless the Commission considers that a longer period shall apply for the purposes of clause 11 of PD2).		
clause 10(3)	93. Preparation of an Engagement Report (Following Consultation) 93.3 The power pursuant to clause 10(3) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether: 93.3.1 the principles of the Charter have been activated; and 93.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).	Chief Executive Officer	
cl 13(1)	95. Final Determination of Minister 95.1 The power pursuant to clause 13(1) of PD2 when consultation on a proposed Complying Change is complete, to provide the Department with: 95.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the Complying Change as it was initially proposed; and/or 95.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare mapping which is suitable for inclusion in the Code; 95.1.2 the updated draft proposed Complying Change in the form of amendment instructions (once finalised by the Council, incorporating any changes); and	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	95.1.3 if any submissions were received, a consultation report to be furnished to the Commission.		
clause 13(2)	95. Final Determination of Minister 95.2 The power pursuant to clause 13(2) of PD2 to set out in the consultation report in clause 13(1)(c) of PD2: 95.2.1 the outcome of the consultation, including a summary of the written submissions or feedback received; and 95.2.2 any proposed changes to the Complying Change (when compared with the proposal that was consulted on) and the reasons for those proposed changes and specifically indicate: 95.2.2.1 where changes are proposed to the Complying Change as a result of the consultation; and 95.2.2.2 any other changes proposed as a result of additional investigations or information that was not available when the proposal was released for consultation.	Chief Executive Officer	
clause 14(1)	96. Early Commencement of a Code Amendment 96.1 The power pursuant to clause 14(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 96.1.1 explanation, justification and evidence as necessary to demonstrate how early	Chief Executive Officer	

State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	commencement of the Code Amendment is: 96.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and 96.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment; 96.1.2 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 96.1.3 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.		

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
cl6(3)(b)	97. Responsibility to Undertake Notification 97.1 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	Chief Executive Officer	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.		

State Planning Commission Practice Direction (Council Inspections) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
cl2(2)	98. Mandatory Inspections 98.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection: 98.1.1 primary structural elements; 98.1.2 structural framing and roof trusses; 98.1.3 wet areas and waterproofing; 98.1.4 barriers to prevent falls; 98.1.5 cladding; 98.1.6 egress provisions; 98.1.7 bushfire protection systems; 98.1.8 passive and active fire safety elements; 98.1.9 private bushfire shelters; and 98.1.10 performance solutions.	Chief Executive Officer	
cl3(2)	99. Additional Inspections 99.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an	Chief Executive Officer	

State Planning Commission Practice Direction (Council Inspections) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.		
cl4(3)	100. Inspections Generally 100.1 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.	Chief Executive Officer	
cl1(2)	101. 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.	Chief Executive Officer	

State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
cl5(2)	102. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 102.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.	Chief Executive Officer	

Urban Tree Canopy Off-set Scheme			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
cl 9	83. Use of Money from Fund 83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose): 83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or 83.1.2 the purchase of land within a designated local government area to ensure: 83.1.2.1 the preservation of trees; or 83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.	Chief Executive Officer	

Instrument of Delegation under the South Australia Public Health (General) Regulations 2013

South Australia Public Health (General) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 5B(2)	Deliver a notice to the Registrar-General setting out the amount recoverable under section 93 of the South Australian Public Health Act, setting out the land in relation to which the relevant action was taken and requesting the registrar-General to make a notation under regulation 5B in relation to the relevant land	Chief Executive Officer		local public health authority
regulation 5B(7)	Recover an amount under section 93 of the South Australian Public Health Act as if it were a rate constituting a charge on land under section 144(2) of the Local Government Act	Chief Executive Officer		local public health authority
regulation 8(1)	Operate and maintain a public pool in accordance with regulation 8(1)	Chief Executive Officer		public pool/spa pool operator
regulation 8(2)	Take prescribed steps to monitor compliance with regulation 8(1)	Chief Executive Officer		public pool/spa pool operator
regulation 8(3)	Maintain records made under regulation 8(2)	Chief Executive Officer		public pool/spa pool operator
regulation	Close public pool if filtration system ceases to	Chief Executive Officer		public pool/spa pool operator

South Australia Public Health (General) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
8(4)	operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L			
regulation 9(1)	Operate and maintain a public spa pool in accordance with regulation 9(1)	Chief Executive Officer		public pool/spa pool operator
regulation 9(2)	Take prescribed steps to monitor compliance with regulation 9(1)	Chief Executive Officer		public pool/spa pool operator
regulation 9(3)	Maintain records made under regulation 9(2)	Chief Executive Officer		public pool/spa pool operator
regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	Chief Executive Officer		public pool/spa pool operator
regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee	Chief Executive Officer		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013
regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction	Chief Executive Officer		relevant authority under South Australian Public Health

South Australia Public Health (General) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
				(Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013

Instrument of Delegation under the South Australia Public Health (Legionella) Regulations 2013

South Australia Public Health (Legionella) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 5(3)	Receive fee for registration of a high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 5(3)	Register a high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 6(1)	Keep a register of high risk manufactured water system	Chief Executive Officer		relevant authority
regulation 6(2)	Determine manner and form of keeping a register of high risk manufactured water system	Chief Executive Officer		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council	Chief Executive Officer		relevant authority
regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk manufactured water systems registered with the council	Chief Executive Officer		relevant authority
regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council	Chief Executive Officer		relevant authority
regulation 15(1)(b)	Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water and each warm water system	Chief Executive Officer		relevant authority
regulation 15(2)(a)	Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements	Chief Executive Officer		relevant authority
regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing	Chief Executive Officer		relevant authority
regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements	Chief Executive Officer		relevant authority
regulation	Receive report from the owner of premises on which a high risk	Chief Executive Officer		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
16(1)(d)	manufactured water system is installed regarding microbiological testing			
regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	Chief Executive Officer		relevant authority
regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	Chief Executive Officer		relevant authority
regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing	Chief Executive Officer		relevant authority
regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid	Chief Executive Officer		relevant authority

Instrument of Delegation under the South Australian Public Health Act 2011

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 18(2)	Provide a report as required by the Minister on any matter relevant to the administration or operation of the Act	Chief Executive Officer		designated authority
section 22(2)	Respond to a request from the Chief Public Health Officer under section 22(1)	Chief Executive Officer		public authority
section 36	Enter an arrangement with the South Australian Public Health Council for the use of the staff, equipment or facilities of the council	Chief Executive Officer		public authority
section 37(2)(a)	Take action to preserve, protect and promote public health in the council area	Chief Executive Officer		local public health authority
section 37(2)(b)	Cooperate with other authorities involved in the administration of the Act	Chief Executive Officer		local public health authority
section 37(2)(c)	Ensure that adequate sanitation measures are in place in the council area	Chief Executive Officer		local public health authority
section 37(2)(d)	Implement adequate measures in the council area (insofar as reasonably practicable) to ensure that activities do not adversely affect public health	Chief Executive Officer		local public health authority

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 37(2)(e)	Identify risks to public health within the council area	Chief Executive Officer		local public health authority
section 37(2)(f)	Take remedial action to reduce or eliminate adverse impacts or risks to public health	Chief Executive Officer		local public health authority
section 37(2)(g)	Assess activities and development, or proposed activities or development, within the council area in order to determine and respond to public health impacts (or potential public health impacts)	Chief Executive Officer		local public health authority
section 37(2)(h)	Provide, or support the provision of, educational information about public health and to provide or support activities within the council area to preserve, protect or promote public health	Chief Executive Officer		local public health authority
section 38(1)	Provide, or support the provision of, immunisation programs within the council area	Chief Executive Officer		local public health authority
section 39(1)	Act in conjunction or partnership with, or cooperate or coordinate the council's activities, with one or more other councils	Chief Executive Officer		local public health authority
section 39(3)	Furnish a written report to the Chief Public Health Officer responding to a request from the Chief Public Health Officer to cooperate with one or more other councils	Chief Executive Officer		local public health authority
section 40(2)	Participate in consultation with the Chief Public Health Officer	Chief Executive Officer		local public health

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	regarding the Chief Public Health Officer exercising powers of the council under the Act			authority
section 41(1)	Participate in consultation with the Minister regarding the Minister's opinion that the council has failed to perform a function under the Act	Chief Executive Officer		local public health authority
section 41(6)(a)(ii)	Make submissions to the Minister regarding the proposed withdrawal of council powers under the Act	Chief Executive Officer		local public health authority
section 42(1)	Request that a function of the council under the Act be performed by the Chief Public Health Officer	Chief Executive Officer		local public health authority
section 42(10)	Enter into an agreement with the Chief Public Health Officer	Chief Executive Officer		local public health authority
section 42(11)	Request that a notice issued by the Minister under section 42(4) vesting a council function in the Chief Public Health Officer be varied or revoked	Chief Executive Officer		local public health authority
section 42(11)	Participate in consultation the Minister regarding the proposed variation or revocation of the vesting of a council function in the Chief Public Health Officer	Chief Executive Officer		local public health authority
section 44(1)	Appoint a suitably qualified person as a local authorised officer	Chief Executive Officer		local public health authority

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 44(2)	Impose conditions on the appointment of a local authorised officer	Chief Executive Officer		local public health authority
section 44(4)	Issue directions to a local authorised officer	Chief Executive Officer		local public health authority
section 44(6)	Vary or revoke the appointment of a local authorised officer	Chief Executive Officer		local public health authority
section 44(7)	Notify the Chief Public Health Officer of an appointment or the revocation of an appointment of a local authorised officer	Chief Executive Officer		local public health authority
section 46(1)	Issue an identity card of a local authorised officer	Chief Executive Officer		local public health authority
section 49(1)	Require a person to furnish information relating to public health as may be reasonably required for the purposes of the Act	Chief Executive Officer		local public health authority
section 51(1)	Prepare and maintain a regional public health plan	Chief Executive Officer		local public health authority
section 51(10)	Amend a regional public health plan	Chief Executive Officer		local public health authority
section 51(11)(a)	Prepare a draft regional public health plan	Chief Executive Officer		local public health authority

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 51(11)(b)(i)	Provide a copy of a draft regional public health plan to the Minister, any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region, any relevant public health partner authority and any other prescribed body or group	Chief Executive Officer		local public health authority
section 51(11)(b)(ii)	Consult with the public in regard to a draft regional public health plan	Chief Executive Officer		local public health authority
section 51(12)	Participate in consultation with the Minister, or any other person or body specified by the Minister, before releasing a draft regional health plan under section 51(12)	Chief Executive Officer		local public health authority
section 51(13)	Submit a regional public health plan to the Chief Public Health Officer for consultation before bringing the plan into operation	Chief Executive Officer		local public health authority
section 51(15)	Take into account any comments of the Chief Public Health Officer, South Australian Public Health Council and any other body determined by the Chief Public Health Officer	Chief Executive Officer		local public health authority
section 51(16)	Adopt a regional public health plan either with or without amendment	Chief Executive Officer		local public health authority
section 51(17)	Incorporate a regional public health plan into the councils strategic management plan under the Local Government Act 1999	Chief Executive Officer		local public health authority

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 51(19)	Review a regional public health plan at least every 5 years	Chief Executive Officer		local public health authority
section 52(1)	Prepare a report to the Chief Public Health Officer that contains a comprehensive assessment of the extent to which the council has in the reporting period succeeded in implementing its regional public health plan	Chief Executive Officer		local public health authority
section 64(3)	Receive a report from the Chief Public Health Officer regarding a suspected death from a notifiable condition in the council area	Chief Executive Officer		local public health authority
section 65(a)	Receive a report from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area and any problems or issues caused by or arising on account of such diseases of medical conditions in the council area	Chief Executive Officer		local public health authority
section 65(b)	Receive information from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area that constitutes, or may constitute, a threat to public health	Chief Executive Officer		local public health authority
section 66(6)	Recover costs and expenses reasonably incurred in an authorised officer taking action in accordance with a direction or requirement issued under section 66(1) which has not been	Chief Executive Officer		local public health authority

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	complied with by the person subject to the direction or requirement			
section 66(9)	Take action reasonably open to the council to prevent the spread of a disease constituting a notifiable condition	Chief Executive Officer		local public health authority
section 92(1)	Issue a notice for the purpose of securing compliance with the Act or averting, eliminating or minimising a risk, or a perceived risk, to public health	Chief Executive Officer		relevant authority
section 92(2)(b)	Give a preliminary notice to a person to whom it is proposed that a notice under section 91(1) will be given	Chief Executive Officer		relevant authority
section 92(8)	Confirm an emergency notice given by an authorised officer under section 92(6)	Chief Executive Officer		relevant authority
section 92(9)	Vary or revoke a notice issued by the council under section 92	Chief Executive Officer		relevant authority
section 93(1)	Take action required by a notice issued under Part 12 if the requirements of the notice have not been fulfilled	Chief Executive Officer		relevant authority
section 93(2)	Authorise a person to take action on behalf of the council under section 93(1)	Chief Executive Officer		relevant authority
section 93(3)	Enter any relevant premises at any reasonable time to take action under section 93	Chief Executive Officer		relevant authority

South Australian Public Health Act 2011				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 93(4)	Recover the reasonable costs and expenses incurred by the council in taking action under section 93 from the person who failed to comply with the requirements of the notice	Chief Executive Officer		relevant authority
section 93(5)	Fix a period from the date of a notice issued under section 93 within which an amount under section 93(4) must be paid	Chief Executive Officer		relevant authority
section 94(5)(b)	Recover the reasonable costs and expenses of a local authorised officer taking action under section 94 from any person who caused the risk to which the action relates	Chief Executive Officer		local public health authority
section 96(5)	Apply to the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the outcome of review proceedings by the Review panel under section 95	Chief Executive Officer		local public health authority
section 96(5)	Participate as a party to proceedings under section 96	Chief Executive Officer		relevant authority

Instrument of Delegation under the State Records Act 1997

State Records Act 1997				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 13	Maintain official records in the council's custody in good order and condition	Chief Executive Officer		agency
section 15(2)	Afford the Manager of State Records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	Chief Executive Officer		agency
section 18(1)	Deliver records voluntarily into the custody of State Records	Chief Executive Officer		agency
section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	Chief Executive Officer		agency
section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason	Chief Executive Officer		agency
section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	Chief Executive Officer		agency

State Records Act 1997				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records	Chief Executive Officer		agency
section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	Chief Executive Officer		agency
section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	Chief Executive Officer		agency
section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	Chief Executive Officer		agency
section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	Chief Executive Officer		agency
section 24(3)	Consent to the disposal of a record under section 24(1)	Chief Executive Officer		agency
section 25(3)	Apply to the Minister to determine a dispute as to access under section 24	Chief Executive Officer		agency
section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	Chief Executive Officer		agency

State Records Act 1997				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	Chief Executive Officer		agency

Instrument of Delegation under the Strata Titles Act 1988

Strata Titles Act 1988				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 12(2)(c)	Consent to an amendment of a deposited strata plan	Chief Executive Officer		council (as holder of a statutory encumbrance)
section 12(3a)(d)(i)	Consent to an encroachment over public land	Chief Executive Officer		council
section 12A(b)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance	Chief Executive Officer		council (as holder of a statutory encumbrance)
section 28(1)(c)	Specify work to be carried out by a unit holder	Chief Executive Officer		council

Instrument of Delegation under the Supported Residential Facilities Act 1992

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 9(1)(a)	Administer and enforce the Supported Residential Facilities Act in the council area	Chief Executive Officer		council
section 9(1)(b)	Licence supported residential facilities situated in the council area	Chief Executive Officer		council
section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	Chief Executive Officer		council
section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	Chief Executive Officer		council
section 9(2)	Delegate a power or function under the Supported Residential Facilities Act	Chief Executive Officer		council
section 9(5)	Participate in consultation with the Minister regarding a perceived failure of council to discharge duties under the Supported Residential Facilities Act	Chief Executive Officer		council
section 9(8)(a)(ii)	Make submissions to the Minister regarding the vesting of council powers or functions in another person or body	Chief Executive Officer		council
section	Undertake a delegation to discuss with the Minister the vesting	Chief Executive Officer		council

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
9(8)(b)	of council powers or functions in another person or body			
section 21(1)	Appoint an authorised officer	Chief Executive Officer		council
section 21(2)	Issue an identity card to an authorised officer	Chief Executive Officer		council
section 21(4)	Revoke the appointment of an authorised officer	Chief Executive Officer		council
section 24(1)	Receive an application from a proprietor of a supported residential facility for a licence	Chief Executive Officer		licensing authority
section 24(3)	Issue a notice to the applicant for a licence requiring further information to determine the application for a licence	Chief Executive Officer		licensing authority
section 24(5)	Require information provided by an applicant to be verified by statutory declaration	Chief Executive Officer		licensing authority
section 24(9)	Conditionally approve the issue of a licence	Chief Executive Officer		licensing authority
section 24(9)	Grant a licence	Chief Executive Officer		licensing authority
section	Refuse an application for a licence	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
24(10)				
section 24(10)	Notify the applicant of a refusal of an application for a licence	Chief Executive Officer		licensing authority
section 25(1)	Determine matters to be taken into account in determining an application for a licence	Chief Executive Officer		licensing authority
section 25(2)	Determine matters to be taken into account in determining whether the applicant is suitable to be granted a licence	Chief Executive Officer		licensing authority
section 25(3)	Determine matters to be taken into account in determining whether the premises are suitable to be used as a supported residential facility	Chief Executive Officer		licensing authority
section 27(3)	Determine to consider a late application for renewal of a licence	Chief Executive Officer		licensing authority
section 27(4)	Notify the applicant of a decision on an application for the renewal of a licence	Chief Executive Officer		licensing authority
section 28	Refuse to renew a licence	Chief Executive Officer		licensing authority
section 29(1)(b)	Impose conditions on a licence	Chief Executive Officer		licensing authority
section	Vary or revoke a condition on a licence	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
29(3)(b)				
section 30(1)	Receive an application for the transfer of a licence	Chief Executive Officer		licensing authority
section 30(3)	Request further information from an applicant for a transfer of a licence	Chief Executive Officer		licensing authority
section 30(4)	Transfer a licence	Chief Executive Officer		licensing authority
section 30(5)	Receive a surrendered licence	Chief Executive Officer		licensing authority
section 31(1)	Cancel a licence	Chief Executive Officer		licensing authority
section 31(2)(a)	Notify the holder of a licence of a proposed cancellation of the licence	Chief Executive Officer		licensing authority
section 31(2)(b)	Receive submissions from the holder of a licence regarding a proposed cancellation of the licence	Chief Executive Officer		licensing authority
section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility	Chief Executive Officer		licensing authority
section	Appoint an administrator to a facility	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
31(4)(a)				
section 31(4)(b)	Take steps to secure the proper care of the residents of a facility	Chief Executive Officer		licensing authority
section 31(6)(a)	Determine whether or not the imposition of conditions pending the cancellation of a licence would adequately protect the interests of residents of the facility	Chief Executive Officer		licensing authority
section 31(6)(g)(ii)	Revoke the appointment of an administrator	Chief Executive Officer		licensing authority
section 32(1)	Participate in the review of a decision of the licensing authority by the South Australian Civil and Administrative Tribunal	Chief Executive Officer		licensing authority
section 32(3)	Order that a licence subject to an application to review decision regarding renewal remain in force until the determination of the review	Chief Executive Officer		licensing authority
section 32(4)(a)	Impose conditions on an order given under section 32(3)	Chief Executive Officer		licensing authority
section 32(4)(b)	Vary or revoke an order given under section 32(3)	Chief Executive Officer		licensing authority
section 33(1)	Grant licence	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 34(1)	Approve a manager of a facility	Chief Executive Officer		licensing authority
section 34(2)	Determine a time period after which the proprietor of a facility will be guilty of an offence if no approved person is managing the facility	Chief Executive Officer		licensing authority
section 35	Approval of a person to be the licence holder if a licence holder dies	Chief Executive Officer		licensing authority
section 37	Receive a copy of the prospectus and any alterations to the prospectus	Chief Executive Officer		licensing authority
section 39(2)(b)	Approve an alternative to the prescribed means of serving a notice of termination of a resident contract by the proprietor of a facility	Not delegated		licensing authority
section 43(1)(a)	Receive an application in regard to disputes between a resident of a supported residential facility and the proprietor	Chief Executive Officer		licensing authority
section 43(1)(b)	Receive an application if a resident of a support residential facility objects to a decision of the proprietor of the facility to terminate his or her residential contract	Chief Executive Officer		licensing authority
section 43(1)(c)	Receive an application if a resident of a support residential facility believes that the proprietor has failed to comply with the terms or their resident contract or a provision of the Support	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	Residential facilities Act or the proprietor has acted in any unauthorised manner			
section 43(2)	Explore avenues of conciliation between the resident and the proprietor	Chief Executive Officer		licensing authority
section 43(3)(a)	Make recommendations as to the settlement of a dispute between a resident and the proprietor	Chief Executive Officer		licensing authority
section 43(3)(b)	Order the proprietor to vary or reverse a decision or take such actions necessary to remedy the breach or reverse the effect of any act of the proprietor	Chief Executive Officer		licensing authority
section 43(3)(c)	Order the resident to refrain from any future action of a kind specified in the order or take action appropriate in the circumstances of the case	Chief Executive Officer		licensing authority
section 43(3)(d)	Order the resident or proprietor to take action to remedy any default or to correct any unauthorised act	Chief Executive Officer		licensing authority
section 43(3)(e)	Take any action appropriate in the circumstances	Chief Executive Officer		licensing authority
section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application	Chief Executive Officer		licensing authority
section	Require an applicant to verify any information by statutory	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
43(6)(b)	declaration			
section 43(7)	Notify the applicant and respondent of the time and place of any hearing of the application	Chief Executive Officer		licensing authority
section 43(8)	Investigate or determine the subject matter of an application	Chief Executive Officer		licensing authority
section 43(9)	Make an interim order pending final resolution of the matter	Chief Executive Officer		licensing authority
section 43(10)(a)	Determine the time period (not exceeding 2 months) during which the interim order will operate	Chief Executive Officer		licensing authority
section 43(11)	Vary or revoke an order	Chief Executive Officer		licensing authority
section 43(12)(a)	Specify procedures for the resolution of the dispute	Chief Executive Officer		licensing authority
section 43(12)(a)	Decline to proceed with an application until reasonable steps have been taken to resolve the dispute pursuant to procedures specified by the licensing authority	Chief Executive Officer		licensing authority
section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 43(12)(b)	Decline to proceed (or further proceed) with an application if proceedings have been commenced in a court or tribunal constituted by law	Chief Executive Officer		licensing authority
section 44(1)	Participate in proceedings for a review of a decision or order of the licensing authority by the South Australian Civil and Administrative Tribunal	Chief Executive Officer		licensing authority
section 47(1)	Approve a person to enter any premises that comprise a support residential facility, or any residential-only premises, for the purpose of visiting or attending on any person residing at those premises	Chief Executive Officer		licensing authority
section 49(1)(a)	Receive complaints regarding the management of a supported residential facility or any residential-only premises	Chief Executive Officer		licensing authority
section 49(1)(b)	Receive complaints regarding the conduct of a resident of a supported residential facility or any residential-only premises	Chief Executive Officer		licensing authority
section 49(2)	Determine whether a complaint must be reduced to writing	Chief Executive Officer		licensing authority
section 49(3)	Take appropriate action in regard to a complaint	Chief Executive Officer		licensing authority
section 49(4)	Appoint an authorised officer to investigate the circumstances surrounding the complaint and to attempt to resolve the matter	Chief Executive Officer		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	as expeditiously as possible			
section 56(4)	Pay prescribed percentage of licence fees into the Supported Residential Facilities Indemnity Fund	Chief Executive Officer		licensing authority
section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility	Not delegated		licensing authority
section 57(6)	Attach conditions to an exemption granted under section 57(5)	Not delegated		licensing authority
section 57(7)(a)	Revoke an exemption granted under section 57(5)	Not delegated		licensing authority
section 57(7)(b)	Vary or revoke condition applying to an exemption granted under section 57(5)	Chief Executive Officer		licensing authority

Instrument of Delegation under the Supported Residential Facilities Regulations 2024

Supported Residential Facilities Regulations 2024				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 17(2)	Approve an acting manager of a facility	Not delegated		licensing authority
regulation 18(1)	Approve a nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority
regulation 18(2)	Revoke the approval of a nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority
regulation 18(2)	Require a new appointment of a nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority
regulation 21(1)(b)	Approve a kitchen at a facility which does not meet the prescribed requirements	Not delegated		licensing authority
regulation 21(3)(e)	Require the fitting of handrails, ramps and lifts at a facility	Chief Executive Officer		licensing authority
regulation 24(1)	Direct a proprietor of a supported residential facility to install a communication system at the facility	Chief Executive Officer		licensing authority

Instrument of Delegation under the Water Industry Act 2012

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 19(1)	Apply for a licence	Chief Executive Officer		applicant for a licence
section 19(2)	Pay the application fee	Chief Executive Officer		applicant for a licence
section 19(4)	Provide further information requested by the Commission with respect to an application for a licence	Chief Executive Officer		applicant for a licence
section 22(1)	Provide services or carry on operations or activities in accordance with the terms and conditions of the licence	Chief Executive Officer		water industry entity
section 24(1)	Pay the annual licence fee	Chief Executive Officer		applicant for a licence
section 24(2)(a)	Provide annual return to the Commission	Chief Executive Officer		water industry entity
section 24(2)(b)	Pay the annual licence fee	Chief Executive Officer		water industry entity
section 25(2)	Participate in consultation with the Commission	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 28(2)(a)	Apply to the Commission for a variation in the terms and conditions applying the licence	Chief Executive Officer		water industry entity
section 28(2)(a)	Agree with the Commission a variation in the terms and conditions applying the licence	Chief Executive Officer		water industry entity
section 28(2)(b)	Make submissions to the Commission regarding a proposed variation to the terms and conditions applying to a licence	Chief Executive Officer		water industry entity
section 29(1)	Transfer licence with the Commission's agreement	Chief Executive Officer		water industry entity
section 29(4)	Apply to the Commission for the transfer of a licence	Chief Executive Officer		water industry entity
section 29(5)	Pay to the Commission the application fee for the transfer of a licence	Chief Executive Officer		water industry entity
section 29(6)	Provide to the Commission further relevant information requested by Commission in respect of the application fee for the transfer a licence	Chief Executive Officer		water industry entity
section 32(1)	Surrender a licence to the Commission	Chief Executive Officer		water industry entity
section 32(3)	Agree with the Commission a shorter notice period than the prescribe period for the surrender of a licence	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 33(3)(b)	Make submissions to the Commission in relation to a proposed suspension or cancellation of licence	Chief Executive Officer		water industry entity
section 36(1)	Fix standard terms and conditions governing the provision of services by the entity	Chief Executive Officer		water industry entity
section 36(2)	Publish standard terms and conditions governing the provision of services by the entity in the Gazette	Chief Executive Officer		water industry entity
section 36(3)	Publish notice in a newspaper circulating generally in the State regarding the standard terms and conditions	Chief Executive Officer		water industry entity
section 36(5)	Agree with a customer to exclude a standard term or condition	Chief Executive Officer		water industry entity
section 36(6)(a)	Supply a copy of the standard terms and conditions to the Commission	Chief Executive Officer		water industry entity
section 36(6)(b)	Publish a copy of the standard terms and conditions on the entities website	Chief Executive Officer		water industry entity
section 37(3)(a)	Adopt a customer hardship policy published by the Minister	Chief Executive Officer		water industry entity
section 37(3)(b)	Seek the approval of the Commission to adopt a customer hardship policy published by the Minister with modifications	Not delegated		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 37(3)(b)	Adopt a customer hardship policy published by the Minister with modifications in accordance with approval of the Minister	Chief Executive Officer		water industry entity
section 38(2)	Make submissions to the Commission as to proposed proclamation to take over the water industry entity's operations	Chief Executive Officer		water industry entity
section 39(2)	Accept an appointment to take over relevant operations of a water industry entity subject to a proclamation under section 38	Chief Executive Officer		water industry entity
section 39(3)	Facilitate the take-over of relevant operations by the operator	Chief Executive Officer		water industry entity
section 41(1)	Appoint a person to be a water industry officer	Chief Executive Officer		water industry entity
section 41(2)	Impose conditions of appointment of a water industry officer	Chief Executive Officer		water industry entity
section 42(1)	Impose time period for the appointment of a water industry officer	Chief Executive Officer		water industry entity
section 42(2)	Remove a water industry officer from office	Chief Executive Officer		water industry entity
section 43(1)	Issue a water industry officer with an identity card	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 44(1)	Agree with the occupier of land to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	Chief Executive Officer		water industry entity
section 44(1)	Seek the authorisation of the Minister to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	Chief Executive Officer		water industry entity
section 44(3)(a)	Enter and remain on land to undertake prescribed works	Chief Executive Officer		water industry entity
section 45(1)	Give notice of proposed entry on land under section 44 to the occupier	Chief Executive Officer		authorised entity
section 45(3)(a)	Give notice of proposed entry on public land under section 45 to the authority responsible to the management of the public land	Chief Executive Officer		authorised entity
section 45(3)(b)	Agree with an authorised entity to enter onto public land within the care, control and management of the council	Chief Executive Officer		council
section 45(4)	Impose conditions on the entry of an authorised entity onto public land within the care, control and management of the council	Chief Executive Officer		council
section 45(7)	Refer a dispute regarding whether work should be permitted on public land within the care, control and management of the	Chief Executive Officer		council authorised entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	council by an authorised entry of the conditions applying to that work to the Minister			
section 45(9)(a)	Make submissions to the Minister in relation to a dispute referred under section 45(7)	Chief Executive Officer		council authorised entity
section 45(9)(b)	Settle a dispute referred under section 45(7)	Chief Executive Officer		council authorised entity
section 45(11)	Notify the occupier of public land of the reason and the date and time of proposed entry	Chief Executive Officer		authorised entity
section 45(14)	Use reasonable force to enter any land under section 45	Chief Executive Officer		authorised entity
section 45(16)	Request an authorised entity undertaking work on public land within the care, control and management of the council to separate the land on which the work is being undertaken from other parts of the land by a fence	Chief Executive Officer		council
section 45(16)	Separate the public land on which the work is being undertaken from other parts of the land by a fence	Chief Executive Officer		authorised entity
section 45(16)	Refer a dispute regarding the separation of a land by a fence to the Magistrates Court	Chief Executive Officer		council
section	Make good any damage caused by exercise of powers under	Chief Executive Officer		authorised entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
45(17)	section 45			
section 45(19)	Exercise of powers under section 45 in an emergency without prior notice or agreement	Chief Executive Officer		authorised entity
section 45(22)	Comply with conditions imposed by the Minister of the exercise of powers under section 45	Chief Executive Officer		water industry entity
section 46(1)	Acquire land in accordance with the Land Acquisition Act 1969	Chief Executive Officer		water industry entity
section 46(2)	Seek authorisation of the Minister to acquire land by compulsory acquisition under the Land Acquisition Act 1969	Chief Executive Officer		water industry entity
section 48(2)	Apply to the Minister for approval of a scheme under section 48	Chief Executive Officer		water industry entity
section 48(3)(c)	Approve a scheme as being fit and adequate for the provision of the services that are proposed to be offered under the scheme	Chief Executive Officer		council
section 48(3)(d)	Participate in consultation for the development of a scheme for sewerage services in the council area	Chief Executive Officer		council
section 48(6)	Issue a notice requiring the connection of drains, equipment or works to prescribed infrastructure in order to provide for the discharge of sewerage into the infrastructure	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 48(9)	Take action required by a notice served under section 48(6), if the recipient fails to take that action	Chief Executive Officer		water industry entity
section 48(10)	Authorise a person to take action under section 48(9) on the water industry entities behalf	Chief Executive Officer		water industry entity
section 48(12)	Recover the reasonable costs of taking action under section 48(9) as a debt	Chief Executive Officer		water industry entity
section 48(13)	Apply to the Minister for approval to vary a scheme under section 48	Chief Executive Officer		water industry entity
section 48(13)	Vary a scheme under section 48	Chief Executive Officer		water industry entity
section 49(1)	Consent to a person: (a) constructing or placing a building, wall, fence or other structure on or over any water/sewerage infrastructure, or creating some other form of encroachment over any water/sewerage infrastructure (or any land directly associated with such infrastructure); (b) creating any form of encroachment over any easement that exists for the purposes of any water service or sewerage service; (c) obstructing, filling in, closing up or diverting any water/sewerage infrastructure; or (d) excavating or altering any land or structure supporting any	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	water/sewerage infrastructure			
section 49(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 49(1)	Chief Executive Officer		water industry entity
section 49(2)(b)	Serve a notice requiring a person to take action to remedy a contravention of section 49(1)	Chief Executive Officer		water industry entity
section 49(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	Chief Executive Officer		water industry entity
section 49(4)	Take action required by a notice served under section 49(2)(b), if the recipient fails to take that action	Chief Executive Officer		water industry entity
section 49(6)	Recover the reasonable costs of taking action under section 49(4) as a debt	Chief Executive Officer		water industry entity
section 49(7)	Authorise a person to take action under section 49(4) on the water industry entities behalf	Chief Executive Officer		water industry entity
section 50(1)	Authorise a person to: (a) attach any equipment or other thing, or make any connection, to water/sewerage infrastructure; (b) interfere with: (i) the collection, storage, production, treatment, conveyance, reticulation or supply of water through the use of water	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	infrastructure; or (ii) the collection, storage, treatment, conveyance or reticulation of sewage through the use of sewerage infrastructure; (c) disconnect or interfere with any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure; or (d) damage any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure.			
section 50(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 50(1)	Chief Executive Officer		water industry entity
section 50(2)(b)	Disconnect, close, turn off or remove anything that has been attached or used in connection with a contravention section 50(1)	Chief Executive Officer		water industry entity
section 50(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	Chief Executive Officer		water industry entity
section 50(4)	Authorise a person to take action under section 50 on the water industry entities behalf	Chief Executive Officer		water industry entity
section 50(7)	Recover compensation from a person guilty of a contravention of section 50(1) on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 51(1)	Receive notice from a person proposing to do work near water/sewerage infrastructure	Chief Executive Officer		water industry entity
section 51(3)(b)	Specify requirements to apply for the protection of the infrastructure or the safety of person carrying out the work	Chief Executive Officer		water industry entity
section 51(4)	Recover compensation from a person guilty of a contravention of section 51 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	Chief Executive Officer		water industry entity
section 52(1)	Receive notice from a person proposing to: (a) to first lay the pavement or hard surface in any road; (b) to relay the pavement or hard surface in any road; (c) to widen or extend the pavement or hard surface in any road; (d) to alter the level of any road; (e) to construct or alter any footpaths, gutters, kerbing or water tables in any road; or (f) to construct or alter any drainage work in any road in which water/sewerage infrastructure is laid	Chief Executive Officer		water industry entity
section 52(2)	Advise the person giving notice under section 52(1) of any new water/sewerage infrastructure proposed in the relevant road and of any interference that is expected to be caused to the existing water/sewerage infrastructure	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 52(4)	Confer with a person giving notice under section 52(1) with respect to variations to the proposed work	Chief Executive Officer		water industry entity
section 52(6)	Waive the requirement to provide notice under section 52(1)	Chief Executive Officer		water industry entity
section 53(2)(b)	Approve the installation or maintenance of a pipe capable of conveying water beyond the boundaries of a site occupied by the person	Chief Executive Officer		water industry entity
section 53(1)	Authorise a person to: (a) abstract or divert water from any water infrastructure; or (b) abstract or divert any sewage from any sewerage infrastructure	Chief Executive Officer		water industry entity
section 53(3)	Recover compensation from a person guilty of a contravention of section 53 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	Chief Executive Officer		water industry entity
section 54(1)(a)	Require a person supplied water by the water industry entity to allow a person authorised by the entity to enter land and fix a meter supplied by the entity	Chief Executive Officer		water industry entity
section 54(1)(b)	Require a person supplied water by the water industry entity to ensure that a meter of a kind specified by the entity is fixed and	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	used for the purposes of measuring water supplied to the person			
section 54(3)	Supply a water meter	Chief Executive Officer		water industry entity
section 54(4)	Issue a direction or requirement in regard to the installation or use of a meter	Chief Executive Officer		water industry entity
section 54(10)	Serve a notice on a person who fails to ensure that access to the meter or fitting for the purpose of reading, replacement, repair or maintenance is not obstructed requiring the person to take specified action to provide access to the meter or fitting	Chief Executive Officer		water industry entity
section 54(11)	Enter land and take action to provide access to the meter or fitting	Chief Executive Officer		water industry entity
section 54(12)	Recover compensation from a person guilty of a contravention of section 54 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	Chief Executive Officer		water industry entity
section 54(13)	Recover costs of taking action under section 54(11) as a debt	Chief Executive Officer		water industry entity
section 55(1)	Authorise a person to discharge any solid, liquid or gaseous materials, or any other item or thing, into water infrastructure	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 55(3)	Recover compensation from a person guilty of a contravention of section 55 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	Chief Executive Officer		water industry entity
section 56(1)	Authorise a person to discharge into any sewerage infrastructure any solid, liquid or gaseous material, or any other item or thing that is likely to damage the infrastructure	Chief Executive Officer		water industry entity
section 56(3)(a)	Authorise a person to discharge specific waste material into sewerage infrastructure	Chief Executive Officer		water industry entity
section 56(3)(b)	Enter into a contract with a person in regard to the provision of a sewerage service authorising the discharge specific waste material into sewerage infrastructure	Chief Executive Officer		water industry entity
section 56(5)	Authorise a person to cause, permit or allow any rainwater, stormwater or surface water to flow into, or to otherwise enter, any sewerage infrastructure	Chief Executive Officer		water industry entity
section 56(7)	Attach conditions to an authorisation under section 56(5)	Chief Executive Officer		water industry entity
section 56(7)	Vary or revoke an authorisation under section 56(5)	Chief Executive Officer		water industry entity
section	Recover the reasonable costs and expenses incurred by the	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
56(9)	water entity in addressing any damage or loss caused as a result of, on in remedying circumstances caused by, a contravention of section 56 as a debt			
section 57(1)	Issue a notice requiring an owner or occupier of land to carry out specified work	Chief Executive Officer		water industry entity
section 57(3)	Vary or revoke a notice issued under section 57(1)	Chief Executive Officer		water industry entity
section 57(5)	Take action required by a notice if the recipient of the notice fails to take the action	Chief Executive Officer		water industry entity
section 57(6)	Authorise a person to take action under section 57(5) on the entity's behalf	Chief Executive Officer		water industry entity
section 57(8)	Recover the reasonable costs and expenses incurred by the water industry entity taking action under section 57(5) as a debt	Chief Executive Officer		water industry entity
section 58(1)	Close off or disconnect from the sewerage infrastructure one or more drains on the land that are connected to the sewerage infrastructure or restrict the provision of any sewerage service to the land	Chief Executive Officer		water industry entity
section 58(2)	Reopen or reconnect a drain closed off or disconnected under section 58(1)	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 58(2)	Require the owner or occupier of land to pay the prescribed fee prior to reopening or reconnecting a drain closed off or disconnected under section 58(1)	Chief Executive Officer		water industry entity
section 59(3)(a)	Lessen the supply through any infrastructure	Chief Executive Officer		water industry entity
section 59(3)(b)	Prohibit the use of water in a specified purpose or purposes, or restrict or regulate the purposes for which water can be used	Chief Executive Officer		water industry entity
section 59(3)(c)	Prohibit the use of water in a specified manner or by specified means, or restrict or regulate the manner in which, or the means by which, water may be used	Chief Executive Officer		water industry entity
section 59(3)(d)	Prohibit specified uses of water during specified periods, or restrict or regulate the times at which water may be used	Chief Executive Officer		water industry entity
section 59(3)(e)	Discontinue the supply of water	Chief Executive Officer		water industry entity
section 59(4)	Impose a requirement that a permit of the water industry entity must be held to undertake an activity involving the use of water	Chief Executive Officer		water industry entity
section 59(4)	Issue a permit authorising an activity involving the use of water	Chief Executive Officer		water industry entity
section	Publish or serve a notice regarding a prohibition or notice under	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
59(5)(b)	section 59(3)			
section 59(5)(b)	Vary or revoke a prohibition or notice under section 59(3)	Chief Executive Officer		water industry entity
section 60(1)	Serve notice on the owner or occupier of land that is connected to water infrastructure operated by the entity directing the owner or occupier to install a flow reducing device of a specified kind and to use the device to reduce flow in the pipes on the land which are connected to the water infrastructure	Chief Executive Officer		water industry entity
section 60(5)	Install a flow reducing device if the owner or occupier has failed to comply with the requirements of a notice under section 60(1)	Chief Executive Officer		water industry entity
section 60(6)	Recover the reasonable costs and expenses incurred by the water industry entity as a debt from the person who failed to comply with the notice under section 60(1)	Chief Executive Officer		water industry entity
section 63(3)(a)	Disconnect the supply of water or the collection of sewage, or restrict the supply of services	Chief Executive Officer		water industry entity
section 63(3)(b)	Obtain a warrant under Part 10 to enter a place for the purpose of disconnecting the supply of water or the collection of sewage, or restricting the supply of services	Chief Executive Officer		water industry entity
section 63(5)(b)	Restore a connection for the supply of water or the collection of sewage	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 64	Cut off the supply of water to any region, area, land or place if it is necessary to do so to avert danger to any person or property	Chief Executive Officer		water industry entity
section 68	Comply with prescribed technical and safety requirements or any technical and safety requirements of the Technical Regulator	Chief Executive Officer		water industry entity
section 69(3)	Disconnect the supply of water or the collection of sewerage, or restrict the supply of services	Chief Executive Officer		water industry entity
section 84(1)(b)	Make an application to the Commission for a review of a decision of the Commission under Part 4 to suspend or cancel the entity's licence or vary the terms or conditions of the entity's licence	Chief Executive Officer		water industry entity
section 85(1)(a)	Make an application for a review of a decision or an enforcement notice under Part 8, Division 4 under section 34 of the South Australian Civil and Administrative Tribunal Act 2013	Chief Executive Officer		water industry entity
section 88(1)	Provide information requested by the Minister	Chief Executive Officer		water industry entity
section 98(1)	Provide and maintain fire plugs, maintain various standards, and comply with any other requirements relating to the provision of water for fire-fighting purposes, in accordance with any scheme determined by the Minister	Chief Executive Officer		water industry entity
section 102(2)	Commence proceeding for an offence under the Water Industry Act	Chief Executive Officer		water industry entity

Water Industry Act 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 111(7)	Certify a plan delineating the position of any equipment, plant or drain connected to any water/sewerage infrastructure	Chief Executive Officer		water industry entity
section 111(8)	Certify a date on and from which the water industry entity was prepared to supply water by means of a direct service to land specified in the certificate or could by means of drains or other infrastructure, be drained or serviced by a sewer	Chief Executive Officer		water industry entity
section 111(9)	Certify a copy or extract of a register of readings of meters maintained by the water industry entity	Chief Executive Officer		water industry entity
section 113(1)	Cause a ventilating shaft, pipe or tube for any sewerage infrastructure or drain to be attached to the exterior wall of a building	Chief Executive Officer		water industry entity

Instrument of Delegation under the Water Industry Regulations 2012

Water Industry Regulations 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 9	Enter into an agreement with a person undertaking work which would involve the alteration of any water/sewerage infrastructure to share the cost of the work	Chief Executive Officer		water industry entity
regulation 11(1)	Provide a statement of the amount paid to a person who has paid an amount for the provision of retail services	Chief Executive Officer		water industry entity
regulation 11(2)	Provide a consumer with a statement of the quantity of water supplied by the entity to the consumer in the financial year	Chief Executive Officer		water industry entity
regulation 11(3)	Provide a statement of the amount paid for retail services or the quantity of water supplied by the entity financial year to any other person acting with the consent of the person referred to in regulations 11(1) and 11(2)	Chief Executive Officer		water industry entity
regulation 12(1)	Provide a statement as the existence or non-existence of encumbrances in relation to the land to which the application relates that are prescribed encumbrances for the purposes of the Land and Business (Sale and Conveyancing) Act 1994	Chief Executive Officer		water industry entity
regulation 13(a)(i)	Seek the approval of a water industry entity (that owns or operated sewerage infrastructure that may be affected by the planting) to plant trees and shrubs (except those listed I Schedule	Chief Executive Officer		council

Water Industry Regulations 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	2 and Schedule 3) on public land			
regulation 13(a)(i)	Grant approval to plant trees and shrubs on public land	Chief Executive Officer		water industry entity
regulation 13(b)	Grant approval to plant trees and shrubs on a road closer than 1 metre to any water infrastructure	Chief Executive Officer		water industry entity
regulation 14(1)	Receive and comply with a notice from water industry entity directing action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	Chief Executive Officer		council
regulation 14(1)	Direct a council or other person with care, control or management of land to take action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	Chief Executive Officer		water industry entity
regulation 14(2)	Take action specified in a notice under regulation 14(1) if the recipient fails to comply with the notice	Chief Executive Officer		water industry entity
regulation 14(3)	Recover costs of taking action specified in a notice under regulation 14(2) as a debt	Chief Executive Officer		water industry entity
regulation	Recover costs of taking action specified in a notice under	Chief Executive Officer		water industry entity

Water Industry Regulations 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
15	regulation 14 as a debt			
regulation 16(3)(b)	Authorise a person to enter infrastructure owned or operated by the entity	Chief Executive Officer		water industry entity
regulation 17(1)(a)	Obtain the approval of ESCOSA prior to taking action under sections 59(3)(a) to 59(3)(e) (inclusive)	Chief Executive Officer		water industry entity
regulation 17(1)(b)(i)	Notify the public of the intention to exercise a power under sections 59(3)(b) to 59(3)(d) (inclusive) by notice in the Gazette	Chief Executive Officer		water industry entity
regulation 17(1)(b)(ii)	Notify the public of the intention to exercise a power under sections 59(3)(a) to 59(3)(e) (inclusive) by a notice of a website, in a newspaper circulating throughout the area of the State in which person affected by the exercise of the power are situated and in any other manner considered appropriate	Chief Executive Officer		water industry entity
regulation 18	Issue a permit for the purposes of section 59(4) of the Water Industry Act	Chief Executive Officer		water industry entity
regulation 23(2)(a)	Give notice in writing to the water industry entity that owns, manages or uses the entry point, inspection point or other fitting of the alteration to the surface height of a road, footpath or easement to a water industry entity	Chief Executive Officer		council
regulation 23(2)(b)	Alter the height of an entry point, inspection point or other fitting	Chief Executive Officer		water industry entity

Water Industry Regulations 2012				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 23(3)	Recover costs under regulation 23(2)(b) as a debt from entity which altered the height of the road, footpath or easement	Chief Executive Officer		water industry entity
regulation 34(1)(b)	Direct a person to disconnect a pipe which is intersected by the boundary of adjoining allotments from water/sewerage infrastructure	Chief Executive Officer		water industry entity
regulation 34(4)	Direct a person to disconnect a pipe which lies across the boundary of adjoining allotments from water/sewerage infrastructure	Chief Executive Officer		water industry entity
regulation 34(7)	Enter land and undertake work required by a notice under regulation 34 if the recipient has failed to undertake the required work	Chief Executive Officer		water industry entity
regulation 36	Estimate the quantity of water supplied through a meter	Chief Executive Officer		water industry entity
regulation 38	Impose a charge in respect of land of a kind specified by the Minister by notice in the gazette despite the fact that the land is not connected to infrastructure by which a retail service is provided by the water industry entity or the provision of a retail service to the land by the water industry entity has been reduced or discontinued	Chief Executive Officer		water industry entity

Instrument of Delegation under the Environment Protection Regulations 2023

Environment Protection Regulations 2023				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
regulation 82(2)	Elect by written notice to the Environment Protection Authority not to comply with regulations 74 and 75 in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulation 82(2)(b)	Chief Executive Officer		council

City of Adelaide

Instrument of Delegation under the Joint Criminal Rules 2022

Joint Criminal Rules 2022				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
rule 62.1	File an Information	Chief Executive Officer		public authority

CITY OF ADELAIDE

COMBINED INSTRUMENT OF DELEGATION

21 OCTOBER 2025

ADELAIDE CENTRAL MARKET AUTHORITY

Provisions for Corporate Services - Adelaide Central Market Authority

Instrument of delegation by the Chief Executive Officer - Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 103(1)	Appointing, managing, suspending and dismissing employees of the council	General Manager Adelaide Central Market Authority	
section 107(1)	Ensure that sound principles of human resource management are applied to employment in the administration of the council, and must take reasonable steps to ensure that those principles are known to all employees	General Manager Adelaide Central Market Authority	
section 120(2)(b)	Determine an employee of the council may act in relation to the matter	General Manager Adelaide Central Market Authority	

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	General Manager Adelaide Central Market Authority		council
section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	General Manager Adelaide Central Market Authority		council
section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	General Manager Adelaide Central Market Authority		council
section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	General Manager Adelaide Central Market Authority		council
section 7(e)	Manage, develop, protect, restore, enhance and conserve the	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	environment in an ecologically sustainable manner, and to improve amenity			
section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council
section 7(h)	Establish or support organisations or programs that benefit people in	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	the council area or local government generally			
section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	General Manager Adelaide Central Market Authority		council
section 7(j)	Manage, improve and develop resources available to the council	General Manager Adelaide Central Market Authority		council
section 7(k)	Undertake other functions and activities conferred by or under an Act	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 125	Implement and maintain appropriate policies, practices and procedures of internal control	General Manager Adelaide Central Market Authority		council
section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council
section 133	Obtain funds as permitted by the Local Government Act or other Act	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 135(1)	Provide security	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council
section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	General Manager Adelaide Central Market Authority		council
section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	General Manager Adelaide Central Market Authority		council
section 200(1)	Approve the use of community land for a business purpose	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 200(3)	Impose conditions on an approval to use community land for a business purpose	General Manager Adelaide Central Market Authority		council
section 202(1)	Grant a lease or licence over community land	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council
section 223(1)	Follow the relevant steps in the council's public consultation policy	General Manager Adelaide Central Market Authority		council
section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	General Manager Adelaide Central Market Authority		council
section 224(1)	Attach conditions to an authorisation or permit	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 225(1)	Cancel an authorisation or permit	General Manager Adelaide Central Market Authority		council
section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	General Manager Adelaide Central Market Authority		council
section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	General Manager Adelaide Central Market Authority		council
section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	General Manager Adelaide Central Market Authority		council
clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	General Manager Adelaide Central Market Authority		council
clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council
clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council
clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	General Manager Adelaide Central Market Authority		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	General Manager Adelaide Central Market Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	General Manager Adelaide Central Market Authority		council
clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	General Manager Adelaide Central Market Authority		council
clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	General Manager Adelaide Central Market Authority		council

CITY OF ADELAIDE

CITY OF ADELAIDE

COMBINED INSTRUMENT OF DELEGATION

21 OCTOBER 2025

ADELAIDE ECONOMIC DEVELOPMENT AGENCY (AEDA)

Provisions for Corporate Services - Adelaide Economic Development Agency (AEDA)

Instrument of delegation by the Chief Executive Officer - Local Government Act 1999			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
section 103(1)	Appointing, managing, suspending and dismissing employees of the council	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Rundle Mall	
section 107(1)	Ensure that sound principles of human resource management are applied to employment in the administration of the council, and must take reasonable steps to ensure that those principles are known to all employees	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Rundle Mall	
section 120(2)(b)	Determine an employee of the council may act in relation to the matter	General Manager Adelaide Economic Development Authority	

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	General Manager Adelaide Economic Development Authority		council
section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	General Manager Adelaide Economic Development Authority		council
section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	General Manager Adelaide Economic Development Authority		council
section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	General Manager Adelaide Economic Development Authority		council
section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically	General Manager Adelaide Economic Development Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	sustainable manner, and to improve amenity			
section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		council
section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	General Manager Adelaide Economic Development Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	General Manager Adelaide Economic Development Authority		council
section 7(j)	Manage, improve and develop resources available to the council	General Manager Adelaide Economic Development Authority		council
section 7(k)	Undertake other functions and activities conferred by or under an Act	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	with another council or authority or person			
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	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Marketing & Tourism Executive Manager Rundle Mall		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	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Marketing & Tourism Executive Manager Rundle Mall		council
section 125	Implement and maintain appropriate policies, practices and procedures of internal control	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Rundle Mall		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Rundle Mall		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	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Rundle Mall		council
section 133	Obtain funds as permitted by the Local Government Act or other Act	General Manager Adelaide Economic Development Authority		council
section 135(1)	Provide security	General Manager Adelaide Economic Development Authority		council
section 188(1)(a)	Impose fees and charges for the use of any property or facility owned,	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	controlled, managed or maintained by the council			
section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council
section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council
section 223(1)	Follow the relevant steps in the council's public consultation policy	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Marketing & Tourism Executive Manager Rundle Mall		council
section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	General Manager Adelaide Economic Development Authority Executive Manager Business and Investment Executive Manager Marketing & Tourism Executive Manager Visitor Economy Executive Manager Rundle Mall		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 224(1)	Attach conditions to an authorisation or permit	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council
section 225(1)	Cancel an authorisation or permit	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council
section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council
section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council
section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	General Manager Adelaide Economic Development Authority Executive Manager Rundle Mall		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	General Manager Adelaide Economic Development Authority		council
clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	General Manager Adelaide Economic Development Authority		council
clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		council
clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	General Manager Adelaide Economic Development Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	General Manager Adelaide Economic Development Authority		council
clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		council
clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	General Manager Adelaide Economic Development Authority		council

Local Government Act 1999 - Local Government Act 1999				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of 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	General Manager Adelaide Economic Development Authority		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	General Manager Adelaide Economic Development Authority		council
clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	General Manager Adelaide Economic Development Authority		council

MINISTER'S INSTRUMENT OF GENERAL APPROVAL AND DELEGATIONS TO COUNCIL 2025

Review of Council Delegations 2025

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s33(1)	2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing: (a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and (b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules: (i) rule 221: using hazard warning lights; (ii) rule 230: crossing a road – general; (iii) rule 231 crossing a road at pedestrian lights; (iv) rule 232: crossing a road at traffic lights; (v) rule 234: crossing a road on or near a crossing for pedestrians; (vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);	CEO	3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions: (a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and

MINISTER'S INSTRUMENT OF GENERAL APPROVAL AND DELEGATIONS TO COUNCIL 2025

Review of Council Delegations 2025

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	(vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy); (viii) rule 250: riding on a footpath or shared path; (ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h); (x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h); (xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h); (xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h) (xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and (xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).		

INSTRUMENT OF GENERAL APPROVAL AND DELEGATION TO COUNCIL

USE OF TRAFFIC CONTROL DEVICES, ROAD CLOSURE AND GRANTING OF EXEMPTIONS FOR EVENTS

ROAD TRAFFIC ACT 1961 (SECTIONS 17, 20 & 33)

MINISTER FOR TRANSPORT AND INFRASTRUCTURE

REVOCATION OF PREVIOUS INSTRUMENT

I, **Tom Koutsantonis, Minister for Transport and Infrastructure** in the State of South Australia, in accordance with the powers conferred on the Minister by the *Road Traffic Act 1961*, **REVOKE** the previous Instrument issued by the Minister entitled "Notice to Council to use Traffic Control Devices and to close roads and grant exemptions for events" dated 27 April 2009.

INSTRUMENT OF GENERAL APPROVAL

GENERAL APPROVAL FOR THE INSTALLATION, MAINTENANCE, ALTERATION, OPERATION OR REMOVAL OF TRAFFIC CONTROL DEVICES

I, **Tom Koutsantonis, Minister for Transport and Infrastructure** in the State of South Australia, pursuant to section 12 of the *Road Traffic Act 1961* ("the Act"), hereby grant the following **GENERAL APPROVALS** to **Council**:

A. Traffic Control Devices

For the purpose of sections 17(1) and (2) of the Act, I grant Council **GENERAL APPROVAL** to install, maintain, alter, operate, or remove, or cause to be installed, maintained altered, operated, or removed any traffic control device on, above or near a road which is under its care, control and management subject to the following conditions EXCEPT those traffic control devices specified in Clause A.8 or those dealt with in other clauses of this instrument:

A.1 Authorisation of other Officers

Council may authorise any Officer to exercise the powers conferred on it pursuant to Clause A of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by any Officer in accordance with Clause A must be done so "for, and on behalf of the Council". Records must be kept of any Authorisations made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

A.2 Conformity with the *Road Traffic Act*

All traffic control devices used pursuant to Clause A must conform to the requirements of the Act and any Rules and Regulations made under the Act.

A.3 Conformity with the Australian Standards and the Code

All traffic control devices must conform to the requirements of and be installed, maintained, altered, operated or removed in accordance with the applicable Australian Standards, and the provisions contained in the Code and the applicable Australian Standards, as amended from time to time.

The Code refers to and invokes the applicable Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.

A.4 Notification to adjoining Councils

Council must notify an adjoining Council before installing, altering or removing a traffic control device on a road that runs into or intersects with, or is otherwise likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of another Council.

Where a Council uses a traffic control device to effect section 32 of the Act, that is, closing a road for traffic management purposes, and the road runs into the area or along the boundary of another Council, each affected Council must concur with the road closure or part road closure.

A.5 Notification to the Commissioner of Highways

Council must notify the Commissioner of Highways before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of the Commissioner of Highways.

A.6 Consultation on traffic signals

If Council wishes the Commissioner of Highways to maintain Council's:

(a) traffic signals at intersections;
(b) emergency services traffic signals;
(c) mid-block traffic signals (pedestrian actuated crossings);
(d) signals at Koala crossings; or
(e) signals at Wombat crossings with flashing lights,

then Council must consult with the Commissioner of Highways when proposing to install the said signals for the purpose of standardising the equipment and establishing a uniform maintenance program.

A.7 Traffic Impact Statement

Before any traffic control device is installed, altered or removed, a Traffic Impact Statement must be prepared by a person, who in the Council's opinion is an experienced traffic engineering practitioner.

The Traffic Impact Statement must be endorsed by a person authorised by Council.

The Traffic Impact Statement summarises the investigations undertaken to justify the installation, alteration or removal of traffic control devices and must address road safety issues and the traffic management effects for all road users, including cyclists and pedestrians. It need not be a lengthy document. The Code provides further guidance on the preparation of Traffic Impact Statements.

A Traffic Impact Statement is not required for the installation, alteration or removal of traffic control devices on road-related areas that do not constitute a public place.

A.8 Traffic control devices requiring separate approval

General approval does not apply to those traffic control devices:

(a) specifically listed in the Code requiring separate approval; or

(b) not contained in or referred to in the Australian Standards or the Code; or

(c) not complying with clause A.3.

Council must obtain separate approval to install, maintain, alter, operate or remove, or cause to be installed, altered, operated or removed, any traffic control device specified in this clause.

Council must address applications for approval under this clause to the Commissioner of Highways who will consider the application as the Minister's delegate. The application must include a Traffic Impact Statement, any plans, and relevant supporting documentation.

B. Speed Limits at Works on Roads

For the purpose of section 20(2) of the Act, I grant Council **GENERAL APPROVAL** to place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards

- a work area; or
- a work site

where workers are engaged, or works are in progress at the direction of Council, subject to the following conditions:

B.1 Authorisation of other Officers

Council may authorise any Officer to exercise the powers conferred on it pursuant to Clause B of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause B must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

B.3 Conformity with the *Road Traffic Act*

The maximum speed to be indicated by signs must be in accordance with section 20 of the Act.

B.4 Conformity with the SA Standards

All traffic control devices must conform to the requirements of and be installed in accordance with the provisions contained in the SA Standards.

B.5 Persons who may act on behalf of Council

For the purposes of this clause, the following people may act on behalf of Council:

(a) an employee of Council; or
(b) an employee of a contractor or sub-contractor engaged to carry out works on a road on behalf of Council.

B.6 Training and Accreditation

At all times when a worker is present at a work area or work site at least one worker must:

- have gained accreditation in the DPTI Workzone Traffic Management Training Program; and
- carry a card or certificate certifying accreditation in this course when engaged at a work area or work site; and
- have undertaken re-training in the DPTI Workzone Traffic Management Training Program within the last 3 years.

B.7 Record Keeping

Any person acting on behalf of Council pursuant to Clause B must comply with the SA Standards that outline the procedures and guidelines for record keeping required for the overall safety and smooth operation of a traffic guidance scheme.

C. Traffic Control Devices at Works on Roads

For the purposes of sub-section 17(3) of the Act, I grant Council **GENERAL APPROVAL** to install, display, alter, operate, or remove, any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under this Act or any other Act. This approval is subject to the following conditions:

C.1 Authorisation of other Officers

Council may authorise any Officers to exercise the powers conferred on it pursuant to Clause C of this Instrument. Any Authorisations to any officer must be by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause C must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to

this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

C.2 Conformity with the Road Traffic Act

All traffic control devices must conform to the requirements of, and be installed, displayed, altered, operated or removed in accordance with the Act and any Rules and Regulations made under the Act.

C.3 Conformity with the Code, and SA Standards

All traffic control devices must conform to the requirements of and be installed, displayed, altered, operated or removed in accordance with the provisions contained in the Code, the SA Standards and the applicable Australian Standards.

C.4 Persons who may act on behalf of Council

For the purposes of this clause, the following people may act on behalf of Council:

(a) an employee of Council; or
(b) an employee of a contractor or sub-contractor engaged to carry out works on a road on behalf of Council.

C.5 Training and Accreditation

At all times when a worker is present in an area where persons are engaged in work or an area affected by works in progress at least one worker must:

- have gained accreditation in the DPTI Workzone Traffic Management Training Program; and
- carry a card or certificate certifying accreditation in this course when engaged at a work area or work site; and
- have undertaken re-training in the DPTI Workzone Traffic Management Training Program within the last 3 years.

C.6 Record Keeping

Any person acting on behalf of Council pursuant to Clause C must comply with the SA Standards that outline the procedures and guidelines for record keeping required for the overall safety and smooth operation of a traffic guidance scheme.

D. Temporary Parking Controls

For the purpose of sub-section 17(3) of the Act, I grant Council **GENERAL APPROVAL** to install, display, alter, operate, or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under its care, control and management, subject to the following conditions:

D.1 Authorisation of other Officers

Council may authorise any Officers to exercise the powers conferred on it pursuant to Clause D of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approve by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause D must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

D.2 Conformity with the Act

All temporary parking controls must conform with the requirements of, and be installed, displayed, altered, operated or removed in accordance with the Act and any Rules and Regulations made under the Act.

D.3 Conformity with Australian Standards and the Code

All temporary parking controls must conform to the requirements and be installed, displayed, altered, operated or removed in accordance with the provisions contained in any applicable Australian Standards and the Code.

The Code refers to and invokes the Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.

D.4 Information on Signs

A temporary parking control used in accordance with Clause D must display the words "TEMPORARY PARKING CONTROL" in a prominent position.

D.5 Limitation of Temporary Parking Controls

A temporary parking control used in accordance with Clause D cannot have effect for a period exceeding 35 days.

D.6 Records of Temporary Parking Controls

Council must keep records of any use of temporary parking controls.

E. TRAFFIC CONTROL DEVICES FOR EVENTS

For the purposes of section 17 of the Act, I grant Council **GENERAL APPROVAL** to install, maintain, alter, operate or removed, or cause to be installed, maintained altered, operated, or removed, a traffic control device for the purpose of an event other than those specified in Clause A.8 of this Instrument, on, above or near a road which is under its care, control and management subject to the following conditions:

E.1. Conformity with the Road Traffic Act

All traffic control devices used pursuant to Clause E of this Instrument must conform to the requirements of the Act, and any Rules and Regulations made under the Act.

E.2. Conformity with Plan

All traffic control devices must be installed in accordance with a Traffic Management Plan prepared by a person who in the opinion of the Council has an appropriate level of knowledge and expertise in the preparation of traffic management plans.

Council need not comply with Clause A.7 of this Instrument where using a traffic control device for the purpose of an event.

E.3. Notification to adjoining Councils

Council must notify an adjoining Council before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic (including its flow, speed and composition) on a road that is under the care, control and management of another Council.

E.4 Notification to the Commissioner of Highways

Council must notify the Commissioner of Highways before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of the Commissioner of Highways.

INSTRUMENT OF DELEGATION

I, **Tom Koutsantonis, Minister for Transport and Infrastructure** in the State of South Australia, pursuant to section 11 of the *Road Traffic Act 1961* ("the Act") hereby **DELEGATE** the powers as detailed in the following clauses –

F. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY

I **DELEGATE** to **Council** the power conferred on the Minister pursuant to section 17 of the Act to **SPECIFICALLY APPROVE** the installation, maintenance, alteration, operation or removal of a traffic control device in the municipality or district of Council by a road authority on, above or near a road under the care, control and management of the said road authority subject to the following conditions:-

F.1 Sub-Delegation and Authorisation to other Officers

This delegation cannot be sub-delegated without my express approval. Council may, however, authorise any officers to exercise the powers conferred on Council pursuant to Clause F of this Instrument.

Any Authorisations to any Officer should be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that officer in accordance with Clause F must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause.

F.2 Conformity with the Road Traffic Act

All traffic control devices used pursuant to Clause F of this Instrument must conform to the requirements of the Act, and any Rules and Regulations made under the Act.

F.3 Conformity with the Australian Standards and the Code

All traffic control devices must conform to the requirements of and be installed, maintained, altered, operated or removed in accordance with the provisions contained in the applicable Australian Standards and the Code.

The Code refers to and invokes the Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.

F.4 Power of approval subject to same Conditions in Clause A

The power of Council to grant approvals under Clause F is subject to the same conditions that apply to Council under Clause A where Council itself is the road authority.

F.5 Record Keeping

Council must keep accurate records of any approval granted to another road authority pursuant to Cause F of this Instrument.

G. CLOSE ROADS AND GRANT EXEMPTIONS FOR EVENTS

I **DELEGATE** to Council my power in sub-section 33(1) of the Act to declare an event to be an event to which section 33 applies and make orders directing:

(a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Council, should be closed for the purposes of the event) be closed to traffic for a specified period; and

(b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 subject to the conditions in Clause G.5

G.1 Sub-Delegation to other Officers

Council may sub-delegate the power delegated to Council pursuant to Clause G of this Instrument subject to the following conditions:

1. Council may only sub-delegate the power to the person for the time being occupying the position of Chief Executive Officer of Council; and
2. Any such sub-delegation must be made by instrument in writing by Council resolution; and
3. The sub-delegate cannot direct the closure of a road or and grant an exemption for an event on a road that runs into or intersects with, or is otherwise likely to affect traffic (including its flow, speed and composition) on a road that is under the care, control and management of another Council or the Commissioner for Highways; and
4. Council's sub-delegate is subject to all conditions that are imposed on Council under Clause G, in relation to the closure of a road or the grant of an exemption for an event; and
5. Council may impose any other conditions deemed necessary on its sub-delegate in relation to the closure of a road or the grant of an exemption for an event; and
6. Council cannot authorise any other person to exercise the powers conferred on Council, pursuant to G of this Instrument.

G.2 Roads and Road-Related Areas to which Delegation Applies

Council may only exercise the powers of the Minister in sub-section 33(1) of the Act with respect to a road under its care, control and management.

G.3 Conformity with the Road Traffic Act

Council when exercising the powers of the Minister in sub-section 33(1) of the Act must comply with the requirements of section 33 of the Act.

G.4 Exemption from Australian Road Rules

Council can only grant exemptions from the following Australian Road Rules and subject to the conditions listed in Clause G.5:

1. Rule 221: Using hazard warning lights;
2. Rule 230: Crossing a road — general;
3. Rule 231: Crossing a road at pedestrian lights;
4. Rule 232: Crossing a road at traffic lights;
5. Rule 234: Crossing a road on or near a crossing for pedestrians;
6. Rule 237: Getting on or into a moving vehicle;
7. Rule 238: Pedestrians travelling along a road (except in or on a wheeled recreational device or toy);
8. Rule 250: Riding on a footpath or shared path;

9. Rule 264: Wearing of seat belts by drivers;
10. Rule 265: Wearing of seat belts by passengers 16 years old or older;
11. Rule 266: Wearing of seat belts by passengers under 16 years old;
12. Rule 268: How persons must travel in or on a motor vehicle;
13. Rule 269: Opening doors and getting out of a vehicle etc;
14. Rule 298: Driving with a person in a trailer.

G.5 Conditions on Exemptions from Australian Road Rules

Council may only grant exemption from the following Australian Road Rules provided any such exemption contains the following minimum conditions:

1. Rule 237: Getting on or into a moving vehicle – provided the speed of the vehicle does not exceed 5 km/h;
2. Rule 264: Wearing of seat belts by drivers – provided the speed of the vehicle does not exceed 25 km/h;
3. Rule 265: Wearing of seat belts by passengers 16 years old or older – provided the speed of the vehicle does not exceed 25 km/h;
4. Rule 266: Wearing of seat belts by passengers under 16 years old – provided the speed of the vehicle does not exceed 25 km/h;
5. Rule 268: How persons must travel in or on a motor vehicle – provided the speed of the vehicle does not exceed 25 km/h;
6. Rule 269: Opening doors and getting out of a vehicle etc – provided the speed of the vehicle does not exceed 5 km/h;
7. Rule 298: Driving with a person in a trailer – provided the speed of the vehicle does not exceed 25 km/h.

G.6 Notification to Commissioner of Highways

Council must notify the Commissioner of Highways of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.

G.7 Notification to Emergency Services and Public Transport Services Division

Council must notify the SA Metropolitan Fire Service, SA Country Fire Service, SA State Emergency Service, the SA Ambulance Service and the Public Transport Services Division of the Department of Planning, Transport and Infrastructure ("DPTI") as appropriate, of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.

G.8 Notification to Traffic Management Centre, Metropolitan Region

Where an event requires intervention by DPTI to ensure the safe and efficient conduct and movement of traffic, Council must ensure that it or the event organiser contacts the Traffic Management Centre, Metropolitan Region (ph: 1800 018 313) no less than 15 minutes prior to the commencement of the event and immediately upon completion of the need for such intervention.

G.9 Notification to Commissioner of Police

Council must notify the Commissioner of Police of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.

G.10 Agreement of Commissioner of Police

If Council proposes to make an order under sub-section 33(1) that involves any motor vehicular traffic, Council must first obtain the agreement of the Commissioner of Police before making an order that exempts a person from any of the following Australian Road Rules: 230, 231, 232, 234 and 238.

G.11 Use of Advance Warning Signs

Where the event will significantly and/or adversely affect a road which is under the care, control and management of the Commissioner of Highways, Council must ensure that the event organisers place advance warning notification signs on the affected roads. The signs must clearly indicate to the public the times and dates of the temporary road closure.

G.12 Effect on Roadside Furniture

Where an event affects any roadside furniture owned or maintained by the Commissioner of Highways or road markings, Council must ensure that it or the event organiser reinstates such furniture or markings to its original condition.

H. DEFINITION OF TERMS

For the purposes of this Instrument, unless a contrary intention appears:
Words defined in section 5 of the Act have the same meaning as in the instrument.

A reference to a road includes a reference to a road-related area unless it is otherwise expressly stated.

Council means a council constituted under the *Local Government Act 1999*;

Code means the Code of Technical Requirements, as amended from time to time (formerly known as the Code of Technical Requirements for the Legal Use of Traffic Control Devices);

Event means event as defined in section 33 of the *Road Traffic Act 1961* namely an organised sporting, recreational, political, artistic cultural or other activity, and includes a street party;

Officer means Council employee

SA Standards means the Department of Planning, Transport and Infrastructure's SA Standard for Workzone Traffic Management;

Work area means work area as defined in section 20(1) of the Act, namely a portion of road on which workers are, or may be, engaged;

Work site means a portion of road affected by works in progress, together with any additional portion of road used to regulate traffic in relation to those works or for any associated purpose.

I. FUTURE VARIATIONS TO THIS INSTRUMENT

This Instrument may be revoked or varied by a subsequent Instrument in writing.

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Hon Tom Koutsantonis MP
MINISTER FOR TRANSPORT AND INFRASTRUCTURE
Dated this 22 day of AUGUST 2013

CITY OF ADELAIDE

DISABILITY INCLUSION REGULATIONS 2019
ENVIRONMENT PROTECTION (NOISE) POLICY 2007
ENVIRONMENT PROTECTION REGULATIONS 2023
LOCAL GOVERNMENT ACT 1999
INSTRUMENT OF DELEGATION BY THE CHIEF EXECUTIVE OFFICER (FOR THE PURPOSES OF THE LOCAL GOVERNMENT ACT AND FOOD ACT)
INSTRUMENT A – INSTRUMENT OF DELEGATION UNDER THE PLANNING, PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT 2016
INSTRUMENT B – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OR POWERS OF A COUNCIL AS RELEVANT AUTHORITY
INSTRUMENT C – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PANNING AND DESIGN COFR AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL
INSTRUMENT D – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT MANAGER

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

City of Adelaide

Disability Inclusion Regulations 2019 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
737115	Disability Inclusion Regulations 2019	regulation 12(2)(a)	Prepare a report on the operation of a disability access and inclusion plan	Chief Executive Officer		State authority

Independent Commission Against Corruption Act 2012 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
755306	Independent Commission Against Corruption Act 2012	section 39A(3)	Apply to the Supreme Court for an order authorising the council to withhold information relating to the determination from a person the subject of the investigation	Chief Executive Officer		public authority

City of Adelaide

Instrument A – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of powers of a council as council - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754905	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(1)	89. Initiating a Code Amendment 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instrument (PD2), to initiate a Code Amendment and lodge the following documents to the Department via the SA Planning Portal: 89.1.1 a Proposal to Initiate; 89.1.2 SA Planning Portal Publication Instructions – for Initiation; 89.1.3 Heritage Report with datasheet(s) and analysis of historic themes (relevant proposals only); 89.1.4 Significant Tree Report with description/s and assessment/s (relevant proposals only).	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754906	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.1 Code Policy 89.2.1.1 an outline of: (a) any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or (b) the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;	Chief Executive Officer	
754907	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2.2 Affected Area 89.2.2.1 a map or description of the Affected Area;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754908	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.3 State Planning Policies 89.2.3.1 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;	Chief Executive Officer	
754909	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.4 Regional Plan 89.2.4.1 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;	Chief Executive Officer	
754910	State Planning Commission Practice	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.5 Consultation	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Direction 2 - Preparation and Amendment of Designated Instruments		89.2.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 89.2.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;		
754911	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.6 Planning Merit Statement 89.2.6.1 provide a statement detailing how the proposed Code Amendment relates to strategic directions and outlines desired policy/development outcomes and anticipated residential/ employment yields;	Chief Executive Officer	
754912	State Planning Commission Practice Direction 2 - Preparation and Amendment	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.7 Investigation Information 89.2.7.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	of Designated Instruments		89.2.7.2 commitment to undertake further investigations to support the proposed Code Amendment including the following as applicable: (a) infrastructure (road, civil, corridor); (b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications); (c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects); (d) Code policy (zone, overlay, TNVs, concept plan); (e) hazard risk (analysis of relevant overlays and site conditions); (f) the extent to which there are social, economic, land use, built form or environmental features that present a barrier to the outcomes sought; 89.2.7.3 high-level details of any infrastructure required to support development arising through the proposed Code Amendment and how that infrastructure will be provided (for example potable water and sewerage connection requirements); 89.2.7.4 where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			the proposed Code Amendment.		
754913	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.8 The power pursuant to clause 5(3) of PD2 to set out in the SA Planning Portal Publication Instructions – for Initiation: 89.2.8.1 a summary of the Code Amendment in plain English, which will be published on the SA Planning Portal; 89.2.8.2 where possible, an indication of when consultation may begin.	Chief Executive Officer	
754914	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.9 The power pursuant to clause 5(4) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a place as a place of local heritage value, provide a report which: 89.2.9.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes: (a) all relevant property details and descriptions (including images); (b) historical background and thematic analysis;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			(c) a statement of heritage value; (d) an assessment against the Local Heritage Criteria; and (e) the extent of listing (including any exclusions); 89.2.9.2 includes an analysis of historic themes of importance to the area; 89.2.9.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and 89.2.9.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.		
754915	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.10 The power pursuant to clause 5(5) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), provide a report which: 89.2.10.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary); 89.2.10.2 includes an assessment of the tree	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			(or stand of trees) against the Significant Tree Criteria; 89.2.10.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.		
754916	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.1 carry out investigations and obtain such information: 90.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 90.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 90.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;	Chief Executive Officer	
754917	State Planning Commission Practice Direction 2 - Preparation	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.2 provide the Department with:	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		90.1.2.1 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 90.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Agreement;		
754918	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.3 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;	Chief Executive Officer	
754919	State Planning Commission	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2,	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		to prior to consultation occurring on a draft Code Amendment: 90.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and		
754920	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.5 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.	Chief Executive Officer	
754921	State Planning Commission Practice Direction 2 - Preparation and	clause 6(2)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.2 The power pursuant to clause 6(2) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report under PD2, to provide the Department with the	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal		
754922	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 7(1)	91. Requirements for a Draft Code Amendment 91.1 The power pursuant to clause 7(1) of PD2 to support a draft Code Amendment by the following information: 91.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment); 91.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area; 91.1.3 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 Polices, the Regional Plan and any other relevant strategic plans; 91.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and 91.1.5 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	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			infrastructure will be provided.		
754923	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(1)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.1 The power pursuant to clause 9(1) of PD2 to prepare an engagement plan that: 92.1.1 meets the principles and performance outcomes of the Charter; 92.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies: 92.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act; 92.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and 92.1.2.3 who must be consulted with under the Charter; 92.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 92.1.4 describes the evaluation framework for the engagement.	Chief Executive Officer	
754924	State Planning Commission	clause 9(2)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.2 The power pursuant to clause 9(2) of PD2	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		to, in relation to engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan submit the engagement plan to the Commission for approval prior to commencement of formal engagement on the proposal.		
754925	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(3)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.3 The power pursuant to clause 9(3) of PD2 to, in relation to an engagement plan relating to a proposed amendment to the Code or a Design Standard, submit the engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval.	Chief Executive Officer	
754926	State Planning Commission Practice Direction 2 - Preparation and	clause 10(1)	93. Preparation of an Engagement Report (Following Consultation) 93.1 The power pursuant to clause 10(1) of PD2 to, at the completion of engagement on a proposal prepare or amend a Designated Instrument, provide the Department with: 93.1.1 if amendments to the proposal are	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		required: 93.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the draft Designated Instrument; and/or 93.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Designated Instrument; 93.1.2 the updated draft Designated Instrument or amendment to the Designated Instrument in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and 93.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister.		
754927	State Planning	clause 10(2)	93. Preparation of an Engagement Report (Following Consultation)	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments		93.2 The power pursuant to clause 10(2) of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act: 93.2.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement plan; 93.2.2 the outcome of the engagement including a summary of the written submissions or feedback received; 93.2.3 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. This should specifically indicate: 93.2.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and 93.2.3.2 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.		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754928	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(3)	93. Preparation of an Engagement Report (Following Consultation) 93.3 The power pursuant to clause 10(3) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether: 93.3.1 the principles of the Charter have been activated; and 93.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).	Chief Executive Officer	
754929	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 11(1)	94. Complying Changes to the Code of Conduct 94.1 The power pursuant to clause 11(1) of PD2 to, in relation to a request for the Minister to agree to a complying change to the Code under Section 75 of the PDI Act provide the request to the Department and include the following information: 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; 94.1.2 a summary of any consultation which	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan. This should include a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment; 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; and 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.		
754930	State Planning Commission Practice Direction 2 - Preparation and Amendment of	clause 12(1)	95. Early Commencement of a Code Amendment 95.1 The power pursuant to clause 12(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 95.1.1 explanation, justification and evidence as necessary to demonstrate how early	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Designated Instruments		commencement of the Code Amendment is: 95.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and 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 Code Amendment) ahead of the outcome of consideration of the Code Amendment; 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 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.		
766403	State Planning Commission	cl 11(4)	94. Lodgement of Proposal 94.1The power pursuant to clause 11(4) of PD2 to submit a completed Lodgement Form with	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		the Department via the SA Planning Portal, to commence the process for a proposed Complying Change.		
766404	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 11(5)	94. Lodgement of Proposal 94.2The power pursuant to clause 11(5) of PD2 to set out in the Lodgement Form: 94.2.1Affected Area 94.2.1.1a map of the Affected Area (confirming its consistency with the boundaries of the map(s) relating to the relevant Regional Plan recommendation); 94.2.2Code Mapping 94.2.2.1an outline of: (a) any existing overlay, zone, subzone, concept plan or technical and numeric variation in the Code within the Affected Area which is proposed to be amended; (b) the proposed spatial application of any overlay/s and/or amendment/s to the boundary of a zone or subzone; and (c) any associated proposed application of a concept plan/s and/or all relevant technical or numeric variation/s within the Affected Area in	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			connection with the proposed change outlined in clause 11(5)(c)(ii) of PD2; 94.2.3Regional Plan Recommendation 94.2.3.1 a description of the relevant recommendation/s in the Regional Plan; 94.2.3.2confirmation that the details outlined in clauses 11(5)(c)(ii) and (iii) of PD2 are consistent with the recommendation in the Regional Plan (where relevant); and confirmation that a time period of not more than two years has elapsed since the relevant recommendation in the Regional Plan was given effect pursuant to Section 73(12) of the PDI Act (unless the Commission considers that a longer period shall apply for the purposes of clause 11 of PD2).		
766405	State Planning Commission Practice Direction 2 - Preparation and Amendment of	cl 13(1)	95.Final Determination of Minister 95.1The power pursuant to clause 13(1) of PD2 when consultation on a proposed Complying Change is complete, to provide the Department with: 95.1.1.1written instructions (in a form acceptable to the Department) that set out any changes to the Complying Change as it was initially proposed; and/or 95.1.1.2mapping instructions or a description of	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Designated Instruments		the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare mapping which is suitable for inclusion in the Code; 95.1.2the updated draft proposed Complying Change in the form of amendment instructions (once finalised by the Council, incorporating any changes); and 95.1.3if any submissions were received, a consultation report to be furnished to the Commission.		
766406	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 13(2)	95.Final Determination of Minister 95.2The power pursuant to clause 13(2) of PD2 to set out in the consultation report in clause 13(1)(c) of PD2: 95.2.1the outcome of the consultation, including a summary of the written submissions or feedback received; and 95.2.2 any proposed changes to the Complying Change (when compared with the proposal that was consulted on) and the reasons for those proposed changes and specifically indicate: 95.2.2.1 where changes are proposed to the Complying Change as a result of the consultation; and	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			95.2.2.2 any other changes proposed as a result of additional investigations or information that was not available when the proposal was released for consultation.		

Local Government Act 1999 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
711630	Local Government Act 1999	section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	Chief Executive Officer		council
711631	Local Government Act 1999	section 126(9)	Ensure annual report of audit and risk committee is included in annual report	Chief Executive Officer		council

City of Adelaide

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
711632	Local Government Act 1999	section 126A(1)	Establish a regional audit and risk committee	Chief Executive Officer		council
711633	Local Government Act 1999	section 126A(9)	Ensure annual report of regional audit and risk committee is included in annual report	Chief Executive Officer		Council
507525	Local Government Act 1999	section 190	Agree to acquire land	Chief Executive Officer	Leases and licences for the purpose of commercial parking	council

City of Adelaide

Instrument of Delegation by the Chief Executive Officer (for the purposes of the Local Government Act and Food Act) - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
711683	Local Government Act 1999	section 99(1)(ia)	Ensure that effective policies, systems and procedures are established and maintained for the identification, assessment, monitoring, management and annual review of strategic, financial and operational risks	Chief Executive Officer	
711684	Local Government Act 1999	section 99(1)(ib)	Report annually to the relevant audit and risk committee on the council's internal audit processes	Chief Executive Officer	
711685	Local Government Act 1999	section 125A(1)	Consult with the relevant audit and risk committee before appointing a person to be primarily responsible for the internal audit function or assigning such responsibility to an employee of the council on the appointment or assignment of responsibility	Chief Executive Officer	
711686	Local Government Act 1999	section 126(4)(g)(ii)	Provide annual report in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
711687	Local Government Act 1999	section 126A(4)(g)(ii)	Provide annual report in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures	Chief Executive Officer	
755370	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)(g)	Provide submissions on the proposal to initiate	Chief Executive Officer	

Instrument B – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions or powers of a Council as Relevant Authority - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
752599	Planning, Development and Infrastructure (General) Regulations 2017	r57(2)(b)	24.Notice of Decision (Section 126(1)) 24.1The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.	Chief Executive Officer	
736963	State Planning Commission Practice Direction 18 Outline Consent	cl5(1)(b)	33. Circumstances in Which Outline Consent May be Granted 33.1The power pursuant to clause 5(1)(b) of the State Planning Commission Practice Direction 18 Outline Consent (PD18) to provide advice to an applicant that if the application were to be for planning consent, the council would request the Minister to give notice under Section 94(1)(g) of the PDI Act.	Chief Executive Officer	

Local Government (General) Regulations 2013 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
755356	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer		

Environment Protection Regulations 2023 - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
506176	Environment Protection Regulations 2023 (was 2009)	regulation 82(2)(was 75(2))	Elect by written notice to the Environment Protection Authority not to comply with regulations74 (was 71) and 75 (was 71(2)) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulation82(2)(b) (was 75(2)(b))	Chief Executive Officer ~~Director City Shaping~~ ~~Associate Director Park Lands Policy and Sustainability~~ ~~Deputy Chief Executive Officer~~ ~~Chief Operating Officer~~		council

Local Government Act 1999 - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
507396	Local Government Act 1999	section 128(2)	Appoint an auditor on the recommendation of the relevant audit and risk committee.	Chief Executive Officer ~~Associate Director Finance & Procurement~~ ~~Chief Operating Officer~~ ~~Corporate Accountant~~		council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			(was council's audit committee)	~~Team Leader Financial Planning and Reporting~~		
507423	Local Government Act 1999	section 143(1)	Write off bad debts	Chief Executive Officer Chief Operating Officer Associate Director Finance & Procurement Director City Shaping Manager Rates and Receivables	Chief Executive Officer – up to $50,000 Chief Operating Officer – up to $10,000 Associate Director Finance and Procurement – up to $5,000 Manager Rates and Receivables – up to $1,000	
507506	Local Government Act 1999	section 184(12)	Deal with money under the Unclaimed Money Act 2021 (was 1891)	Chief Executive Officer Associate Director Finance & Procurement Director City Shaping Chief Operating Officer		council

Instrument A – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of powers of a council as council - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
610072	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(2)	79. (was 64) Required Documentation 79.2 9 (was 64) The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 October2024 (was July 2022) of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation: 79.2.(was 64) 1if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,	Chief Executive Officer	
506607	Instrument of Delegation under the Planning, Development	s193(15)	45.(was 33) Land Management Agreements – Development Applications 45. (was 33) 8The power pursuant to Section 193(15) of the PDI Act	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	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)		to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.		
754930	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 14(1) (was 12	96. (was 95) Early Commencement of a Code Amendment 96.1 (was 95.1) The power pursuant to clause 14(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 96.1.1 (was 95.1.1) explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is: 96.1.1.1 (was 95.1.1.1) necessary in the interest of the orderly and proper development of an area of the State; and 96.1.1.2 (was 95.1.1.2) required in order to counter applications for undesirable development (which should identify possible future	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment; 96.1.2 (was 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 96.1.3 (was 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.		
506727	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	97. (was 81) Responsibility to Undertake Notification 97.1 (was 81.1)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.	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506728	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	98. (was 82) Mandatory Inspections 98.1 (was 82.1) The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection: 98.1.1 (was 82.1.1) primary structural elements; 98.1.2 (was 82.1.1) structural framing and roof trusses; 98.1.3 (was 82.1.3) wet areas and waterproofing; 98.1.4 (was 82.1.4) barriers to prevent falls; 98.1.5 (was 82.1.5) cladding; 98.1.6 (was 82.1.6) egress provisions; 98.1.7 (was 82.1.7) bushfire protection systems; 98.1.8 (was 82.1.8) passive and active fire safety elements; 98.1.9 (was 82.1.9) private bushfire shelters; and 98.1.10 (was 82.1.10) performance solutions.	Chief Executive Officer	
506729	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	99. (was 83) Additional Inspections 99.1 (was 83.1) The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506730	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	100. (was 84) Inspections Generally 100.1 (was 84.1) 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.	Chief Executive Officer	
506731	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	101. (was 85) General Requirements 100.1 (was 85.1) 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.	Chief Executive Officer	

City of Adelaide

Instrument B – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions or powers of a Council as Relevant Authority - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506804	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a) (was r57(2)(b))	24.(was 25) Notice of Decision (Section 126(1)) 24.1The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate. 24.2 (was 24.1) The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	Chief Executive Officer	
506815	Planning, Development and Infrastructure (Fees, Charges and Contributions)	r7	32.(was 33) Waiver or Refund of Fee 32.1(was 33.1) The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2019		32.1. (was 33) 1waive the payment of the fee, or the payment of part of the fee; or 32.1 (was 33).2refund the whole or a part of the fee.		

Supported Residential Facilities Regulations 2024 - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
508253	Supported Residential Facilities Regulations 2024 (was 2009)	regulation 18(1)	Approve a ~~(registered)~~ nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority
508254	Supported Residential Facilities Regulations	regulation 18(2)	Revoke the approval of a ~~(registered)~~ nurse to ~~(overseeing)~~ oversee the provision of nursing care at a facility	Not delegated		licensing authority

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	2024(was 2009)					
508255	Supported Residential Facilities Regulations 2024(was 2009)	regulation 18(2)	Require a new appointment of a ~~(registered)~~ nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority

Environment Protection (Noise) Policy 2007 - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
506097	Environment Protection (Noise) Policy 2007	clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions	Chief Executive Officer		council
506098	Environment Protection	clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in	Chief Executive Officer		council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	(Noise) Policy 2007		what land use category a land use principally promoted by relevant Development Plan provisions falls			

Instrument A – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of powers of a council as council - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506716	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl5(1)	89. Requirements in Relation to Preparing an Engagement Plan 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: 89.1.1 meets the principles and performance outcomes of the Charter; 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: 89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act 89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			89.1.2.3 who must be consulted with under the Charter; 89.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 89.1.4 describes the evaluation framework for the engagement.		
506717	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.	Chief Executive Officer	
623836	State Planning Commission Practice Direction 2 - Preparation and Amendment of	cl6(1)	90.Preparation of an Engagement Report (Following Consultation) 90.1The power pursuant to clause 6(1) of PD2, at the completion of engagement on a draft of a proposal to prepare or amend a designated instrument to provide an engagement report to the Minister.	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Designated Instruments				
506718	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: 90.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and 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.	Chief Executive Officer	
506720	State Planning Commission Practice Direction 2 - Preparation and	cl7(1)	91. Initiating a Code Amendment 91.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets out: 91.1.1 Code Policy – an outline of: 91.1.1.1 any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		and/or 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; 91.1.2 Affected Area 91.1.2.1 a map or description of the Affected Area; 91.1.3 State Planning Policies 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; 91.1.4 Regional Plan 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; 91.1.5 Consultation - 91.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 91.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment; 91.1.6 Investigations - 91.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment 91.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment; 91.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided; 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 91.1.7 Timetable		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			91.1.7.1identification 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 timeframes will not be met.		
623838	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl7(1) and (3)	91.Initiating a Code Amendment 91.2The power pursuant to clauses 7(1) and (3) of PD2 to lodge the SA Planning Portal Publication Instructions – for Initiation that sets out: 91.2.1identification of a consultation start date, consistent with the Proposal to Initiate timetable; 91.2.2an outline of the consultation approach including period of consultation, key audience and consultation methods (noting the Commission may also recommend specific conditions); and 91.2.3a summary of the Code Amendment in plain English.	Chief Executive Officer	
506721	State Planning Commission Practice Direction 2 - Preparation and	cl7(4)	91.3 Initiating a Code Amendment 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: 91.3.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes: 91.3.1.1 all relevant property details and descriptions (including images);	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		91.3.1.2 historical background and thematic analysis; 91.3.1.3 a statement of heritage value; 91.3.1.4 an assessment against the Local Heritage Criteria; and 91.3.1.5 the extent of listing (including any exclusions); 91.3.2 includes an analysis of historic themes of importance to the area; 91.3.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and 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.		
506733	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 7(5)	91. Initiating a Code Amendment 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: 91.4.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary) 91.4.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria; 91.4.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.	Chief Executive Officer	
506722	State Planning Commission Practice Direction 2 -	cl8(1)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to: 92.1.1 carry out investigations and obtain such information:	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Preparation and Amendment of Designated Instruments		92.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 92.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 92.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act; 92.1.2 provide the Department with: 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 92.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment; 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; 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 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.		
506723	State Planning Commission	cl8(2)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.2 The power pursuant to clause 8(2) of PD2, where an engagement	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		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		
506724	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl9(1)	93. Requirements For a Draft Code Amendment 93.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information: 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) 93.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area; 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 strategic plans; 93.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and 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.	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506725	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl11(1)	94. Complying Changes to the Code 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: 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; 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; 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; and 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	Chief Executive Officer	
506726	State Planning Commission Practice Direction 2 - Preparation	cl12(1)	95. Early Commencement of a Code Amendment 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: 95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		95.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and 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 Code Amendment) ahead of the outcome of consideration of the Code Amendment; 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 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		
623837	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl6(3)	90. Preparation of an Engagement Report (Following Consultation) 90.3The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether: 90.3.1the principles of the Charter have been achieved; and 90.3.2all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).	Chief Executive Officer	

Instrument B – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions or powers of a Council as Relevant Authority - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506759	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant	s120(1)	6.Outline Consent 6.1The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Authority (Instrument B);				
506760	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(3)	6.Outline Consent 6.2The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to: 6.2.1grant any consent contemplated by the outline consent; and 6.2.2not impose a requirement that is inconsistent with the outline consent.	Chief Executive Officer	

City of Adelaide

Instrument of Delegation by the Chief Executive Officer (for the purpose of the Local Government Act and Food Act) - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
525971	Local Government (General) Regulations 2013	clause 1(2), Schedule 2A	Receive details of a gift or benefit received by an employee of the council	Chief Executive Officer	
525972	Local Government (General) Regulations 2013	clause 1(2), Schedule 2A	Determine any requirements applying to an employee of the council notifying the receipt of a gift or benefit	Chief Executive Officer	
525973	Local Government (General) Regulations 2013	clause 1(3), Schedule 2A	Maintain a register of gifts or benefits received by employees of the council	Chief Executive Officer	
525974	Local Government (General)	clause 1(4)(b), Schedule 2A	Determine a website for the publication of the register of gifts or benefits received by employees of the council	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2013				

Local Government Act 1999 - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
507342	Local Government Act 1999	section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	Not delegated		council

City of Adelaide

Local Government (General) Regulations 2013 - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
507236	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer		council
755356	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer		

CITY OF ADELAIDE

Behavioural Management Policy

TBC *legislative*

1. DEFINITIONS

In this Policy:

1.1 Behavioural Complaint means a complaint alleging that a Council Member has contravened a provision of one or both of the following instruments:

1.1.1 The Behavioural Standards; or

1.1.2 The Behavioural Support Policy.

1.2 Behavioural Standards means the behavioural standards established by the Minister under section 75E of the LG Act.

1.3 Behavioural Support Policy means the Behavioural Support Policy adopted by the Council under section 75F of the LG Act and any other policy which the Council may adopt under that provision from time to time.

1.4 Complainant means a person making a Behavioural Complaint.

1.5 Complaint Assessment mean an assessment of a Behavioural Complaint undertaken in accordance with clause 6 of this Policy.

1.6 Contact Officer has the meaning given by clause 5.4.

1.7 Council Member means the Lord Mayor, Deputy Lord Mayor, and each Councillor of the Council.

1.8 Dispute Resolution means mediation, conciliation, arbitration or other dispute or conflict resolution.

1.9 External Complaints Assessor has the meaning given by clause 5.5.

1.10 External Investigator has the meaning given by clause 7.12.

1.11 LG Act means the Local Government Act 1999.

2. PURPOSE AND INTRODUCTORY MATTERS

2.1 This Policy is the Council's behavioural management policy adopted under section 262B of the LG Act.

2.2 This Policy sets out:

2.2.1 requirements relating to the making of a Behavioural Complaint; and

2.2.2 the process for receipt and management of a Behavioural Complaint.

2.3 Nothing in this Policy:

2.3.1 prevents Council Members and other persons from seeking to resolve disputes and complaints in a proactive, positive and courteous manner before they are escalated; or

2.3.2 prevents any person from making any complaint regarding a Council Member to any other authority, including the Office for Public Integrity or the Ombudsman.

2.4 This Policy does not apply to complaints about Council employees or the Council as a whole.

2.5 All decisions made and other steps taken by the Contact Officer, External Complaints Assessor, or External Investigator under this Policy are made or taken on behalf of, or as a delegate of, the Council within the meaning of section 262C(3) of the LG Act.

2.6 In accordance with section 262C(3) of the LG Act, the Contact Officer, External Complaints Assessor, and External Investigator:

2.6.1 must proceed with as little formality and technicality and with as much expedition as the requirements of the LG Act or any other Act and a proper consideration of the matter permit; and

2.6.2 are not bound by rules of evidence but may inform themselves of any matter in any manner that they consider appropriate.

2.7 The provisions of this Policy are intended to constitute an exhaustive statement of the requirements of the natural justice hearing rule in relation to all stages of the management of a Behavioural Complaint.

2.8 Failure by a Council Member to comply with a provision of, or a requirement under, this Policy constitutes misbehaviour within the meaning of section 262E of the LG Act and may be referred to the Behavioural Standards Panel.

2.9 The Council's Behavioural Standards Panel contact officer (as required by section 262B(4)(c) of the LG Act, and the Behavioural Standards) is the Chief Executive Officer.

3. WHO CAN MAKE A BEHAVIOURAL COMPLAINT?

3.1 Any person may make a Behavioural Complaint against any Council Member.

3.2 A Behavioural Complaint must be made in accordance with the requirements of this Policy in order to be dealt with as a Behavioural Complaint.

4. REQUIREMENTS FOR MAKING BEHAVIOURAL COMPLAINT

4.1 A Behavioural Complaint must:

4.1.1 be in writing and sent by email to councilmembercomplaints@cityofadelaide.com.au

4.1.2 include the name and email address of the Complainant;

4.1.3 specify which Council Member(s) are alleged to have contravened the Behavioural Standards or Behavioural Support Policy;

4.1.4 specify which clause(s) of the Behavioural Standards or Behavioural Support Policy are alleged to have been contravened by the relevant Council Member(s);

4.1.5 describe with reasonable particularity the facts and circumstances said to constitute such contravention(s);

4.1.6 be accompanied by any evidence in the possession of the Complainant which supports the description of the relevant facts and circumstances;

4.1.7 explain whether the matter(s) raised in the complaint affects or relates to the Complainant in some way personally (as opposed to affecting or relating to the general public at large);

4.1.8 identify the outcome being sought by the Complainant, by reference to the potential outcomes contemplated under this Policy (See particularly clauses 6.1 and 8.6.4);

4.1.9 be made within 6 months of the event or circumstances said to constitute a contravention of the Behavioural Standards or Behavioural Support Policy.

4.2 If the Complainant is a Council Member, a Behavioural Complaint must also (in addition to the requirements of clause 4.1):

4.2.1 explain whether the Complainant has made any attempt to reach an informal resolution of the matters the subject of the complaint with the Council Member(s) the subject of the complaint and:

(a) if such an attempt has been made—explain the outcome of that attempt;

(b) if no such an attempt has been made—explain why no such attempt has been made;

4.2.2 include a statement to the effect that the Council Member does not consider there to be any reasonable prospect of reaching an informal resolution of the matter(s) the subject of the complaint.

4.3 Subject to clause 4.4, if a complaint is received which purports to be a Behavioural Complaint but which does not meet any one or more of the requirements of this clause 4:

4.3.1 The complaint will not be dealt with under this Policy;

4.3.2 the Contact Officer will indicate to the Complainant which requirements of clause 4 have not been met and will invite the Complainant to submit a new complaint;

4.3.3 the Contact Officer may indicate to the Complainant whether there is any available alternative complaint mechanism which the Complainant may wish to utilise.

4.4 If the only requirement of clause 4 which a particular complaint does not meet is the time limit in clause 4.1.9, the complaint will be dealt with as a Behavioural Complaint under this Policy (however, the External Complaints Assessor may be required to dismiss the complaint in accordance with clause 7.2).

5. RECEIPT OF COMPLAINT

5.1 Following receipt of a Behavioural Complaint which complies with the requirement of clause 4, the Contact Officer will refer the complaint to an External Complaints Assessor for a Complaint Assessment.

5.2 The Contact Officer will also consider whether the complaint attracts the operation of the Public Interest Disclosure Act 2018 and will advise the External Complaints Assessor of their conclusion in this regard.

5.3 The External Complaints Assessor will decide whether to keep the Complainant's identity confidential from the Council Member(s) the subject of the complaint, after having regard to:

5.3.1 the requirements of the Public Interest Disclosure Act 2018 (if applicable); and

5.3.2 whether (and the terms in which) the Complainant has requested that their identity be kept confidential from the Council Member(s) the subject of the complaint; and

5.3.3 any other matters the External Complaints Assessor considers relevant.

5.4 The Contact Officer with respect to a particular Behavioural Complaint is:

5.4.1 the Chief Executive Officer of the Council; or

5.4.2 if the Chief Executive Officer has designated another employee of the Council as Contact Officer (whether generally or in relation to the particular complaint)—that other officer; or

5.4.3 if the Chief Executive Officer considers that they are unable to act in relation to the particular complaint and has not appointed another employee under above clause 5.4.2 who may deal with that complaint—the Chief Operating Officer.

5.5 The External Complaints Assessor with respect to a particular Behavioural Complaint is a person chosen by the Contact Officer on a case-by-case basis and who:

5.5.1 is not a Council Member or an employee of the Council;

5.5.2 is, in the opinion of the Contact Officer, a person with appropriate qualifications, knowledge, experience or expertise to conduct a Complaint Assessment under this Policy; and

5.5.3 has agreed to perform the role of External Complaints Assessor in relation to the complaint.

5.6 As soon as practicable after the Behavioural Complaint has been referred to the External Complaints Assessor, the Contact Officer will inform the Complainant of the identity of the External Complaints Assessor.

6. COMPLAINT ASSESSMENT

6.1 The External Complaints Assessor must assess a Behavioural Complaint and must determine that the complaint will be dealt with in one of the following ways:

6.1.1 The complaint is dismissed;

6.1.2 The matter the subject of the complaint will be referred to another body or agency;

6.1.3 There will be mediation, conciliation, arbitration or other dispute or conflict resolution in relation to the complaint;

6.1.4 The Council Member(s) the subject of the complaint is/are required to undertake training, instruction, counselling, mentoring or coaching;

6.1.5 The complaint will be subject to investigation under this Policy.

6.2 The External Complaints Assessor may make different determinations with respect to different parts or different aspects of a single Behavioural Complaint.

6.3 The External Complaints Assessor is not required to seek the views of the Complainant, or the Council Member(s) the subject of the complaint, before dismissing a Behavioural Complaint under clause 6.1.1 or referring a Behavioural Complaint to another body or agency under clause 6.1.2.

6.4 Before making a determination under clause 6.1.3, 6.1.4 or 6.1.5 with respect to a Behavioural Complaint, the External Complaints Assessor must:

6.4.1 provide a copy of the complaint (or relevant part(s) thereof) to the Council Member(s) the subject of the complaint;

6.4.2 indicate the determination which the External Complaints Assessor proposes to make;

6.4.3 in the case of a proposed determination under clause 6.1.5 — indicate whether or not the External Complaints Assessor also proposes they be appointed to be the External Investigator;

6.4.4 invite the Council Member(s) the subject of the complaint to provide any reasons in writing as to why the External Complaints Assessor should not make that determination, and any views as to whether the External Complaints Assessor should make a different determination under the Policy, within a reasonable timeframe (being at least 7 days);

6.4.5 give genuine consideration to any reasons and views provided in response to the invitation under clause 6.4.4.

6.5 Further specific requirements for each of the above kinds of determination are set out below in clause 7.

6.6 The External Complaints Assessor must communicate their determination to the Contact Officer, who will be responsible for communicating that determination and any reasons for the determination to the Complainant and to the Council Member(s) the subject of the complaint.

7. DETERMINATION OF COMPLAINT ASSESSMENT – SPECIFIC REQUIREMENTS

Dismissal of Complaint

7.1 The External Complaints Assessor may dismiss a Behavioural Complaint on any one or more of the following grounds:

7.1.1 the subject matter of the complaint is trivial;

7.1.2 the complaint is frivolous or vexatious or is not made in good faith;

7.1.3 the Complainant or the person on whose behalf the complaint was made does not have a sufficient personal interest in the matter raised in the complaint;

7.1.4 that, having regard to all the circumstances of the case, it is unnecessary or unjustifiable for the Council to deal with or continue to deal with the complaint;

7.1.5 the subject matter of the complaint has been or is already being investigated, whether by the Council or another person or body;

7.1.6 the Council has dealt with the complaint adequately;

7.1.7 in cases where the Complainant is a Council Member – the External Complaints Assessor is not satisfied that the Complainant made adequate attempts to reach an informal resolution of the matters the subject of the complaint with the Council Member(s) the subject of the complaint;

7.1.8 the External Complaints Assessor is satisfied that there is other good reason why it is appropriate to dismiss the complaint.

7.2 The External Complaints Assessor must dismiss a Behavioural Complaint if:

7.2.1 the complaint was made out of time; and

7.2.2 the External Complaints Assessor is of the opinion that, in all the circumstances of the case, there is no proper basis as to why the complaint should be entertained out of time.

7.3 The External Complaints Assessor must provide written reasons for any decision to dismiss a Behavioural Complaint.

Referral to another agency or body

7.4 The External Complaints Assessor may determine that a Behavioural Complaint will be referred to an appropriate body or authority external to the Council, if is satisfied that there is good reason for such a referral to be made.

7.5 Without limiting clause 7.4:

7.5.1 if the External Complaints Assessor forms a reasonable suspicion of corruption in public administration within the meaning of the directions and guidelines issued under the Independent Commission Against Corruption Act 2012 in relation to the matters the subject of a Behavioural Complaint, the complaint must be referred to the Office for Public Integrity.

7.5.2 If the External Complaints Assessor forms a reasonable suspicion of misconduct or maladministration in public administration within the meaning of the directions and guidelines issued under the Ombudsman Act 1972 in relation to the matters the subject of a Behavioural Complaint, the complaint may be referred to the Ombudsman.

7.6 The Contact Officer is responsible for:

7.6.1 making any referral to an external authority on behalf of the Council; and

7.6.2 notwithstanding clause 6.6—determining whether the Complainant and/or the Council Member(s) the subject of the complaint can or should be informed of the referral (including seeking guidance from the relevant external authority as to whether this is permissible).

Mediation, conciliation, arbitration or other dispute or conflict resolution

7.7 If the External Complaints Assessor determines that there will be mediation, conciliation, arbitration or other dispute or conflict resolution (Dispute Resolution) in relation to a Behavioural Complaint:

7.7.1 the External Complaints Assessor will liaise with the Contact Officer in order to make arrangements for Dispute Resolution, including identifying and (if necessary) engaging a suitable mediator, conciliator, arbitrator or other facilitator, and for the completion of any documentation in order to facilitate the Dispute Resolution;

7.7.2 the External Complaints Assessor must determine who is required to attend and participate in Dispute Resolution, and whose attendance and participation (if anyone) is optional;

7.7.3 if the External Complaints Assessor determines that a Council Member is required to attend and participate in Dispute Resolution, and the Council Member does not do so, that Council Member fails to comply with this Policy; and

7.7.4 if the External Complaints Assessor determines that a Complainant who is not a Council Member is required attend and participate in Dispute Resolution, and the Complainant does not do so, the External Complaints Assessor may dismiss the complaint on the basis that it is unnecessary or unjustifiable for the Council to deal with or continue to deal with the complaint in accordance with clause 7.1.4.

7.8 If the Complainant is not a party to the Dispute Resolution, the Contact Officer is responsible for communicating the outcome of the Dispute Resolution process to the Complainant.

7.9 A failure by a Council Member to comply with an agreement reached following Dispute Resolution constitutes misbehaviour under section 262E of the LG Act.

Training, instruction, counselling, mentoring or coaching

7.10 If the External Complaints Assessor determines that the Council Member(s) the subject of the complaint is/are required to undertake training, instruction, counselling, mentoring or coaching:

7.10.1 the External Complaints Assessor will liaise with the Contact Officer in order to make arrangements, including identifying and (if necessary) engaging a suitable training, instruction, counselling, mentoring or coaching service provider;

7.10.2 the External Complaints Assessor must determine with reasonable particularity the nature and duration of required training, instruction, counselling, mentoring or coaching;

7.10.3 if a Council Member who is required to attend and participate in training, instruction, counselling, mentoring or coaching does not do so, that Council Member fails to comply with this Policy.

Investigation

7.11 If the External Complaints Assessor determines that a Behavioural Complaint will be subject to investigation under this Policy:

7.11.1 the External Complaints Assessor will liaise with the Contact Officer in order to make arrangements to engage a suitable External Investigator; and

7.11.2 the investigation will be conducted by the External Investigator in accordance with clause 8.

7.12 The External Investigator with respect to a particular Behavioural Complaint is a person chosen by the External Complaints Assessor on a case-by-case basis and who:

7.12.1 is not a Council Member or an employee of the Council;

7.12.2 is, in the opinion of the External Complaints Assessor, a person with appropriate qualifications, knowledge, experience or expertise to conduct an investigation under this Policy; and

7.12.3 has agreed to perform the role of External Investigator in relation to the complaint.

7.13 To avoid doubt:

7.13.1 the External Complaints Assessor may also be appointed the External Investigator (noting however that the External Complaints Assessor must indicate to the Council Member(s) the subject of the complaints that they propose to be External Investigator, prior to a determination being made, in accordance with clause 6.4.3);

7.13.2 the External Complaints Assessor may have regard to all relevant information, including information which obtained as part of the Complaint Assessment, when undertaking their investigation.

8. INVESTIGATION

8.1 If the outcome of the Complaint Assessment with respect to a Behavioural Complaint is that the complaint will be investigated, the External Investigator will conduct an investigation of the complaint however the External Investigator sees fit, subject however to clause 2.6, and the following subclauses.

8.2 The External Investigator may conduct interviews with and/or seek written responses or other documents or information from the Complainant, the Council Members(s) the subject of the complaint, and any other witnesses.

8.3 If the External Investigator, acting reasonably, determines that a Council Member is required to attend and participate in an interview and/or to provide written responses or other documents or information in the course of the investigation, and the Council Member does not do so, that Council Member fails to comply with this Policy.

8.4 The External Investigator will liaise with the Contact Officer in order to obtain any other records or information which is or may be held by the Council and which may be relevant to the investigation (and the Contact Officer is authorised to supply such records and information as may reasonably be required by the External Investigator).

8.5 The External Investigator must in the course of their investigation (unless clause 8.9 applies):

8.5.1 prepare a draft report summarising the matter and setting out their provisional findings, conclusions and recommendations;

8.5.2 provide the Complainant and the Council Members(s) the subject of the complaint with a reasonable opportunity to provide written submissions to the External Investigator and in response to that draft report; and

8.5.3 give genuine consideration to any submissions provided by the Complainant and the Council Members(s) the subject of the complaint before finalising their report.

8.6 The External Investigator's final report must include:

8.6.1 A summary of the Behavioural Complaint;

8.6.2 All relevant material findings of fact made by the External Investigator with respect to the matters alleged in the complaint;

8.6.3 Conclusions as to whether the alleged breach, or each alleged breaches, of the Behavioural Standards or the Behavioural Support Policy is, or is not, substantiated on the balance of probabilities;

8.6.4 If a breach of the Behavioural Standards or the Behavioural Support Policy is substantiated (with respect to one or more Council Members the subject of the complaint) — one or more of the following recommendations:

(a) That no action be taken with respect to one or more Council Members the subject of the complaint;

(b) That one or more Council Members the subject of the complaint undertake training, instruction, counselling, mentoring or coaching; or

(c) That action be taken under section 262C of the LG Act against one or more Council Members the subject of the complaint, namely that the Council:

(i) pass a censure motion in respect of the Council Member;

(ii) require the member to issue a public apology (in a manner determined by the Council);

(iii) require the member to undertake a specified course of training or instruction;

(iv) remove or suspend the member from one or more offices held in the member's capacity as Council Member or by virtue of being a Council Member (other than the office of Council Member).

8.7 If the External Investigator's final report recommends that action be taken under section 262C of the LG Act against some Council Members the subject of the complaint, but not others, the External Investigator must divide their final report in such a way as to enable the Council to consider, in public, whether to take action against certain Council Members for the purposes of section 262C(2) of the LG Act, without disclosing any findings in relation to other Council Members.

8.8 The External Investigator must provide their final report to the Contact Officer, who will be responsible for communicating that final report to the Complainant and to the Council Member(s) the subject of the complaint (and, if required under this Policy, to the Council).

8.9 The External Investigator may, if satisfied that there is good reason to do so, determine that no further action will be taken with respect to the complaint, prior to finalising the investigation. With respect to such a determination:

8.9.1 the External Investigator is not required to seek the views of the Complainant, or the Council Member(s) the subject of the complaint, before making such a determination;

8.9.2 the External Investigator must provide written reasons for any such determination; and

8.9.3 the Contact Officer is responsible for communicating to the Complainant and to the Council Member(s) the subject of the complaint the decision and reasons of the External Investigator with respect to such a determination.

9. STEPS FOLLOWING INVESTIGATION

9.1 If the External Investigator's final report concludes, on the balance of probabilities, that there has been no breach of the Behavioural Standards or the Behavioural Support Policy on the part of the Council Member(s) the subject of the complaint:

9.1.1 the final report will not be provided to the Council unless the Council Member(s) the subject of the report requests for this to occur (which, in the case of multiple Council Members, must be a unanimous request); and

9.1.2 if the final report is provided to the Council pursuant to a request under clause 9.1.1:

(a) the name of the Complainant will be redacted from the final report, unless this would not meaningfully prevent the identity of the Complainant from being ascertained or the Complainant requests that their name not be redacted; and

(b) it is a matter for the Council as to whether the report will be considered in public, or in confidence, at a meeting of the Council.

9.2 If the External Investigator's final report concludes, on the balance of probabilities, that there has been a breach of the Behavioural Standards or the Behavioural Support Policy on the part of the Council Member(s) the subject of the complaint:

9.2.1 the final report will be provided to the Council;

9.2.2 the name of the Complainant will be redacted from the final report, unless this would not meaningfully prevent the identity of the Complainant from being ascertained or the Complainant requests that their name not be redacted;

9.2.3 if the Council determines to take action under section 262C of the LG Act against the Council Member(s) the subject of the complaint, a report on the matter must then be considered in public at a meeting of the Council.

9.2.4 if the Council does not decide to take action under section 262C of the LG Act against the Council Member(s) the subject of the complaint, it is a matter for the Council as to whether the report will be considered in public or in confidence at a meeting of the Council.

10. CONFIDENTIALITY

10.1 Behavioural Complaints made in accordance with this Policy will be managed on a confidential basis until such a time as they are considered by the Council in a public meeting in accordance with this Policy or are otherwise lawfully made public or disclosed.

10.2 A person who has access to information about a Behavioural Complaint (including the identify of the Complainant or the Council Member(s) complained about) must not directly, or indirectly disclose to any person (including to a Council Member) that information except:

10.2.1 to deal with the complaint;

10.2.2 where required by law;

10.2.3 to obtain legal advice or legal representation, or medical or psychological assistance from a medical practitioner, psychologist or counsellor;

10.2.4 where the disclosure is made to an external party investigating the complaint, or a mediator, conciliator, arbitrator or other facilitator engaged in accordance with this Policy; or

10.2.5 where the information has been made public in accordance with this Policy or this Policy otherwise authorises or requires the disclosure of the information.

ADMINISTRATIVE

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every four years, within 12 months after each periodic election unless legislative or operational change occurs beforehand. The next review is required in 2027.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
ACC2023/177822	*Council*	*12/12/2023*	*Adoption of City of Adelaide Behavioural Management Policy in accordance with s262B of the Local Government Act 1999*
ACC2024/27136	*Council*	*27/02/2024*	*Recission of the Behavioural Management Policy and adoption of the amended Council Member Complaints Policy in accordance with s262B of the Local Government Act 1999*

Contact:
For further information contact the Governance & Strategy Program

City of Adelaide
25 Pirie ST, Adelaide, SA
GPO Box 2252 ADELAIDE SA 5001
+61 8 8203 7203
city@cityofadelaide.com.au

Appendix 1 – Behavioural matters Flow Chart

Behavioural complaint made

Must be in writing and meet the requirements set out in the Policy.

If the Complainant is between Council Members, additional requirements must be met (under 4.2) prior to the complaint proceeding to the next step.

Does the complaint meet requirements set out in the Policy?

YES - Meets requirements set out in the Policy

Complaint referral

Contact Officer refers to External Complaints Assessor. Identity of the Complainant may be kept confidential.

NO - Subject to clause 4.4, if a complaint is received which purports to be a Behavioural Complaint but which does not meet any one or more of the requirements of this clause 4:

The complaint will not be dealt with under this Policy.

Complainant will be offered the opportunity to submit a new complaint.

The Contact Officer may indicate whether there is any available alternative complaint mechanism which the Complainant may wish to utilise.

If the only requirement which a complaint does not meet is the time limit in clause 4.1.9 of this Policy, the complaint will be dealt with as a Behavioural Complaint under this Policy.

Assessment

External Complaints Assessor must decide whether to:

- Dismiss the complaint;
- Refer to another agency or body;
- Refer to dispute resolution (mediation, conciliation, arbitration or other dispute or conflict resolution);
- Determine that the Council Member(s) the subject of the complaint is/are required to undertake training, instruction, counselling, mentoring or coaching: or
- Determine that the complaint will proceed to an Investigation.

The External Complaints Assessor MUST communicate their determination to the Contact Officer, who is responsible for communicating the determination and any reasons given to the Complainant and to the Council Member(s) who is the subject of the complaint.

Complaint proceeds to Investigation

An External Investigator is engaged. The External Investigator may conduct interviews and/or seek written responses or other documents or information. Draft report is prepared. The Complainant and the Council member(s) who are the subject of the draft report may provide written submissions in response. The External Investigator's report is finalised.

The City of Adelaide acknowledges the Kaurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.

No Breach Found

If the External Investigator final report concludes on the balance of probabilities that there has been no breach of the Behavioural Standards or the Behavioural Support Policy then a final report will not be provided to Council (unless the Council Member who is the subject of the complaint requests this to occur.

A Breach has been Found

If the External Investigator final report concludes on the balance of probabilities that a breach of the Behavioural Standards or the Behavioural Support Policy has occurred then a final report will be provided to Council.

- The name of the Complainant will be redacted from the final report, unless the identity of the Complainant can be ascertained or the Complainant requests their name not to be redacted
- If the Council determines to take action under section 262C of the LG Act, the report MUST be considered in a public meeting of Council
- If the Council determines not to take action under section 262C of the LG Act, the report can be considered in a public meeting or in confidence at a meeting of Council

Council action could include:

- Censure motion;
- Public apology;
- Mandatory training or
- Suspension from certain roles.

External Appointment

Tuesday, 28 October 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate Director Governance & Strategy

Public

Approving Officer:
Michael Sedgman, Chief Executive Officer

EXECUTIVE SUMMARY

The purpose of this report is to seek appointment of a City of Adelaide representative on the Royal South Australia Regiment Council Inc.

On 11 April 2025, in the matter of *Alexander Hyde v Electoral Commissioner of South Australia, Jing Li*, the Court of Disputed Returns made orders resulting in Jing Li, David Elliott, Carmel Noon and Simon Hou being removed from the office of Councillor of the Central Ward of the City of Adelaide.

Due to the Court Orders, multiple external appointments became vacant.

At its meeting held on 23 September 2025, Council made appointments to vacant positions aside from the position available on the Royal South Australia Regiment Council Inc, which was deferred to the 28 October 2025 Council meeting.

RECOMMENDATION

THAT COUNCIL

1. Notes that the term of appointment for the Royal South Australia Regiment Council Inc will be from 29 October 2025 until the conclusion of the Council term in November 2026.
2. Notes that the method of appointing Council Members to the Royal South Australia Regiment Council Inc will be undertaken in accordance with the Code of Practice for Council Meeting Procedures as follows:
   - 2.1. The Presiding Member of the Meeting will call for nominations, which must be accepted or declined by the Council Member who is subject of the nomination.
   - 2.2. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to an External Appointment.
   - 2.3. In the event of only one nomination to the office, the candidate is appointed to the External Appointment, announced by the Returning Officer.
   - 2.4. In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken.
   - 2.5. If the votes for two or more candidates for the relevant position are equal, a revote by ballot between tied candidates will be undertaken.
   - 2.6. If the votes for two or more candidates for the position remain equal, lots must be drawn to determine which candidate or candidates will be excluded.
   - 2.7. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to the External Appointment.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Enable effective governance, risk management, accountability and transparency at all times in decision making.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Members considering nominating for an appointment should note that, as Board Members, they will need to consider how to manage future conflicts of interest that arise from Council decisions relating to that body.
Opportunities	Appointments to outside bodies provide an opportunity for Council Members to contribute to discussion and decision making on a broad range of matters relevant to the City of Adelaide.
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Court of Disputed Returns Outcome

1. On 11 April 2025, in the matter of *Alexander Hyde v Electoral Commissioner of South Australia, Jing Li*, the Court of Disputed Returns made orders resulting in Jing Li, David Elliott, Carmel Noon and Simon Hou being removed from the office of Councillor of the Central Ward of the City of Adelaide.
2. In accordance with the decision of the Court, the following external Council Representative positions became vacant:
    2.1. Adelaide Airport Consultative Committee (Member and Proxy Member)
    2.2. Adelaide Botanic High School Council
    2.3. Adelaide High School Governing Council
    2.4. Australia Day Council of South Australia
    2.5. Business Events Adelaide Board (Member and Proxy Member)
    2.6. Royal South Australia Regiment Council Inc
    2.7. Capital City Committee (Deputy Member)

Royal South Australia Regiment Council Inc

3. At its meeting held on 24 September 2025, Council appointed representatives to all positions contained in part 2 above, except for the Royal South Australia Regiment Council Inc.
4. Appointment of a representative to the Royal South Australia Regiment Council Inc was deferred:

    "That Council defers the appointment of a Council Member to the representative role on the Royal South Australia Regiment Council Inc to the Council meeting of 28 October 2025 and asks administration to provide coverage where possible for meetings held before 28 October 2025."
5. The role of the Royal South Australia Regiment Council Inc is to look after the heritage of the various South Australian infantry battalions and to support the current day 10/27 Royal South Australia Regiment.
6. The Council meets four times per year. Meetings are generally held at Keswick Barracks on a Thursday commencing 6.00 pm and run for up to 1.5 hours.
7. The appointment of one representative is sought.
8. No remuneration is payable for the position.

Process for nomination and appointment

9. In accordance with section 51 (8) of the *Local Government Act 1999* (SA) and the Code of Practice for Council Meeting Procedures (Ballot Process):
    9.1. The Presiding Member of the Meeting will call for nominations, which must be accepted or declined by the Council Member who is subject of the nomination.
    9.2. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to an External Appointment.
    9.3. In the event of only one nomination to the office, the candidate is appointed to the External Appointment, announced by the Returning Officer.
    9.4. In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken.
    9.5. If the votes for two or more candidates for the relevant position are equal, a revote by ballot between tied candidates will be undertaken.
    9.6. If the votes for two or more candidates for the position remain equal, lots must be drawn to determine which candidate or candidates will be excluded.
    9.7. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to the External Appointment.

ATTACHMENTS

Nil

- END OF REPORT -

Section 270 - Review of Council Decision

Tuesday, 28 October 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate Director Governance & Strategy

Public

Approving Officer:
Anthony Spartalis, Chief Operating Officer

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with a section 270 Internal Review Report, completed by an independent external consultant, in response to a complaint received from Mr James Unkles (Mr Unkles) on 19 August 2024, regarding a Council decision on 13 August 2024.

The decision of Council was in regard to an application (the Application) from Mr Unkles, on behalf of Ms Cathie Morant, seeking, in effect, for an alteration or amendment to the South African War Memorial (the Memorial), situated at the north-eastern corner of North Terrace and King William Street in Adelaide, to have the name of Sergeant Harry 'Breaker' Morant included on the Memorial.

The decision of Council on 13 August 2024 states:

THAT COUNCIL:

1. *Notes the cultural significance of the South Australian (Boer) War Memorial on North Terrace and its heritage listing.*

2. *Endorses and reaffirms the decision of past Councils, that the South Australian (Boer) War Memorial is a closed historical site of cultural significance and does not provide consent as the owner of the Memorial and owner of the land for the proposal to amend or alter the South Australian (Boer) War Memorial on North Terrace to include 'Sergeant, HH. 'Breaker' Morant' or any other names.*

The complaint was handled as a section 270 application under the *Local Government Act 1999*, and pursuant to Council's Corporate Complaint Handling Operating Guideline (the Complaint Handling Guideline).

In this case, the 'Reviewer' for the purposes of the Complaint Handling Guideline is the elected Council. The Reviewer is the person who will ultimately reconsider the decision under review in this case.

The Complaint Handling Guideline provides that where the elected Council is the Reviewer:

A report will be developed by the administration, or an independent external consultant. Council will consider the outcome of the review and determine whether to affirm, vary or revoke the original decision.

Administration engaged a legal provider as an independent external consultant to prepare an internal review report for the consideration of the elected Council. In summary, the view of the legal provider is that the decision of 13 August 2024 was lawful and it is open to the Council that the decision be affirmed.

RECOMMENDATION

THAT COUNCIL

1. Receives the independent external consultant report titled “Regarding a complaint concerning the decision in 2024 to decline to provide in-principle support for the inclusion of the name of Harry ‘Breaker’ Morant on or near the South African (Boer) War Memorial, Adelaide” as contained in Attachment A to Item 14.3 on the Agenda for the meeting of the Council held on 28 October 2025.
2. Endorses and reaffirms the decision of the current and past Councils, including the decision of Council on 13 August 2024 that the South Australian (Boer) War Memorial is a closed historical site of cultural significance and does not provide consent as the owner of the Memorial and owner of the land for the proposal to amend or alter the South Australian (Boer) War Memorial on North Terrace to include ‘Sergeant, HH. ‘Breaker’ Morant’ or any other names.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Enable effective governance, risk management, accountability and transparency at all times in decision making.
Policy	The City of Adelaide's Built Heritage Policy, Heritage Strategy and Action Plan guide the long-term heritage management for the City.
Consultation	Mr Unkles met with the legal provider representatives on 5 December 2024 to gain further information about the basis of his complaint. Mr Unkles was also provided the opportunity to provide a submission on the draft report before it was finalised.
Resource	Since 2021, this proposal and associated processes have cost the City of Adelaide $35,510 in external legal advice fees and have utilised extensive staff time and resourcing from across the City of Adelaide portfolio areas. Council has since paid a further $24,598 for the legal provider to review the complaint received from Mr Unkles.
Risk / Legal / Legislative	Council's Corporate Complaint Handling Operating Guideline (the Complaint Handling Guideline) and section 270 of the *Local Government Act 1999* (SA). A Section 270 review is an internal process under the Local Government Act 1999 (SA) that allows a person to request the review of a council decision or action made by the council, its employees, or someone acting on its behalf. It provides a fair and transparent way to reconsider decisions that may have adversely affected an individual, with the aim of ensuring accountability, consistency, and continuous improvement in council operations.
Opportunities	Not as a result of this report
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background – regarding section 270 application

1. On 13 August 2024, Council resolved:

   THAT COUNCIL:

   1. *Notes the cultural significance of the South Australian (Boer) War Memorial on North Terrace and its heritage listing.*
   2. *Endorses and reaffirms the decision of past Councils, that the South Australian (Boer) War Memorial is a closed historical site of cultural significance and does not provide consent as the owner of the Memorial and owner of the land for the proposal to amend or alter the South Australian (Boer) War Memorial on North Terrace to include 'Sergeant, HH. 'Breaker' Morant' or any other names.*

2. On 19 August 2024, the Council received a complaint from Mr Unkles in which Mr Unkles sought a review of the manner in which the Council and the Committee handled the Application.

3. The email correspondence from Mr Unkles has been determined to constitute a request for internal review under the Council's Corporate Complaint Handling Operating Guideline (the Complaint Handling Guideline) **Link 1**.

4. In this case, the 'Reviewer' for the purposes of the Complaint Handling Guideline is the elected Council. The Reviewer is the person who will ultimately reconsider the decision under review in this case.

5. The Complaint Handling Guideline provides that where the elected Council is the Reviewer: *a report will be developed by the administration, or an independent external consultant. Council will consider the outcome of the review and determine whether to affirm, vary or revoke the original decision.*

6. Administration engaged a legal provider as an independent external consultant ("legal provider") to prepare an internal review report for the consideration of the elected Council.

7. The legal provider has divided the final internal review report **(Attachment A)** into four parts:

   7.1. Firstly, relevant background information with respect to the decision under review;

   7.2. Secondly identified the decision which is now under review;

   7.3. Thirdly, the legal provider provided their views with respect to what is the correct or preferable decision in the circumstances; and

   7.4. Fourthly, recommendations were provided for the Council arising from the review.

Background – regarding Council's decision 13 August 2024

8. At the Council meeting on 13 August 2024, Council was provided with a recommendation from the City Community Services and Culture Committee from its meeting of 6 August 2024. A link to the committee report can be found at Link 2.

9. The purpose of the South African Boer War Memorial (the Memorial) is to honour the memory and valour of the citizen soldiers of South Australia who fell in the Second Boer War (1899-1902) in service to Australia.

10. The Memorial has been treated as a closed historical monument, reflecting previous Council decisions regarding similar proposals for the Memorial in 1988 and 1993.

11. The City of Adelaide recognises that all forms of memorials to those who have given their lives in the service of their country, are to be held in the deepest respect and be honoured by all people as sacrosanct. Any interference with such memorials is regarded with the same degree of seriousness as dishonouring a grave. Alteration to any memorial must be considered with this reverence at front of mind.

12. In this matter, Council is acting in its capacity as owner of the Memorial and owner of the land. Council is not compelled or required to give consent to amend or alter the Memorial, regardless of advice through the planning process.

13. It should also be noted that this is not a legislative matter; this is a decision of Council applied at its discretion. In the application of its discretion to provide or deny consent as the owner of the Memorial and owner of the land, Council must form its view through observance of the purpose of the Memorial, policy, budget considerations and public interest.

14. Mr James Unkles lodged a Development Application under the *Planning, Development and Infrastructure Act* 2016 (PDI Act) on 4 July 2023 on behalf of Ms Cathie Morant for works that proposed an additional plaque

fixed to the northwest-facing base step of the Memorial or ground adjacent to the Memorial and associated interpretive material.

15. The initial proposal to amend the plaques to include the name of ‘Sergeant, HH. ‘Breaker’ Morant’ on the Memorial were not supported by either Heritage South Australia or Administration.

16. Subsequently, Mr Unkles progressed a series of alternative options with Heritage South Australia as the referral body on the heritage component of this proposal. Mr Unkles requested for the early consideration of this matter, prior to investing further into this process.

17. Heritage South Australia determined under the PDI Act, conditional support for the final formal proposal put forward by the applicant for works that would add a new plaque to acknowledge ‘Sergeant, HH. ‘Breaker’ Morant’ (HH Morant) to the steps of the Memorial, as part of a Development Application (ID 23018759).

18. The Development Approval was issued with a condition directed by the Minister responsible for the administration of the *Heritage Places Act 1993* under section 122 of the PDI Act on 24 April 2024. That condition requires:

    18.1. "Final details of the location and details of the plaque itself, and associated interpretive material are to be confirmed by the Department for Environment and Water, Heritage South Australia, in consultation with, and subject to the approval of the City of Adelaide, as owner and custodian of the memorial, prior to manufacture and installation"

19. Key stakeholders associated with the Memorial, including the South Australian Boer War Association, and the South Australian Returned Service Leagues, have previously indicated that they do not support the proposal.

20. It was recommended that the Memorial continue to be treated as a closed historical monument, and that no further proposals to alter or amend the Memorial be considered. This recommendation reaffirms previous Council decisions regarding similar proposals for the Memorial in 1988 and 1993.

21. Following consideration at the Council meeting on 13 August 2024, Council resolved to reaffirm previous council decisions.

Purpose of the Memorial

22. Council’s decision on whether to grant consent as the owner of the memorial and owner of the land for the proposal to add the name ‘Sergeant, HH. ‘Breaker’ Morant’ (HH Morant) to the Memorial, should be informed by the purpose of the Memorial and the intentions of the Boer War Memorial Committee (the Memorial Committee) that commissioned it.

23. The purpose of the Memorial is to honour the memory and valour of the citizen soldiers of South Australia who fell in the Second Boer War (1899-1902) in service to Australia.

24. In 1901, the Memorial was commissioned by the Memorial Committee, overseen by Sir George Brookman MLC.

25. Located on North Terrace, Adelaide, the Memorial was constructed with a budget of £2,500 raised through public donations received from the people of South Australia.

26. The Memorial was designed and sculpted by Captain Adrian Jones MVO. The Memorial comprises a cast bronze equestrian statue set on a red Murray Bridge granite pedestal and base, with gunmetal bronze plaques set into each face of the pedestal. In total, the Memorial lists the names of 60 South Australians, as approved by the Memorial Committee, who died while serving in the South Australian contingents during the conflict. The four plaques on the Memorial commemorate:

    26.1. The despatch on 7 March 1900 of the 'South Australian Bushmen's Corps', consisting of '100 officers and men' which was the 'third of nine contingents numbering in all 1531 men sent from South Australia'.

    26.2. The names and rank of 21 men, under the title 'In Memory of Those Who Fell', under a wreath with the words inscribed 'Who dies for his country, dies nobly'.

    26.3. The names of 39 Troopers, under the title 'In Memory of Those Who Fell', under a wreath with the words inscribed 'Who dies for his country, dies nobly'.

    26.4. The commemoration of the Memorial by the 'People of South Australia to the Citizen Soldiers of the State who Fought in the South African War (1899-1902)'.

27. The Memorial Committee specifically chose those named on the Memorial according to their eligibility criteria. Service alone was not the sole eligibility criteria for inclusion of a named serviceman on the Memorial. The only individuals that are specifically named on the Memorial plaques are those South

Australians who died or were killed in connection with the Boer War. If all servicemen who served as part of South Australian contingents were named, there would be 1531 names on the Memorial.

28. The Memorial has been considered by all subsequent Councils as a closed historical site.

The applicant's request for review

29. On 19 August 2024, Mr Unkles submitted his complaint about the manner in which the Council refused the Application.

30. The legal provider met with Mr Unkles on 5 December 2024 to gain further information about the basis of his complaint.

31. From the written complaint, the matters discussed on 5 December 2024, and correspondence received from Mr Unkles after his meeting with the legal provider, Mr Unkles complaint has been summarised as follows:

    31.1. the manner in which the Council selected the deputations at the Council meeting on 13 August 2024 was unfair as Mr Unkles was not afforded the opportunity to speak **(Ground 1);**

    31.2. the Committee did not accommodate Ms Morant and her disability while she was reading her statement at the meeting on 6 August 2024, causing her to feel ignored and disappointed **(Ground 2);**

    31.3. the Council's decision was inconsistent with the view of Mr Queale (Principal Heritage Architect, Heritage SA), who appeared to support the inclusion of a small plaque at the foot of the Memorial and the inclusion of interpretive material. Mr Queale also appeared to indicate that this could be achieved without impacting upon the heritage of the Memorial. In the Response, Mr Unkles submitted that Mr Queale's support raised a 'presumption' that the Council should approve the Application as heritage considerations were the most important considerations in assessing the Application **(Ground 3);**

    31.4. the Council failed to objectively evaluate the public interest in approving the Application, as evidenced by opinion polls conducted by The Advertiser newspaper suggesting that a majority of people wanted to recognise Sergeant Morant on the Memorial **(Ground 4);**

    31.5. the Council failed to adequately consider written references from various politicians and community leaders, and failed to explain what weighting was attributed to each one in making the Decision **(Ground 5);**

    31.6. the Council placed too much weight on the views of Dr Stimson and the South Australian Returned and Services League (the RSL), who were against the Application and whose submissions consisted of the following matters with which Mr Unkles disagreed:

        a) conjecture that deceased veterans of the Boer War were not in favour of Sergeant Morant's inclusion on the Memorial;

        b) commentary about other war memorials which was incorrect; and

        c) the suggestion that Sergeant Morant's conviction was a reason to not include him on the Memorial **(Ground 6).**

    31.7. there was no evidence that Sergeant Morant was intentionally excluded from the Memorial's honour roll and therefore nothing preventing him from now being included in the Memorial. If other persons who served in the Boer War were also missing from the Memorial, their relatives could similarly apply for inclusion on the Memorial **(Ground 7);** and

    31.8. the summary of the matter as provided to the Council lacked sufficient detail and failed to explain the merits of the Application against the reasons to reject the Application. Further, the Council has failed to provide adequate reasons for accepting the Recommendation **(Ground 8).**

32. Contained within **Attachment A** (pages 19 through to 29) is an explanation from the legal provider in response to the above Grounds (1 through to 8).

33. In response to correspondence from Mr Unkles on the Provisional Report shared with him by the legal provider, some clarifying edits were made bby the legal provider to reinforce with further evidence the position originally stated in that Provisional Report. No substantive changes were made to the technical response in the "Correct or Preferable Decision" section of the legal provider's report (in response to Mr Unkles reiterated assertions in the correspondence).

Conclusion

34. The conclusion of the internal review report from the legal provider can be found on page 29 of **Attachment A**.

35. In summary, taking into account all the information as set out in Attachment A, the view of the legal provider is that:

    35.1. the Decision is lawful;

    35.2. it is open to the Council to conclude the Decision be affirmed as the best possible decision in the circumstances.

36. It is the recommendation of the legal provider that:

    36.1. That the Council consider all the information available at the time the Decision was made, and all new information including this report and make a determination on the Application.

    36.2. The legal provider consider it would be open to the Council to affirm the Decision.

DATA AND SUPPORTING INFORMATION

Link 1 - Corporate Complaint Handling Operating Guideline
Link 2 – City Community Services and Culture – 6 August 2024, Item 7.1.

ATTACHMENTS

Attachment A – Legal Provider – Final Internal Review Report – September 2025

- END OF REPORT -

Norman Waterhouse

Report prepared for

The Corporation of the City of Adelaide

Pursuant to the *Corporate Complaint Handling Operating Guideline*

Regarding a complaint concerning the decision in 2024 to decline to provide in-principle support for the inclusion of the name of Harry 'Breaker' Morant on or near the South African (Boer) War Memorial, Adelaide

September 2025

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APPENDICES 32

1. PURPOSE OF THIS REPORT

The Role of Norman Waterhouse

1.1 The Corporation of the City of Adelaide (**the Council**) received an application (**the Application**) from Mr James Unkles, on behalf of Ms Cathie Morant, seeking, in effect, for an alteration or amendment to the South African War Memorial (**the Memorial**), situated at the north-eastern corner of North Terrace and King William Street in Adelaide, to have the name of Lt Harry 'Breaker' Morant (**Lt Morant**) included on the Memorial.

1.2 The circumstances in which the Application was made, the status of the Application, and the changes that have been made to the Application throughout this process, are set out in further detail later in this report.

1.3 At the Council meeting held on 13 August 2024, the Council endorsed the recommendation (**the Recommendation**) of the City Community Services and Culture Committee (**the Committee**), made at its meeting on 6 August 2024, not to grant consent to the Application.

1.4 On 19 August 2024, the Council received a complaint from Mr Unkles in which Mr Unkles sought a review of the manner in which the Council and the Committee handled the Application.

1.5 The email correspondence from Mr Unkles has been determined to constitute a request for internal review under the Council's *Corporate Complaint Handling Operating Guideline* (**the Complaint Handling Guideline**).

1.6 In this case, the 'Reviewer' for the purposes of the Complaint Handling Guideline is the elected Council. The Reviewer is the person who will ultimately reconsider the decision under review in this case.

1.7 The Complaint Handling Guideline provides that where the elected Council is the Reviewer:

> [A] report will be developed by the administration, or an independent external consultant. Council will consider the outcome of the review and determine whether to affirm, vary or revoke the original decision.

1.8 Accordingly, we have been engaged as an independent external consultant to prepare a report for the consideration of the elected Council.

1.9 We provide this report in discharge of the above role. This report is divided into the following parts:

1.9.1 First, we provide relevant background information with respect to the decision under review.

1.9.2 Second, we identify the decision which is now under review.

1.9.3 Third, we provide our views with respect to what is the correct or preferable decision in the circumstances.

1.9.4 Fourth, we provide recommendations for the Council arising from our review.

1.10 It is important to recognise that, in accordance with the Complaint Handling Guideline, any decision on review will ultimately be made by the Reviewer, not Norman Waterhouse. This report is prepared to assist the Reviewer.

Consideration of Mr Unkles' response

1.11 The Complaint Handling Guideline sets out the following requirements in respect of procedural fairness:

> The principles of procedural fairness (also called 'natural justice') will be observed when exercising statutory powers which could affect the rights and interests of individuals.
>
> Procedural fairness involves:
>
> - Giving an applicant a right to put their case forward. This will generally involve giving an applicant the opportunity to provide all relevant documentary evidence, rather than an oral hearing;
> - Ensuring the Reviewer does not have personal interest in the outcome (is not biased); and
> - Acting only on proper evidence that is capable of proving the case.

1.12 In order to satisfy the above first dot point, a provisional version of this report was provided to Mr Unkles. Mr Unkles was invited to provide any submissions or views in response to the provisional report, and/or to supply any additional relevant information in relation to the matters out lined in the provisional report.

1.13 Mr Unkles provided a written response to the provisional report (**the Response**). The Response is included in **Appendix B**. It consists largely of 'comment' boxes inserted into the text of the provisional report.

1.14 The entirety of the Response has been taken into account in the preparation of this final report.

1.15 Certain information provided by Mr Unkles has resulted in revisions to this final report when compared with the provisional report. However, the final recommendations in this report are the same as those which were put to Mr Unkles on a provisional basis. Mr Unkles' Response has not persuaded us to change those recommendations.

2. BACKGROUND

Lt Morant

2.1 Lt Morant departed South Australia as a member of the Second South Australian Mounted Rifles in January 1900 and served in the Second Boer War (**the Boer War**) with that regiment until July 1900. His service with the Mounted Rifles was loyal and unblemished.

2.2 Lt Morant then travelled to England where he joined the Bushveldt Carbineers, an irregular British Army regiment, and returned to the Boer War.

2.3 In 1901, while part of the Bushveldt Carbineers, Lt Morant (as well as Lt Peter Handcock and Lt George Witton) were arrested and court-martialled, charged with murder. All three men were convicted. Lt Morant and Lt Handcock were executed in February 1902.

2.4 There has been subsequent controversy surrounding the legality of Lt Morant's courts-martial.

2.5 Lt Morant has also become something of a folk hero amongst some Australians, who consider Lt Morant to be a scapegoat and/or wrongfully convicted, believing that in undertaking the killings Lt Morant, Lt Handcock and Lt Witton were simply following orders from the British.

2.6 Lt Morant's life story formed the basis of the popular, multi-award winning, 1980 film '*Breaker Morant*' which, in addition to the other documentaries, books and other media published about Lt Morant, has considerably added to the notoriety surrounding his life.

The Memorial

2.7 The Memorial was commissioned by the Memorial Committee in 1901.

2.8 The Memorial lists the names of 60 South Australians, approved by the Memorial Committee, who died serving in South Australian contingents during the Boer War.

2.9 Two of the four plaques on the memorial list the names of 21 men and 39 troopers under the inscriptions '*Who dies for his country, dies nobly*' and '*In Memory of Those Who Fell*'. We are informed that other men may have died in the service of South Australia during the Boer War and not been named on either plaque. We requested further information from the Council about this possibility, however, we were advised that no evidence was in the Council's possession, except for an 'understanding' that there is an 'honour roll' listing the names and numbers of those who fought for the British Empire in South Africa held in the base of the Memorial. This 'understanding' appears to be supported by the minutes meeting of the Memorial Sub-Committee of 1 July 1904 viewed by us in the preparation of this Report, which record the Sub-Committee resolved at that meeting to suggest that a '*parchment/roll containing all the names of the members of South Australian Contingents to S. Africa be placed in a cavity in the pedestal*'.

2.10 A third plaque commemorates the despatch on 7 March 1900 of the South Australian Bushmen's Corps, consisting of '100 officers and men' which was the '*third of nine contingents numbering in all 1531 men sent from South Australia*.' The fourth plaque commemorates the erection of the Memorial by the people of South Australia '*To commemorate the valour of the Citizen Soldiers of the State who fought in the South African War (1899-1902)*'.

2.11 The Memorial was gifted to the citizens of Adelaide and the Council has been the owner and custodian of the Memorial, and the land upon which it sits, since the Memorial was unveiled in 1904.

2.12 Minutes of the Memorial Working Committee viewed by us in the preparation of this Report record that at a meeting held on 5 July 1904, the Memorial Working Committee adopted a motion (consistent with a recommendation from the Memorial Sub-Committee of 30 June 1904) to the effect that '*no further names be added*' to the memorial and that '*no alterations be made to the tablets*'.

2.13 Mr Uncles has stated in his response to our preliminary report that the name of Lt LWJ Gordon was added to the memorial in 1921, in contrast to the decision of the Memorial Working Committee. Lt Gordon died in Glen Osmond South Australia on 16 April 1904, aged 24 years after a long and serious illness, caused by exposure while on active service. However, photographs taken during the formal opening of the Memorial in June 1904, and viewed by us in the finalisation of this report, clearly show Lt Gordon's name is present under

the heading ‘Lieutenants’ on the day the memorial was opened in 1904. ‘Lieut. L. Gordon’ also appears in an article published in *The Register* newspaper on 6 June 1904 which lists the names inscribed on the pedestal of the Memorial.

2.14 The Memorial was confirmed as a State Heritage Place in 1987.

Previous Requests for Lt Morant’s Inclusion on the Memorial

2.15 There have been numerous previous requests made of the Council to have Lt Morant’s name listed on the Memorial, including in 1988 and 1993.

2.16 The substance of those requests is not relevant to the present matter, except to note that a 1988 report recommended that the Council deal with the Memorial as a ‘historical document.’ The report indicated that the Council should decline to add further names to the Memorial, consistent with the Committee’s views as to the names on the plaques in 1904, notwithstanding the possibility of other persons being identified as eligible for inclusion on the Memorial.

2.17 Following these requests, the Memorial has been treated by the Council as a ‘closed historical monument’.

The Present Request

2.18 In August 2021, Mr Unkles (on behalf of Ms Morant) issued a request for Lt Morant’s name to be included on the Memorial (**the 2021 Request**).

2.19 On 15 September 2021, the Council advised it did not support the 2021 Request.

2.20 Mr Unkles subsequently made a complaint about this decision. Council engaged Kelledy Jones Lawyers to undertake a review of the decision pursuant to section 270 of the *Local Government Act 1999* (SA) (**the LG Act**) and in accordance with the Complaint Handling Guideline. Through that review, errors about the process in which the 2021 Request was considered were identified and the Council determined that the 2021 Request would be considered afresh.

2.21 On 13 June 2023, the Council adopted a recommendation of the Committee and resolved to endorse advising Ms Morant to lodge a development application under the *Planning, Development and Infrastructure Act 2016* (SA) (**the PDI Act**) for the proposed works to the Memorial. The resolution also noted that Council administration would provide assistance to Ms Morant if a development application was lodged, and noted that even if the works were

approved as part of a development application, the Council could reserve the right to potentially refuse *implementation* of the works, as owner and custodian of the Memorial.

2.22 On 4 July 2023, Mr Unkles lodged a development application (**the Development Application**) behalf of Ms Morant to seek development approval for works to the Memorial that would see Lt Morant recognised on the Memorial. The proposed development was for the leftmost panel of the plaque bearing the names of the 21 men who fell under the heading '*In Memory of Those Who Fell*' to be updated to list the name 'H. H. Morant' under the heading 'Lieutenants'.

2.23 That Development Application was assessed by the Council. This process involved seeking the assistance of Heritage SA in respect of heritage-related matters, in light of the Memorial's status as a State Heritage Place.

2.24 By email dated 10 January 2024, Mr Michael Queale, the Principal Heritage Architect at Heritage SA, indicated Heritage SA was not supportive of any proposal to have the Memorial amended to include Lt Morant's name on the main plaque of the Memorial.

2.25 We understand that Mr Unkles and Mr Queale engaged in communications regarding the matter. During this process, it appears Mr Unkles revised the Development Application such that the plaque of the Memorial would not be amended, and instead Lt Morant's name would be inscribed on a separate small name plate at the foot of the Memorial.

2.26 By correspondence dated 5 April 2024, Heritage SA advised that, from a heritage perspective, Heritage SA supported the inclusion of a separate plaque to be either fixed to the ground near the Memorial, or on the footpath step below the Memorial, noting Lt Morant's name. Heritage SA further supported the display of interpretive material, explaining why the name plaque had been installed and providing information about the Memorial and the '*mix of views associated with South Australia's involvement in the [Boer] War.*'

2.27 The Council issued approval for the Development Application on 24 April 2024. The nature of the proposed development is described in the Decision Notification Form as an:

> Additional plaque fixed to north west facing base step of the South African War Memorial or ground adjacent the Memorial and associated interpretive material.

2.28 The Development Application is subject to a number of conditions. Relevantly, the condition directed by the Minister responsible for the administration of the *Heritage Places Act 1993* (**the Condition**) required:

> Final details of the location and details of the plaque itself, and associated interpretive material are to be confirmed by the Department for Environment and Water, Heritage South Australia, in consultation with, and subject to the approval of the City of Adelaide, as owner and custodian of the memorial, prior to manufacture and installation.

2.29 Before proceeding with the works required to meet the conditions of the Development Application, Ms Morant sought the in-principle approval of the Council for the proposed development. This is the 'Application' for the purposes of this report.

2.30 While the Council had already assessed the Development Application in terms of compliance with the PDI Act, the Committee and the Council (as an elected body) assessed the application in their role as the owner and custodian of the Memorial.

2.31 As part of this process, the Council considered a report to the Committee dated 6 August 2024 which included (but was not limited to) an analysis of matters within the following key topic areas:

2.31.1 the purpose of the Memorial;

2.31.2 policy considerations;

2.31.3 budget considerations; and

2.31.4 the public interest.

2.32 With reference to these criteria, the Committee recommended at its meeting on 6 August 2024 that the Council not consent to the proposed works.

2.33 It is noted in the report to the Committee that:

> 29. If Council decides to provide in principle support for the proposal, this will trigger the requirement for the applicant to meet the requirements of the Development Approval process and conditions. It should be noted that at this point in time the applicant has not progressed the work relating to Conditions 1 and 2 of the Development approval, as they have decided to seek Council's position before expending more time and cost on the proposal.

31. Should the conditions of the Development Application be subsequently met by the applicant, including addressing Heritage South Australia conditions, a further Council report will need to be presented seeking Council's approval as the owner of the Memorial and owner of the land to implement the proposal.

31. At that point, Council may still choose to not support, or to support this revised proposal.

2.34 Ms Morant and Mr Unkles were in attendance at the meeting and spoke to the Committee.

2.35 At the meeting on 13 August 2024, the Council was addressed by Dr Anthony Stimson (President of the SA Boer War Association Inc), who was against the Application, and Mr Adam Pearce, who was in favour of considering options to include Lt Morant's name on or near the Memorial.

2.36 Council also received a petition containing 23 signatures of persons who supported the inclusion of Lt Morant's name to the Memorial.

2.37 The Council ultimately adopted the Recommendation.

The Applicant's Request for Review (see Appendix A)

2.38 On 19 August 2024, Mr Unkles submitted his complaint about the manner in which the Council refused the Application (a copy of which is attached as **Appendix A**).

2.39 We also met with Mr Unkles on 5 December 2024 to gain further information about the basis of his complaint.

2.40 From the written complaint, the matters discussed on 5 December 2024, and correspondence received from Mr Unkles after our meeting, we summarise the grounds on which Mr Unkles has complained about the Council's conduct in assessing the Application as follows:

2.40.1 the manner in which the Council selected the deputations at the Council meeting on 13 August 2024 was unfair as Mr Unkles was not afforded the opportunity to speak (**Ground 1**);

2.40.2 the Committee did not accommodate Ms Morant and her disability while she was reading her statement at the meeting on 6 August 2024, causing her to feel ignored and disappointed (**Ground 2**);

2.40.3 the Council's decision was inconsistent with the view of Mr Queale, who appeared to support the inclusion of a small plaque at the foot of the Memorial and the inclusion of interpretive material. Mr Queale also appeared to indicate that this could be achieved without impacting upon the heritage of the Memorial. In the Response, Mr Unkles submitted that Mr Queale's support raised a 'presumption' that the Council should approve the Application as heritage considerations were the most important considerations in assessing the Application (**Ground 3**);

2.40.4 the Council failed to objectively evaluate the public interest in approving the Application, as evidenced by opinion polls conducted by *The Advertiser* newspaper suggesting that a majority of people wanted to recognise Lt Morant on the Memorial (**Ground 4**);

2.40.5 the Council failed to adequately consider written references from various politicians and community leaders, and failed to explain what weighting was attributed to each one in making the Decision (**Ground 5**);

2.40.6 the Council placed too much weight on the views of Dr Stimson and the South Australian Returned and Services League (**the RSL**), who were against the Application and whose submissions consisted of the following matters with which Mr Unkles disagreed:

(a) conjecture that deceased veterans of the Boer War were not in favour of Lt Morant's inclusion on the Memorial;

(b) commentary about other war memorials which was incorrect; and

(c) the suggestion that Lt Morant's conviction was a reason to not include him on the Memorial (**Ground 6**);

2.40.7 there was no evidence that Lt Morant was intentionally excluded from the Memorial's honour roll and therefore nothing preventing him from now being included in the Memorial. If other persons who served in the Boer War were also missing from the Memorial, their relatives could similarly apply for inclusion on the Memorial (**Ground 7**); and

2.40.8 the summary of the matter as provided to the Council lacked sufficient detail and failed to explain the merits of the Application against the

reasons to reject the Application. Further, the Council has failed to provide adequate reasons for accepting the Recommendation (**Ground 8**).

3. THE DECISION UNDER REVIEW

3.1 Section 270(1) of the LG Act, and the Complaint Handling Guideline, are concerned with review of decisions.

3.2 In the correspondence dated 19 August 2024 (contained in Appendix A), Mr Unkles states that he wishes

> to lodge a complaint about the manner in which the Lord Mayor and Councillors conducted their review of an application I lodged.

3.3 He also states:

> Ms Morant is aggrieved by the Council's decision of 13 August to refuse her application and endorse a Recommendation made by [the Committee] on 6 August not to approve the application.

3.4 Accordingly, the decision under review (**the Decision**) is the decision of the Council at its meeting on 13 August 2024 to endorse the recommendation of the Committee which was passed in the following terms:

> THAT COUNCIL
>
> 1. Notes the cultural significance of the South Australian (Boer) War Memorial on North Terrace and its heritage listing.
> 2. Endorses and reaffirms the decision of past Councils, that the South Australian (Boer) War Memorial is a closed historical site of cultural significance and does not provide consent as the owner of the Memorial and owner of the land for the proposal to amend or alter the South Australian (Boer) War Memorial on North Terrace to include 'Sergeant, HH. 'Breaker' Morant' or any other names.

3.5 This is not a review of any of the decisions or recommendations made which may have led to the Decision (for example, the resolution in June 2023, or the decision to grant the Development Approval). Those decisions are nevertheless relevant, both in terms of providing context and in informing the next steps. In particular, the decision to grant the Development Approval will be of importance if the Council decides to vary the Decision so as to grant in-principle support of the Application, following this review.

3.6 Before examining the Decision, it is necessary to make certain general comments about the nature of this review.

4. THE CORRECT OR PREFERABLE DECISION

The Need for 'Merits Review'

4.1 The Complaint Handling Guideline provides as follows:

> The role of a review is to review the decision in question to ensure that the decision-maker complied with the following procedural requirements and made the best possible decision in the circumstances:
>
> - The decision-maker was appropriately authorised to make the decision;
> - The decision-maker considered all matters which were relevant to the making of the decision, and did not take into account matters which were not relevant to the decision;
> - The decision-maker did not make a decision or exercise a power or discretion in bad faith or for an improper purpose;
> - The decision-maker ensured that findings of fact were based on evidence;
> - The decision was reasonable (a review will include an assessment of the merits of the decision);
> - Those affected by the decision were accorded procedural fairness, which includes the principles of natural justice;
> - The decision-maker properly considered the application of existing policies and legislation, as they existed at the time of the decision;
> - The decision-maker did not exercise a discretionary power at the direction of another person.

4.2 The requirement for merits review in the Complaint's Handling Guideline is consistent with the view taken by former South Australian Ombudsmen, that procedures adopted for the purposes of section 270(1) of the LG Act must provide for merits review.[1]

4.3 In defining what constitutes merits review, the then Ombudsman cited with approval the following guidance of the Commonwealth Administrative Review Council:[2]

> Merits review is the process by which a person or body, other than the primary decision maker, reconsiders the facts, law and policy aspects of the original

[1] Ombudsman SA, *Right of Review: An audit of Local Government Internal Review of Council Decisions Procedures* (November 2016) [145], [153]; Ombudsman SA *Valuing Complaints – An audit of complaint handling in South Australian councils* (November 2011) 65.
[2] See Ombudsman SA (2016), [142].

decision and determines the 'correct or preferable decision'. In a merits review, the whole decision is made again on the facts. This is different to judicial review, where only the legality of the decision making process is considered. Judicial review usually consists only of a review of the procedures followed in making the decision.

The objective of merits review is to ensure administrative decisions are correct or preferable – that is, they are made according to law, or if there is a range of decisions that are correct in law, the best on the relevant facts. It is directed to ensuring fair treatment of all persons affected by a decision, and improving the quality and consistency of primary decision making.

4.4 In accordance with the above, the Reviewer must consider both:

4.4.1 the lawfulness of the Decision; and

4.4.2 the merits of the Decision.

4.5 Thus, to assist the Reviewer:

4.5.1 First, we examine the lawfulness of the Decision.

4.5.2 Subsequently, we examine whether the Decision was the preferable decision or best possible decision in the circumstances.

Lawfulness of Decision

4.6 It is not controversial that the Memorial is owned by the Council. The Council has described its relationship to the Memorial as that of owner and custodian.

4.7 The Memorial is located on land comprising Public Road at the intersection of King William Street and North Terrace, Adelaide. The Council is the owner of public roads in its area by virtue of section 208(1) of the LG Act.

4.8 It is plainly lawful for the Council to make decisions about the Memorial as its asset. This is consistent with the functions of the Council as set out in section 7 of the LG Act which relevantly include '*[managing] and, if appropriate, [developing], public areas vested in, or occupied by*' the Council.

4.9 The principles of section 8 of the LG Act, which the Council must act to uphold and promote the observance of, are also relevant including, but not necessarily limited to:

(a) provide open, responsive and accountable government;\

(b) be responsive to the needs, interests and aspirations of individuals and groups within its community;

and

(f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations;

(g) manage its operations and affairs in a manner that emphasises the importance of service to the community.

4.10 The Decision is clearly a preliminary step in the formal decision making process, and should be contrasted with formal approval under section 221 of the LG Act to alter the Memorial, as a structure on a public road.

4.11 There being no legislative basis for the Decision, in our view, the Council may exercise its discretion in making the Decision. There are no mandatory applicable considerations to such a decision.

4.12 There is no basis on any of the material we have reviewed to find that the Council committed any legal error in exercising its discretion.

4.13 We are satisfied that the Council (to the extent it was required to):

4.13.1 took into account all relevant matters;

4.13.2 did not take into account any irrelevant matters;

4.13.3 did not make the decision in bad faith or for an improper purpose;

4.13.4 made a decision which was not unreasonable in a legal sense (though the non-legal 'merits' of the decision are discussed later);

4.13.5 afforded sufficient procedural fairness to the Applicant; and

4.13.6 did not exercise a discretionary power at the direction of another person.

4.14 To this end we note the Committee had before it and considered a report from officers when making the Recommendation (which was ultimately adopted by Council). We agree the matters set out in the report are relevant matters.

4.15 While Mr Unkles may consider that the weighting placed on particular considerations was not appropriate, in our view, it is open for the Council, as a body politic seized with the responsibility for managing a significant public asset, to assign weightings to the competing considerations in any way it sees fit.

4.16 We do not consider that any of the considerations taken into account were *irrelevant* or that any relevant matters were overlooked. We discuss Mr Unkles' more specific concerns about particular considerations further below.

4.17 Accordingly the Decision was in our view a legally valid decision.

4.18 Whether the Decision was the preferable or best possible decision in the circumstances is discussed below.

Merits of the Decision

4.19 We now turn to whether the Decision was the preferable or best possible decision in the circumstances.

4.20 Because this is a case where there are multiple lawful alternatives — to grant the Application, or to deny it — the task of the Reviewer is to identify the 'preferable' decision. What is 'preferable' should be determined by reference to community standards or community values, not the Reviewer's own personal standards or philosophy.[3]

4.21 In our view, the Council was correct to place weighting on the following factors against the Application:

4.21.1 the historical significance and purpose of the Memorial, including the policy position to treat the Memorial as a 'historical document' with no further names to be added;

4.21.2 the relevance of the Burra Charter which provides that places of cultural significance should be preserved and defines 'places' broadly. To this end, to take the view the 'place' in question which ought to be protected is not necessarily the Memorial itself, but also the area surrounding it. We do not agree with the submission in the Response that 'places' should have a strict interpretation (and in this case refer only to the pedestal, plaques and horse and rider figure). Even were that the case, the Burra Charter further notes that conservation requires the retention of an appropriate 'setting', and it is our view that the area surrounding the Memorial is at least the 'setting' if not also the 'place' in question;

[3] See *Visa Cancellation Applicant and Minister for Immigration and Citizenship* [2011] AATA 69, [62] et seq.

4.21.3 the views of various stakeholders who were against the Application, notably including the RSL and the SA Boer War Association Inc, as key bodies associated with the veteran community; and

4.21.4 the responsibility of the Council to ensure appropriate technical expertise to implement the proposed works due to the Memorial's status as a State Heritage Place and the impact this would have on Council's budget. This was particularly difficult for the Council to ensure given the lack of detail provided with the Application. We discuss this further below in response to Ground 8.

4.22 As submitted by Mr Unkles, there are also factors in favour of the Application, including:

4.22.1 the proposed amendments to the Memorial (and the interpretative material) providing an opportunity for a well-known historical figure from the region to be recognised, including potentially offering tourist opportunities;

4.22.2 the possibility that other South Australians who served in the Boer War but are not currently expressly named on the Memorial could be similarly recognised for their service; and

4.22.3 the views of Ms Morant and various stakeholders who were in favour of the Application.

4.23 Weighing the factors in favour of the Application and those against the Application, in our view, it is open to the Council to determine it reached the correct and preferable decision with reference to the standards and values of the community.

4.24 In reaching this view we acknowledge the significant community sentiment both in support and against the proposal, and acknowledge that, from a heritage perspective, the proposal appears able to be accommodated. However, we note the Council is not compelled to agree to a proposal just because it is able to be accommodated.

4.25 We elaborate on these matters further in our analysis of the grounds on which Mr Unkles made his complaint to explain why they do not displace our view.

<u>Ground 1</u>

4.26 Mr Unkles indicated that '*the Lord Mayor refused [his] request to address Councillors'* at the meeting on 13 August 2024 and that this was 'unfair' and 'unethical.'

4.27 We note the Council's Code of Practice for Meeting Procedures (which applies to both Council and committee meetings) provides that '*a request for deputation is accepted is determined on a case-by-case basis and is dependent on the subject of the request'* and that generally a maximum of three speaking opportunities will be provided, unless the meeting determines otherwise. The Presiding Member of the meeting determines if the deputation will be heard.

4.28 The Code of Practice for Meeting Procedures also provides that when deciding whether to allow a deputation, the Presiding Member will take into account a number of considerations which relevantly include the following:

4.28.1 the subject matter of the proposed deputation;

4.28.2 whether the subject matter has previously been the basis of a deputation at another meeting;

4.28.3 the benefit of the Council of receiving the deputation; and

4.28.4 the history of deputations from the person.

4.29 The Presiding Member of the Committee meeting (Cr Giles) determined that one party 'in favour' of the Application and one party 'against' the Application would be permitted to give a deputation. Mr Unkles and Ms Morant submitted a Deputation Request for the Committee meeting which was accepted. The RSL's Deputation Request was also accepted as a party which was not in favour of the Application.

4.30 Mr Unkles submitted his Deputation Request for the Council meeting on 8 August 2024. His request was the fourth request to be received.

4.31 At the Council meeting, the Lord Mayor chose to approve one deputation in favour of the Application and one deputation against the Application before putting the rest of the deputation requests to the meeting. The two deputations were delivered by different people from those who spoke at the Committee meeting.

4.32 The Lord Mayor put to the meeting that there were three other persons who had requested a deputation. The meeting did not disturb the Lord Mayor's

determination in this regard. This is consistent with the Code of Practice for Meeting Procedures and the *Local Government (Procedures at Meetings) Regulations 2013*.

4.33 In our view, if the Lord Mayor's view was that one person should speak in favour of the Application and one should speak against the Application (which we agree is sensible), Mr Unkles as the representative of the Applicant was likely the most appropriate person to speak in relation to the Application.

4.34 However, we do not consider that the decision not to accept Mr Unkles' request for a deputation at the Council meeting should weigh against a finding that the correct and preferable decision was made.

4.35 We are of the view that this decision was not inconsistent with any entitlement to procedural fairness, or the powers of the Lord Mayor to exercise her discretion in determining who may make a deputation. This is because:

4.35.1 the merits of the Application were still put forward in a clear and persuasive manner by Mr Pearce;

4.35.2 Mr Unkles (and Ms Morant) had previously had a deputation at the Committee meeting at which the Recommendation was approved;

4.35.3 Mr Unkles had ample opportunities previously to liaise with Council administration in relation to his Application. He had many opportunities to raise his point of view throughout the process and indeed he did so. It is evident those views were taken into account in the preparation of the Recommendation before it went to the Committee; and

4.35.4 The Council had the opportunity to allow Mr Unkles to present a deputation, notwithstanding the Lord Mayor's decision to refuse his request – but it choose not to.

<u>Ground 2</u>

4.36 Mr Unkles has identified that Ms Morant experienced difficulties delivering her statement at the Committee meeting and felt '*very disappointed as to how she was treated.*'

4.37 We have spoken to several members of the Council's administration who have expressed their surprise that this was Ms Morant's experience, as they believed the Council had accommodated Ms Morant appropriately.

4.38 We do not propose to address this ground in detail because, although we appreciate the sensitivity of this issue, we do not consider it particularly relevant to the Decision which is the subject of this review.

4.39 It may nevertheless be appropriate for the Council to determine whether it could do anything to make it easier for elderly people and people with disabilities to attend and speak at Council meetings, and to accommodate any difficulties which may arise.

Ground 3

4.40 Mr Unkles places significant weight on Mr Queale's position that the addition of a plaque at the base of the Memorial would not have a 'significant adverse impact' upon the heritage significance of the Memorial. In his Response, Mr Unkles has indicated that Mr Queale's position creates a 'presumption' that the Application should be approved as, in Mr Unkles' submission, heritage compliance is the 'most significant consideration' in assessing the Application.

4.41 By letter to the Council dated 5 April 2024, Mr Queale provided the following assessment in support of his position:

- The Memorial will be physically unaffected, as the proposed plaque/ or similar interpretation is to be fixed on the base step, or on paving nearby, not on the pedestal of the Memorial.
- The addition of 'Morant' as a name will be on a separately located plaque, with suitable interpretation material, to ensure there is no confusion/ misinterpretation of the historic value of the Memorial as an illustration of the values of the community and commemorative committee of 1904. This solution will ensure that it is clear that Morant was not one of 'those who fell' when on services, as commemorated on the bronze plaques of the Memorial.
- Note: this advice focuses on the consideration of the potential heritage impact of a proposed plaque on/ or near the South African War Memorial. It does not consider the appropriateness of the content of the plaque, as this is a matter separate to the identified State Heritage value of the memorial.
- Further, it is suggested that consideration of all those involved in the War be interpreted in some manner at the memorial, to be fully inclusive of the contribution they made as a part of the conflict.

4.42 In our view, and as Mr Queale himself acknowledged in the letter of 5 April 2024 and in earlier communications with Mr Unkles, Mr Queale's role was in providing advice on the heritage impact of the proposed development during

the Development Application process. This process is quite separate from the Council's consideration of the Application.

4.43 While the views of Heritage SA are relevant in the Development Application process, and could be given some weight by the Council in assessing the Application, we do not consider that those views are necessarily determinative in considering the Application or agree that any presumption that the Application will be approved in line with the views of Heritage SA exists. The considerations in each process are different and the Council is quite within its rights to refuse alterations to its asset, even if development approval is granted for that purpose.

4.44 Just because a proposal is consistent with heritage advice does not mean that, on balance, it must be approved.

4.45 In particular, we consider it would be open to the Council to have formed the view that having a separate, standalone plaque bearing Lt Morant's name at the foot of the Memorial would draw particular attention to Lt Morant, given its unique positioning, such that the Council did not wish to proceed with the proposal.

Ground 4

4.46 While we agree that the views of the community are relevant in assessing the Application, we do not consider that opinion polls from *The Advertiser* needs to be afforded particularly significant weighting in considering the Application, or that such polls are particularly relevant in determining the public interest.

4.47 We do not know who voted on the poll, where they are from, or whether they have the full understanding of the Application and the historical background to the Application and the Memorial. In our view, the polls accordingly have limited probative value.

Ground 5

4.48 We note that the Council has received an assortment of *ad-hoc* pieces of correspondence from various members in the community, including former and current politicians and representatives of veterans' organisations across the country, some in favour of the proposal to recognise Lt Morant on the Memorial and others against.

4.49 Much of this correspondence was dated some time before the Development Application was granted and therefore was made without the knowledge of the specific details of the Application.

4.50 In general, the correspondence dated before the Development Application which is in favour of Lt Morant's inclusion indicates a desire for Lt Morant's unblemished service with the South Australian Mounted Rifles and/or his status as a folk hero for some Australians to be 'recognised.' This correspondence does not address why the Memorial is the appropriate location for this recognition. The writers have not been able to respond to the suggestion that Lt Morant's service could be recognised elsewhere, on a new memorial or installation, for example.

4.51 The correspondence against Lt Morant's inclusion appears to oppose his inclusion on the grounds that Lt Morant was executed as a war criminal but again largely lacks substantive analysis.

4.52 The correspondence predating the Development Application is therefore, broadly speaking, more commentary about the value (or otherwise) of recognising Lt Morant's service, rather than commentary about the specific Application. Our view is that such correspondence is of limited use to the Council in making its decision.

4.53 There is also some correspondence dated after the Development Application. This correspondence is of somewhat higher use to the Council. Generally, such correspondence relies heavily upon Mr Queale's statement from his letter of 5 April 2024 that the proposed development '*will not have a significant adverse impact'* upon the Memorial to justify the writer's support for the Application.

4.54 Mr Unkles has correctly identified that some of the correspondence in support of the Application in his possession, which was apparently issued to the Council in support of Lt Morant's inclusion on the Memorial, was not provided by Council administration to the Committee (and subsequently, the Council). This appears to have occurred for the following reasons:

4.54.1 some correspondence was submitted to the Council after 25 July 2024. The Council had advised Mr Unkles that submissions received

after that date could not be considered or accepted, in line with Council reporting and publication deadlines;

4.54.2 some pieces of correspondence were withdrawn by the senders, after receipt by the Council. That correspondence was therefore not included in the information considered by the Committee (and subsequently, the Council);

4.54.3 correspondence received from persons who did not grant permission for its publication or reproduction (even after Council contacted those persons to obtain their permission) was not included; and

4.54.4 one letter does not appear to have been received by the Council at all.

4.55 The non-inclusion of this correspondence in the materials provided to the Committee does not cause us to change our conclusion as to the merits of the Decision because:

4.55.1 it was open to Mr Unkles to table the documents that were not included in the Committee agenda at the Committee meeting. We understand Mr Unkles was advised of this by Council administration, but he does not appear to have sought to have the documents tabled;

4.55.2 Mr Unkles contacted Council members by email on 5 August 2024 to provide them with copies of 'documents relevant to the application', including copies of correspondence in support of the Application;

4.55.3 the contents of the correspondence which was not included in the materials provided to Committee is very similar to the contents of other correspondence provided to the Committee, which in our view suggests that their inclusion would have been unlikely to have changed the decision of the Committee or Council; and

4.55.4 there are no legislated mandatory requirements for the Council to consider in making the Decision.

<u>Ground 6</u>

4.56 In our view, it is appropriate for the Council to place weight on the views of Dr Stimson and the RSL given their status within the community and their roles working within reputable organisations, even if their views may be based on a

level of conjecture. We consider this is consistent with objective community standards.

4.57 We do not agree with the notion put forward in the Response that the Council is being 'selective' or 'favoured' the views of these organisations above the 'public interest.' In our view, the material before the Council makes it clear the Council was able to have and had regard to responses both in favour and against the Application in its decision making process.

4.58 With respect to the controversy surrounding the conviction of Lt Morant, it is well beyond the scope of our enquiry to express a view on those matters. However, we acknowledge the substantial number of eminent persons within the military, legal and political community who have expressed grave concerns regarding the processes adopted during the courts-martial.

4.59 It is apparent from the Response that Mr Unkles considers that the Application was rejected in large part because, as set out in the RSL and Dr Stimson's submissions, Lt Morant was convicted, and Mr Unkles considers this to be an irrelevant consideration. Mr Unkles wishes to know whether this was a reason used to decline the Application.

4.60 We are unable to know whether this was a reason upon which the Application was declined, or to assess how much weighting the Council may have placed on this consideration, or any other consideration. However, we disagree with Mr Unkles' submission that Lt Morant's convictions are not relevant to the decision to deny the Application. In our view, this is a relevant (although not necessarily determinative) factor. Further, we consider that the exclusion of persons convicted of crimes (while acknowledging that those convictions are disputed by some) is not inconsistent with objective community standards.

4.61 We consider it of some import that the consideration of the adding of further names to the memorial was specifically considered, and decided in the negative, by the Memorial Working Committee in 1904 at a time when the court-martial and death of Lt Morant in 1902 could, no doubt, have been within the consciousness of the Committee.

Ground 7

4.62 Mr Unkles has put forward the view that Lt Morant (and other persons who were missing from the Memorial) could be added at a later date, if they were

not intentionally excluded from the Memorial's honour roll by way of similar additional plaques.

4.63 We note that a plain reading of the text on the honour roll on the Memorial indicates that it commemorates men who died for their country. The plaques are in memory of those who fell and headed by the inscription '*who dies for his country dies nobly*'. From that context it is evidence the Memorial commemorates those who died in the service of South Australia, rather than all people who fell in the Boer War, or all people who served South Australia. We believe it likely that this is the reason for Lt Morant's initial omission, as he died in different circumstances.

4.64 Even were this not the case, however, we consider there are numerous other considerations which could prevent the inclusion of Lt Morant and other persons who were omitted from the Memorial, such as the desire to treat the Memorial as a 'closed site' and the practical infeasibility of including the name of every soldier who served South Australia in the Boer War.

4.65 As noted by Dr Stimson in his correspondence to the former Premier dated 30 July 2021:

> First, the memorial was erected to 'commemorate the valour of the citizen soldiers of the State' and the 'memory of those who fell', largely to disease and enemy action. Morant did serve briefly in a South Australian unit. His courage and swagger are not in question. Yet the circumstances of his death – shot by a firing squad after a court martial found him guilty of cold-blooded killings – are vastly different. It is difficult to see how it can be argued that he fell in the service of his sovereign and the Empire.
>
> Second, comparison with other memorials is difficult. For example, Morant is listed on the Renmark and District Honour Roll because it is explicitly a service record. That is, it lists 19 men with ties to that district who enlisted. The State memorial did not purport to be a service record naming every man who served. How could it, when perhaps 2,000 South Australians served in this war, 1,531 in contingents raised here and many more who made their own way to South Africa and enlisted there? It makes no sense to argue that because Morant is named on this or that memorial he should therefore be named on the North Terrace memorial. I could equally point out that his name is conspicuously absent on the plaque commemorating the South Australian dead at the Australian War Memorial (AWM). The National Boer War Memorial does not name individuals.
>
> Third, to reopen the question of who should and should not be named in 2021 is to open a Pandora's box. In researching *Citizen Soldiers: South Australians at the*

> *Anglo-Boer War 1899-1902*, which Wakefield Press will publish shortly, Jennifer Humphries and I identified another 25 men with South Australian ties who died as a result of their war service and are *not* named on the memorial. There may be more. Lt. Walter Arnot shot himself dead. He was not considered, presumably due to contemporary attitudes to 'self-murder'. Tpr. John Payne was invalided home and died a few months later, doctors at Kalyra sanatorium convinced his consumption was due to the rigours of war service. Tpr. Oliver Fry was a Mintaro lad serving in a Western Australian unit when he died. Tpr. Robert Tuckwell, Sgt. Alfred Balwin and others died while serving in irregular units raised in South Africa. If Morant's name is to be considered, why not these humbler men?

4.66 It is also of no small moment to observe that Lt Morant's service to South Australia is directly acknowledged on the Memorial's western face, in the same way all other Citizen Soldiers of the State are commemorated.

4.67 The addition of the names of persons to the Memorial, or its surrounds, in a piecemeal way would not, in our view, respect the cautious approach to conservation of heritage places advocated by the Burra Charter.

Ground 8

4.68 We understand Mr Unkles is concerned that the basis on which the Recommendation was made was based more on the Council's history of rejecting applications concerning the addition of Lt Morant to the Memorial, rather than by analysis of the present Application.

4.69 We agree with Mr Unkles that the materials provided to Council were somewhat unclear, in some respects.

4.70 For example, the material provided to the Committee states that:

> The current proposal… seeks the addition of a new plaque with the name 'Sergeant, HH. Breaker Morant' (HH Morant) and his South Australian regiment to the granite steps of the Memorial.
>
> …
>
> 17.2 The proposal seeks to embed the plaque either on the vertical or horizontal faces of the granite steps of the Memorial.
>
> 17.3 It is proposed that the text would replicate the style of font on the existing Memorial plaques, and while exact dimensions are to be confirmed, it is proposed that it is approximately 230mm x 100mm.
>
> 17.4 Development Approval is required as the Memorial is State Heritage listed.

4.71 The approved Development Application is also attached to the report to the Committee.

4.72 In our view, uncertainty in the materials provided in the report to the Committee arises because the scope of the proposed works within the Development Application is also uncertain and, in some instances, appears inconsistent with the summary set out above.

4.73 From our review of the stamped development approval documents, all that can be said with certainty is that there is to be a 'name plate' affixed at the foot of the Memorial with 'options' for the location of the name plate. The size of the plaque is not clear from the stamped documents, as well as the design, size and content of the interpretative material/interactive display. The wording on the plaque also varies across the mock ups provided in support of the Development Application. We assume that these are the matters which are to be resolved as part of the Condition. Mr Unkles has indicated that he was to obtain costings and final designs from contractors once the Council's in principle support was provided.

4.74 However, we consider it quite difficult for the reports provided to the Committee and Council to contain more substantive detail about the nature of the Application, or to provide commentary on the merits of that Application itself, when the Application itself is lacking in particulars.

4.75 This issue could, at least in part, be attributed to the Council for not requiring further particulars before approving the Development Application.

4.76 We are advised that the Council did not seek further particulars because development approval was only required due to the Memorial's status as a State Heritage Place. In those circumstances the Council accepted Heritage SA's view that there was sufficient information to complete the heritage assessment and did not consider it appropriate to seek further information.

4.77 The issue can also, at least in part, be attributed to the Applicant for seeking the approval of an Application which lacks substantive detail.

4.78 Notwithstanding our concerns about the lack of detail within the Development Application, we consider that the report does set out, to the extent possible, the nature of the Application so that Council members could form their views on the merits of the Application.

4.79 Further, in response to Mr Unkles' views more generally that the report contains 'insufficient detail', we consider that the report does set out clearly the reasons why the Recommendation was for the Application to not be approved, namely that its approval is inconsistent with the purpose of the Memorial, policy matters, budgetary considerations and the public interest.

4.80 Lastly, we do not consider that there is any issue in the Council reaffirming its previous views that the Memorial is a 'closed site.' Even though the nature of the Application was slightly different to previous requests for Lt Morant to be recognised on the Memorial (in that his name was to be included on a separate plaque), in our view, the proposal still consists of a variation to the Memorial and its surrounds, as contemplated by the Burra Charter. Accordingly, we consider it was reasonable for the Council to consider the Application to be inconsistent with the 'closed site' approach to the Memorial.

Conclusion

4.81 There are weighty factors both in favour and against the Application. We acknowledge the difficulty faced by councils in balancing the needs and interests of various sectors of its community. Councils are also challenged when balancing the principle of being responsive to the needs, interests and aspirations of individuals and groups within its community against their long-term obligations to manage their assets in the public interest.

4.82 As we have indicated, we consider that in reviewing the Decision and determining the best decision, the Council ought to have regard to community standards or community values. That is, the Council ought to consider what is the preferable decision in accordance with community standards or values. The elected membership of the Council, as local representatives of the Council's community, would be aware of and appreciate such standards and values and be well placed to make an assessment that contemplates such standards and values.

4.83 We consider that the Decision has an evident and intelligible justification. It is, in our view, within the range of permissible decisions available to the Council to be made taking into account the information before it.

4.84 In our view, it is therefore open to the Council to determine the factors in favour of granting the Application are outweighed by the factors against granting the Application.

4.85 It would be open to the Council to conclude that community standards and values recognise, above all, the sanctity of the Memorial as a place commemorating, by specific name, those who fell in the service of South Australia. This conclusion does not diminish the service of all the other men of valour who served South Australia and who are rightly acknowledged and commemorated on the Memorial's western plate.

4.86 We accordingly conclude that it is open to the Council to conclude the decision made by the Council was the best possible decision in the circumstances.

4.87 Noting that the decision made by the Council is only a preliminary step in the decision-making process, there is nothing preventing Mr Unkles or Ms Morant from undertaking the further work to refine the proposal within the scope of the Development Application and lodging a formal application for approval under section 221 of the LG Act.

4.88 Of course, any such application would need to contain specific detail regarding the actual proposed alteration to the Memorial and surrounds. Such an application would need to contain the final design for the plaque and its location, and a final design and location for the interpretative material.

4.89 The Council would then be in the position of considering an actual proposal to alter the Memorial and other parts of the road and would be required to consider the application on its own merits.

4.90 Equally, there is nothing to prevent Mr Unkles or Ms Morant from pursuing alternative avenues to recognise to the service of Lt Morant, and any of the other men who fell during the Boer War, at an alternative location within the City of Adelaide. We note that before Heritage SA granted its approval of the Application from a heritage perspective, the option of a 'separate installation' of this nature was also supported by Mr Queale and Heritage SA as a way of '*adding to the commemorative story without loss of the original meaning of the place.*'

4.91 The cultural significance of the story of Lt Morant and the success of the film bearing his name cannot be overlooked. While entirely a matter of public policy for the Council, it may be that this important contribution to Australian culture and society by a prominent South Australian identity can be recognised by the Council in another way.

5. **CONCLUSION**

5.1 Taking into account all the information as set out in this report, our view is that:

5.1.1 the Decision is lawful;

5.1.2 it is open to the Council to conclude the Decision be affirmed as the best possible decision in the circumstances.

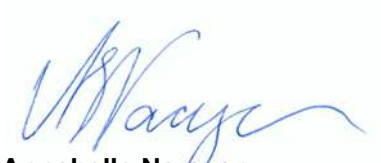
6. **RECOMMENDATIONS**

6.1 That the Council consider all the information available at the time the Decision was made, and all new information including this report and make a determination on the Application.

6.2 We consider it would be open to the Council to affirm the Decision.

NORMAN WATERHOUSE

Dale Mazzachi
Principal



Annabelle Narayan
Senior Associate

APPENDICES

Appendix A: Email correspondence between Applicant and Council

Complaint concerning Council's decision to decline the inclusion of Harry 'Breaker' Morant on the Adelaide Boer War Memorial

Mr Michael Sedgman
Chief Executive Officer
Adelaide City Council
GPO Box 2252
Adelaide, SA, 5001

19. 08.24

Dear Mr Sedgman

Reference:

1. https://customer.cityofadelaide.com.au/__home__/feedback-and-complaints/

I wish to lodge a complaint about the manner in which the Lord Mayor and Councillors conducted their review of an application I lodged on behalf of Ms Cathie Morant to have the name of Harry 'Breaker' Morant included on the Memorial and the inclusion of an interpretative display at a space on the paving near the Memorial.

Ms Morant is aggrieved by the Council's decision of 13 August to refuse her application and endorse a Recommendation made by the Community Services and Culture Committee on 6 August not to approve the application.

Particulars of the Complaint

1. At the Council meeting on 13 August the Lord Mayor refused my request to address Councillors minutes about the written submission I had lodged with Council.
   Council's refusal was unfair, unethical and denied me an opportunity summarise the application and address comments made by Mr Stimson who opposed the application, but was permitted to address Council. Ms Morant's application had been with Council for three years.

2. The Lord Mayor's decision to only permit Mr Stimson to address Council was harsh. Allowing me to have 5 minutes to address Council would not have prejudiced Council's opportunity to make a final determination. I appreciate the Council heard from Mr Pearce, but as I was representing Ms Morant, allowing me an opportunity to speak was appropriate.

3. The denial of the application contrary to the review and decision of Heritage South Australia, Environment, Heritage and Sustainability Division (Mr Michael Queale Senior Architect of the Department for Environment and Water) was unfair. Mr Queale's professional review concluded:
   'a plaque or similar commemorative treatment, fixed to the ground near the Memorial, or on the footpath step below the memorial statue, noting Morant's name along with specific interpretation to explain why the name plaque has been installed.
   'Interpretive material will be added, on the base of paving, or on a free-standing panel nearby, providing explanatory material relating to the Boer War Memorial and associated conflict, along with a discussion regarding the mix of views associated with South Australia's involvement in the War'.
   Council should have adopted the recommendation of Mr Queale who concluded the Memorial's

heritage significance would not be adversely affected by the inclusion of a plaque and interpretive display. Frankly, Council's decision was disrespectful of the heritage significance of the Memorial and Mr Queale's assessment.

4. Council's decision failed to objectively evaluate and place weight to the public interest in approving the application. Two opinion polls conducted by the Adelaide Advertiser produced a majority vote to recognise Morant on the Memorial.

5. Twenty four written references provided by State and Federal politicians, community leaders, RSL presidents, presidents of the WA Boer War Society and others were not given sufficient weight to approve the application. Council remained silent about this aspect of the application. I am unaware if the references were considered or ignored.

6. Mr Anthony Stimson President of the SA Boer War Association and Mr Ian Smith, SA RSL in their opposition to the application claimed that deceased South Australian veterans of the Boer war had opposed the inclusion of Morant on the Memorial. No evidence to support this hearsay claim was produced to Council and this prejudiced the merits of the application. Council failed to state whether it accepted or rejected the claim and this was a glaring omission. If Council accepted this claim on what evidence, rather than self-serving opinion?

7. Mr Stimson also argued reputational damage would be done to Adelaide and the Memorial if Morant was included. This claim was contradicted by Mr Queale's assessment that the Memorial's heritage status would not be adversely affected. Positive public opinion and those who provided written references cast doubt on this claim. Council's decision placed undue weight on Mr Stimson's opinion that was not based on verifiable evidence. Mr Queale's opinion about heritage also contradicted Mr Stimson's claim. Council failed to state whether it accepted or rejected Mr Stimson's assertion.

8. There is no evidence presented by Mr. Stimson that Morant was not included on the Memorial's honour roll when it was constructed and dedicated in 1904 because of his convictions during his service with a British Contingent. Mr Stimson has access to the records of National Memorial Committee that was responsible for funding the Memorial, commissioning, selecting a design, and determining whose names should appear on it. The fact that Morant was not included does not mean he was expressly excluded, yet Mr Stimson insisted Council conclude that Morant was not included, but failed to produce evidence to sustain his claim. In the circumstances, Council should have rejected this assertion but failed to do this or explain why it was accepted.

9. The Recommendation of the Committee dated 6 August 24 concluded the name of Sergeant H.H.'Breaker' Morant could not be included on the Boer war memorial. The Executive Summary and Recommendation were accepted by the Council on 13 June. However, the Committee's Recommendation was deficient and misleading as it failed to identify Mr Queale's assessment that an interpretative panel could be erected on the pavement near the Memorial as the pavement is not heritage listed. He confirmed this in an email of 8 August and I provided a copy of his advice to the Council. Ultimately, Council's decision to accept the Recommendation that the name plaque be not included failed to address the application to include the interpretative material, a draft of which was provided to Council for consideration.

10. I further complain that in submissions by Mr Stimson and Mr Smith, they argued my reference to the National Boer War Memorial recognized the service of Harry Morant was erroneous and a Memorial exists. Despite my production of evidence that the Memorial does exist and includes the name of Morant, (https://www.bwm.org.au/), the

Memorial having been endorsed by Sir Peter Cosgrove AK MC, former Governor-General of the Commonwealth of Australia and Sir David Hurley, former Chief of Army and former Governor General, Council failed to conclude the Memorial exists, including the name of Morant and the assertions of Messrs Stimson and Smith were false and irrelevant to the assessment of the application. This is another example of the Council remaining silent about an important aspect of my submission in support of the application.

11. Mr Stimson and Mr Smith argued that Morant's subsequent convictions and sentence while serving with a British Contingent was a reason to decline the application. My submission in support of the application argued there is no binding statutory provision that precludes the Council from recognizing Morant's service for SA as he is recognized on other Memorials, including the National Boer War Memorial. There is no legal requirement for Morant's convictions for murder to be overturned before he could be added to the Adelaide Memorial. Undue weight appears to have been placed by Council to opinions declining the application because of Morant's convictions. Council remained silent about whether Morant's convictions were a reason to deny the application.

12. Ms Morant travelled from Canberra to read a statement about her application at the Committee meeting on 6 August. Ms Morant is elderly and vision impaired, which was apparent to the Councillors as she had to be assisted at the table and used a cane. She struggled to read her statement and had to use an illuminated device. The Committee's chair person, Councillor Giles should have ensured Ms Morant's disability was a reason to allow sufficient time for Ms Morant to complete her address. I think her presence was ignored and she was left very disappointed as to how she was treated. At the time, I was concerned, but did not feel comfortable to raise my concerns with Councillor Giles.

13. Finally, the Executive Summary was little more than a chronology of about the application and its journey. It provided some detail of Mr Queale's assessment, but insufficient detail to justify the recommendation and largely based on the rejection of similar applications in the past. The current application lodged was more detailed, involving a descendant of Morant and included public comment about the merits of the application. The summary lacked sufficient detail for rejecting the application and lacked balance in explaining the merits of the application against the decision to reject.

Conclusion

I am not satisfied that Ms Morant's application was assessed in a competent manner and ignored or failed to appreciate the submissions in support of the application and the significance of Mr Queale's assessment.

The lack of transparency of Council's decision to refuse the application is a concern and the failure of the Committee and Council to refer to the interpretive display and its location on the pavement near the Memorial suggests the matter was not considered.

The refusal to deny me 5 minutes to address Council is concerning. If Council claims it acted in a fair and professional manner, how could 5 minutes after 3 years damage the integrity and due process of Council?

I don't think the Council acted in the public interest, but only in the interests of the RSL and the Boer War Association. I believe a political decision was taken to appease the RSL and Association rather than a consideration of the merits of the application and the public interest.

In 2021, Clare Mockler conducted a review of the original application that had been denied. She was satisfied that due process had not been followed directed a new review be conducted. Denial of process again remains a concern given my complaint about the present decision.

I believe the Committee meeting on 6 August and Council's meeting on 13 August failed the test for due process. The review of the application lacked transparency. On behalf of Ms Morant I am not satisfied Council approached the application with an open mind to the strengths of the application, failed to consider my submission, discussed the matters I had raised, explain the reasons for accepting the Recommendation, and failing to address Mr Queale's approval for an interpretive display, and if rejected, the reason.

Resolution

I urge you to appoint an independent external review of this complaint about the decisions of the Committee and Council, the process used to decline the application, including the treatment of Ms Morant on 6 August and my treatment on 13 August.

I also request that a decision about the inclusion of interpretive material be settled as the Committee's recommendation failed to address this aspect, noting the decision of Mr Queale that it would not detract from the Memorial's heritage. Council also failed to raise the matter on 13 August even though it was mentioned by Mr Pearce on 13 August and in my written submission to Council.

Cathie Morant's application has not been afforded transparent, fair and due process and must be addressed.

Thank you for your consideration.

Yours Sincerely

James Unkles

Appendix B: Response from the Applicant to the Provisional Report

Dale Mazzachi

From: james unkles
Sent: Sunday, 6 July 2025 3:15 PM
To: Dale Mazzachi
Cc: Sophia Pishas
Subject: report
Attachments: Draft - Provisional Report Comments July 2025.pdf

Hi Dale, my comments are included in the report.

I understand your conclusion about the legality, but believe the Council made a grievous error in declining the application and the manner in which the Council meetings were conducted.

Noting your paragraphs 4,85 - 4.89, it would be appreciated if during your final discussion with Council you could emphasise the merit of '*pursuing alternative avenues to recognise to the service of Lt Morant, and any of the other men who fell during the Boer War, at an alternative location within the City of Adelaide''.*

I expect a further application will be lodged to achieve this would be in the public interest.

A final comment about the original application that was amended following Mr Queal's assessment, Tony Stimson sent me an email dated 15 March 2024 in which he stated:

'I've told Queale that I think the interpretive display is a terrific idea. I've also said I would like to work on the text but only with his and ACC's imprimatur and only once other matters are settled. To that end, I've suggested he keep the interpretive display and the proposed Morant plate separate in his recommendations rather than bundling them together'.

He supported the addition to the Memorial's step and pavement, the very proposal that was rejected by Council!

I hope he will support a fresh application.

Thank you for review.

James Unkles

Author of:
Ready, Aim, Fire - Major James Francis Thomas - The Fourth Victim in the Execution of Harry 'Breaker' Morant"

Professional member of Resolution Institute

NMAS
Nationally Accredited Mediator
2022 to 2024

Norman Waterhouse

PROVISIONAL REPORT

<u>Provisional</u> report prepared for
The Corporation of the City of Adelaide

Pursuant to the *Corporate Complaint Handling Operating Guideline*

Regarding a complaint concerning the decision in 2024 to decline to provide in-principle support for the inclusion of the name of Harry 'Breaker' Morant on or near the South African (Boer) War Memorial, Adelaide

May 2025

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1. **PURPOSE OF THIS REPORT**

The Role of Norman Waterhouse

1.1 The Corporation of the City of Adelaide (**the Council**) received an application (**the Application**) from Mr James Unkles, on behalf of Ms Cathie Morant, seeking, in effect, for an alteration or amendment to the South African War Memorial (**the Memorial**), situated at the north-eastern corner of North Terrace and King William Street in Adelaide, to have the name of Lt Harry 'Breaker' Morant (**Lt Morant**) included on the Memorial.

1.2 The circumstances in which the Application was made, the status of the Application, and the changes that have been made to the Application throughout this process, are set out in further detail later in this report.

1.3 At the Council meeting held on 13 August 2024, the Council endorsed the recommendation (**the Recommendation**) of the City Community Services and Culture Committee (**the Committee**), made at its meeting on 6 August 2024, not to grant consent to the Application.

1.4 On 19 August 2024, the Council received a complaint from Mr Unkles in which Mr Unkles sought a review of the manner in which the Council and the Committee handled the Application.

1.5 The email correspondence from Mr Unkles has been determined to constitute a request for internal review under the Council's *Corporate Complaint Handling Operating Guideline* (**the Complaint Handling Guideline**).

1.6 In this case, the 'Reviewer' for the purposes of the Complaint Handling Guideline is the elected Council. The Reviewer is the person who will ultimately reconsider the decision under review in this case.

1.7 The Complaint Handling Guideline provides that where the elected Council is the Reviewer:

> [A] report will be developed by the administration, or an independent external consultant. Council will consider the outcome of the review and determine whether to affirm, vary or revoke the original decision.

1.8 Accordingly, we have been engaged as an independent external consultant to prepare a report for the consideration of the elected Council.

1.9 We provide this report in discharge of the above role. This report is divided into the following parts:

1.9.1 First, we provide relevant background information with respect to the decision under review.

1.9.2 Second, we identify the decision which is now under review.

1.9.3 Third, we provide our views with respect to what is the correct or preferable decision in the circumstances.

1.9.4 Fourth, we provide recommendations for the Council arising from our review.

1.10 It is important to recognise that, in accordance with the Complaint Handling Guideline, any decision on review will ultimately be made by the Reviewer, not Norman Waterhouse. This report is prepared to assist the Reviewer.

Provisional Nature of this Report

1.11 The Complaint Handling Guideline sets out the following requirements in respect of procedural fairness:

> The principles of procedural fairness (also called 'natural justice') will be observed when exercising statutory powers which could affect the rights and interests of individuals.
>
> Procedural fairness involves:
>
> - Giving an applicant a right to put their case forward. This will generally involve giving an applicant the opportunity to provide all relevant documentary evidence, rather than an oral hearing;
> - Ensuring the Reviewer does not have personal interest in the outcome (is not biased); and
> - Acting only on proper evidence that is capable of proving the case.

1.12 All findings and analysis in this report are provisional.

1.13 The provisional version of this report is now provided to the Applicant and the Applicant is provided with an opportunity to respond to this provisional report for the purposes of the Complaint Handling Guideline.

1.14 Any views which the Applicant may choose to express in response to this provisional report will be taken into account in the preparation of the final report and will be supplied to the Reviewer.

2. **BACKGROUND**

Lt Morant

2.1 Lt Morant departed South Australia as a member of the Second South Australian Mounted Rifles in January 1900 and served in the Second Boer War (**the Boer War**) with that regiment until July 1900. His service with the Mounted Rifles was loyal and unblemished.

2.2 Lt Morant then travelled to England where he joined the Bushveldt Carbineers, an irregular British Army regiment, and returned to the Boer War.

2.3 In 1901, while part of the Bushveldt Carbineers, Lt Morant (as well as Lt Peter Handcock and Lt George Witton) were arrested and court-martialled, charged with the murder of prisoners of war and civilians. All three men were convicted. Lt Morant and Lt Handcock were executed in February 1902.

2.4 There has been subsequent controversy surrounding the legality of Lt Morant's courts-martial.

2.5 Lt Morant has also become something of a folk hero amongst some Australians, who consider Lt Morant to be a scapegoat and/or wrongfully convicted, believing that in undertaking the killings Lt Morant, Lt Handcock and Lt Witton were simply following orders from the British.

2.6 Lt Morant's life story formed the basis of the popular, multi-award winning, 1989 film '*Breaker Morant*' which, in addition to the other documentaries, books and other media published about Lt Morant, has considerably added to the notoriety surrounding his life.

The Memorial

2.7 The Memorial was commissioned by the Memorial Committee in 1901.

2.8 The Memorial lists the names of 60 South Australians, approved by the Memorial Committee, who died serving in South Australian contingents during the Boer War.

2.9 Two of the four plaques on the memorial list the names of 21 men and 39 troopers under the inscriptions '*Who dies for his country, dies nobly*' and '*In Memory of Those Who Fell*'. We are informed that other men may have died in the service of South Australia during the Boer War and not been named on either plaque. We requested further information from the Council about this understanding, however, we were advised that no evidence was in the

Commented [JU1]: Reference to civilians is not exacting as those executed were identified as combatants but not in the strict sense as Boer members were both active in combat, but also fulfilled other combat related roles such as collecting data on Commonwealth forces and spying for Boer fighters. There was no charge or conviction of these men for executing civilians. Speculation is not evidence.

Council's possession, except for the understanding that there is an 'honour roll' listing the names and numbers of those who fought for the British Empire in South Africa held in the base of the Memorial.

2.10 A third plaque commemorates the despatch on 7 March 1900 of the South Australian Bushmen's Corps, consisting of '100 officers and men' which was the '*third of nine contingents numbering in all 1531 men sent from South Australia*.' The fourth plaque commemorates the erection of the Memorial by the people of South Australia '*To commemorate the valour of the Citizen Soldiers of the State who fought in the South African War (1899-1902)*'.

2.11 The Memorial was gifted to the citizens of Adelaide and the Council has been the owner and custodian of the Memorial, and the land upon which it sits, since the Memorial was unveiled in 1904.

2.12 In 1904, the Memorial Committee adopted a motion to the effect that '*no further names be added to the memorial*.'

2.13 The Memorial was confirmed as a State Heritage Place in 1987.

Previous Requests for Lt Morant's Inclusion on the Memorial

2.14 There have been numerous previous requests made of the Council to have Lt Morant's name listed on the Memorial, including in 1988 and 1993.

2.15 The substance of those requests is not relevant to the present matter, except to note that a 1988 report recommended that the Council deal with the Memorial as a 'historical document.' The report indicated that the Council should decline to add further names to the Memorial, consistent with the Committee's views as to the names on the plaques in 1904, notwithstanding the possibility of other persons being identified as eligible for inclusion on the Memorial.

2.16 Following these requests, the Memorial has been treated by the Council as a 'closed historical monument'.

The Present Request

2.17 In August 2021, Mr Unkles (on behalf of Ms Morant) issued a request for Lt Morant's name to be included on the Memorial (**the 2021 Request**).

2.18 On 15 September 2021, the Council advised it did not support the 2021 Request.

2.19 Mr Unkles subsequently made a complaint about this decision. Council engaged Kelledy Jones Lawyers to undertake a review of the decision pursuant

Commented [JU2]: Ther term 'understanding' is not evidence and should not be included in this report. Speculation is not relevant. There is no verifiable evidence that an honour roll exists I raised this with Dr Stimson and he agreed, no evidence exists. Reference to an 'understanding' is inaccurate and carries no weight.

Commented [JU3]: There is no evidence that this assertion is correct. Indeed. an Australian volunteer, Lt Gordon who served in the Boer war but who died in 1904 after returning to SA had his name added to the Memorial in 1921 after a submission was made by his father, the then Attorney General. This is historical record and noted by Dr Stimson. His inclusion disputes the claim that a Memorial's motion existed.

to section 270 of the *Local Government Act 1999* (SA) (**the LG Act**) and in accordance with the Complaint Handling Guideline. Through that review, errors about the process in which the 2021 Request was considered were identified and the Council determined that the 2021 Request would be considered afresh.

2.20 On 13 June 2023, the Council adopted a recommendation of the Committee and resolved to endorse advising Ms Morant to lodge a development application under the *Planning, Development and Infrastructure Act 2016* (SA) (**the PDI Act**) for the proposed works to the Memorial. The resolution also noted that Council administration would provide assistance to Ms Morant if a development application was lodged, and noted that even if the works were approved as part of a development application, the Council could reserve the right to potentially refuse *implementation* of the works, as owner and custodian of the Memorial.

2.21 On 4 July 2023, Mr Unkles lodged a development application (**the Development Application**) behalf of Ms Morant to seek development approval for works to the Memorial that would see Lt Morant recognised on the Memorial. The proposed development was for the leftmost panel of the plaque bearing the names of the 21 men who fell under the heading '*In Memory of Those Who Fell*' to be updated to list the name 'H. H. Morant' under the heading 'Lieutenants'.

2.22 That Development Application was assessed by the Council. This process involved seeking the assistance of Heritage SA in respect of heritage-related matters, in light of the Memorial's status as a State Heritage Place.

2.23 By email dated 10 January 2024, Mr Michael Queale, the Principal Heritage Architect at Heritage SA, indicated Heritage SA was not supportive of any proposal to have the Memorial amended to include Lt Morant's name on the main plaque of the Memorial.

2.24 We understand that Mr Unkles and Mr Queale engaged in communications regarding the matter. During this process, it appears Mr Unkles revised the Development Application such that the plaque of the Memorial would not be amended, and instead Lt Morant's name would be inscribed on a separate small name plate at the foot of the Memorial.

2.25 By correspondence dated 5 April 2024, Heritage SA advised that, from a heritage perspective, Heritage SA supported the inclusion of a separate plaque

to be either fixed to the ground near the Memorial, or on the footpath step below the Memorial, noting Lt Morant's name. Heritage SA further supported the display of interpretive material, explaining why the name plaque had been installed and providing information about the Memorial and the '*mix of views associated with South Australia's involvement in the [Boer] War*.'

2.26 The Council issued approval for the Development Application on 24 April 2024. The nature of the proposed development is described in the Decision Notification Form as an:

> Additional plaque fixed to north west facing base step of the South African War Memorial or ground adjacent the Memorial and associated interpretive material.

2.27 The Development Application is subject to a number of conditions. Relevantly, the condition directed by the Minister responsible for the administration of the *Heritage Places Act 1993* (**the Condition**) required:

> Final details of the location and details of the plaque itself, and associated interpretive material are to be confirmed by the Department for Environment and Water, Heritage South Australia, in consultation with, and subject to the approval of the City of Adelaide, as owner and custodian of the memorial, prior to manufacture and installation.

2.28 Before proceeding with the works required to meet the conditions of the Development Application, Ms Morant sought the in-principle approval of the Council for the proposed development. This is the 'Application' for the purposes of this report.

2.29 While the Council had already assessed the Development Application in terms of compliance with the PDI Act, the Committee and the Council (as an elected body) assessed the application in their role as the owner and custodian of the Memorial.

2.30 As part of this process, the Council considered a report to the Committee dated 6 August 2024 which included (but was not limited to) an analysis of matters within the following key topic areas:

2.30.1 the purpose of the Memorial;

2.30.2 policy considerations;

2.30.3 budget considerations; and

2.30.4 the public interest.

Commented [JU4]: This raised a presumption that the support of Heritage SA should be implemented notwithstanding opposition. If the support had not been forthcoming from Heritage SA, then Council's decision would not be challenged, however the support raises a presumption that it should have been affirmed.

2.31 With reference to these criteria, the Committee recommended at its meeting on 6 August 2024 that the Council not consent to the proposed works.

2.32 It is noted in the report to the Committee that:

> 29. If Council decides to provide in principle support for the proposal, this will trigger the requirement for the applicant to meet the requirements of the Development Approval process and conditions. It should be noted that at this point in time the applicant has not progressed the work relating to Conditions 1 and 2 of the Development approval, as they have decided to seek Council's position before expending more time and cost on the proposal.
>
> 31. Should the conditions of the Development Application be subsequently met by the applicant, including addressing Heritage South Australia conditions, a further Council report will need to be presented seeking Council's approval as the owner of the Memorial and owner of the land to implement the proposal.
>
> 31. At that point, Council may still choose to not support, or to support this revised proposal.

2.33 Ms Morant and Mr Unkles were in attendance at the meeting and spoke to the Committee.

2.34 At the meeting on 13 August 2024, the Council was addressed by Dr Anthony Stimson (President of the SA Boer War Association Inc), who was against the Application, and Mr Adam Pearce, who was in favour of considering options to include Lt Morant's name on or near the Memorial.

2.35 Council also received a petition containing 23 signatures of persons who supported the inclusion of Lt Morant's name to the Memorial.

2.36 The Council ultimately adopted the Recommendation.

The Applicant's Request for Review (see Appendix A)

2.37 On 19 August 2024, Mr Unkles submitted his complaint about the manner in which the Council refused the Application (a copy of which is attached as **Appendix A**).

2.38 Norman Waterhouse also met with Mr Unkles on 5 December 2024 to gain further information about the basis of his complaint.

2.39 From the written complaint, the matters discussed on 5 December 2024, and correspondence received from Mr Unkles after our meeting, we summarise the

grounds on which Mr Unkles has complained about the Council's conduct in assessing the Application as follows:

2.39.1 the manner in which the Council selected the deputations at the Council meeting on 13 August 2024 was unfair as Mr Unkles was not afforded the opportunity to speak (**Ground 1**);

2.39.2 the Committee did not accommodate Ms Morant and her disability while she was reading her statement at the meeting on 6 August 2024, causing her to feel ignored and disappointed (**Ground 2**);

2.39.3 the Council's decision was inconsistent with the view of Mr Queale, who appeared to support the inclusion of a small plaque at the foot of the Memorial and the inclusion of interpretive material. Mr Queale also appeared to indicate that this could be achieved without impacting upon the heritage of the Memorial (**Ground 3**);

2.39.4 the Council failed to objectively evaluate the public interest in approving the Application, as evidenced by opinion polls conducted by *The Advertiser* newspaper suggesting that a majority of people wanted to recognise Lt Morant on the Memorial (**Ground 4**);

2.39.5 the Council failed to adequately consider written references from various politicians and community leaders (**Ground 5**);

2.39.6 the Council placed too much weight on the views of Dr Stimson and the South Australian Returned and Services League (**the RSL**), who were against the Application and whose submissions consisted of the following matters with which Mr Unkles disagreed:

(a) conjecture that deceased veterans of the Boer War were not in favour of Lt Morant's inclusion on the Memorial;

(b) commentary about other war memorials which was incorrect; and

(c) the suggestion that Lt Morant's conviction was a reason to not include him on the Memorial (**Ground 6**);

2.39.7 there was no evidence that Lt Morant was intentionally excluded from the Memorial's honour roll and therefore nothing preventing him from now being included in the Memorial. If other persons who served in

Commented [JU5]: Mr Queale's support was unequivocal. I dispute the use of the work 'appeared'. His exacting examination of the proposal was thorough, unambigous and should not be diluted by using the term 'appeared'.

Commented [JU6]: The testimonials were very persuasive and Council failed to explain why each and every reference was considered, what weight was attributed to each one and why were some or none excluded or some included.

Commented [JU7]: Those who opposed the application stressed that now deceased Boer war veterans also opposed Morant on the Memorial. This was a most aggravating feature of the opposition and one that could have unduly influenced the Committee's decision. For Dr Stimson, who claims to be an expert historian on the Boer War and the Memorial, his baseless claims about deceased veterans, (unnamed) was misinformation that lacked any credibility.

the Boer War were also missing from the Memorial, their relatives could similarly apply for inclusion on the Memorial (**Ground 7**); and

2.39.8 the summary of the matter as provided to the Council lacked sufficient detail and failed to explain the merits of the Application against the reasons to reject the Application. Further, the Council has failed to provide adequate reasons for accepting the Recommendation (**Ground 8**).

3. **THE DECISION UNDER REVIEW**

3.1 Section 270(1) of the LG Act, and the Complaint Handling Guideline, are concerned with review of decisions.

3.2 In the correspondence dated 19 August 2024 (contained in Appendix A), Mr Unkles states that he wishes

> to lodge a complaint about the manner in which the Lord Mayor and Councillors conducted their review of an application I lodged.

3.3 He also states:

> Ms Morant is aggrieved by the Council's decision of 13 August to refuse her application and endorse a Recommendation made by [the Committee] on 6 August not to approve the application.

3.4 Accordingly, the decision under review (**the Decision**) is the decision of the Council at its meeting on 13 August 2024 to endorse the recommendation of the Committee which was passed in the following terms:

> THAT COUNCIL
>
> 1. Notes the cultural significance of the South Australian (Boer) War Memorial on North Terrace and its heritage listing.
> 2. Endorses and reaffirms the decision of past Councils, that the South Australian (Boer) War Memorial is a closed historical site of cultural significance and does not provide consent as the owner of the Memorial and owner of the land for the proposal to amend or alter the South Australian (Boer) War Memorial on North Terrace to include 'Sergeant, HH. 'Breaker' Morant' or any other names.

3.5 This is not a review of any of the decisions or recommendations made which may have led to the Decision (for example, the resolution in June 2023, or the decision to grant the Development Approval). Those decisions are nevertheless relevant, both in terms of providing context and in informing the

next steps. In particular, the decision to grant the Development Approval will be of importance if the Council decides to vary the Decision so as to grant in-principle support of the Application, following this review.

3.6 Before examining the Decision, it is necessary to make certain general comments about the nature of this review.

4. THE CORRECT OR PREFERABLE DECISION

The Need for 'Merits Review'

4.1 The Complaint Handling Guideline provides as follows:

> The role of a review is to review the decision in question to ensure that the decision-maker complied with the following procedural requirements and made the best possible decision in the circumstances:
>
> - The decision-maker was appropriately authorised to make the decision;
> - The decision-maker considered all matters which were relevant to the making of the decision, and did not take into account matters which were not relevant to the decision;
> - The decision-maker did not make a decision or exercise a power or discretion in bad faith or for an improper purpose;
> - The decision-maker ensured that findings of fact were based on evidence;
> - The decision was reasonable (a review will include an assessment of the merits of the decision);
> - Those affected by the decision were accorded procedural fairness, which includes the principles of natural justice;
> - The decision-maker properly considered the application of existing policies and legislation, as they existed at the time of the decision;
> - The decision-maker did not exercise a discretionary power at the direction of another person.

4.2 The requirement for merits review in the Complaint's Handling Guideline is consistent with the view taken by former South Australian Ombudsmen, that procedures adopted for the purposes of section 270(1) of the LG Act must provide for merits review.[1]

[1] Ombudsman SA, *Right of Review: An audit of Local Government Internal Review of Council Decisions Procedures* (November 2016) [145], [153]; Ombudsman SA *Valuing Complaints – An audit of complaint handling in South Australian councils* (November 2011) 65.

4.3 In defining what constitutes merits review, the then Ombudsman cited with approval the following guidance of the Commonwealth Administrative Review Council:[2]

> Merits review is the process by which a person or body, other than the primary decision maker, reconsiders the facts, law and policy aspects of the original decision and determines the 'correct or preferable decision'. In a merits review, the whole decision is made again on the facts. This is different to judicial review, where only the legality of the decision making process is considered. Judicial review usually consists only of a review of the procedures followed in making the decision.
>
> The objective of merits review is to ensure administrative decisions are correct or preferable – that is, they are made according to law, or if there is a range of decisions that are correct in law, the best on the relevant facts. It is directed to ensuring fair treatment of all persons affected by a decision, and improving the quality and consistency of primary decision making.

4.4 In accordance with the above, the Reviewer must consider both:

4.4.1 the lawfulness of the Decision; and

4.4.2 the merits of the Decision.

4.5 Thus, to assist the Reviewer:

4.5.1 First, we examine the lawfulness of the Decision.

4.5.2 Subsequently, we examine whether the Decision was the preferable decision or best possible decision in the circumstances.

Lawfulness of Decision

4.6 It is not controversial that the Memorial is owned by the Council. The Council has described its relationship to the Memorial as that of owner and custodian.

4.7 The Memorial is located on land comprising Public Road at the intersection of King William Street and North Terrace, Adelaide. The Council is the owner of public roads in its area by virtue of section 208(1) of the LG Act.

4.8 It is plainly lawful for the Council to make decisions about the Memorial as its asset. This is consistent with the functions of the Council as set out in section 7 of the LG Act which relevantly include '*[managing] and, if appropriate, [developing], public areas vested in, or occupied by*' the Council.

[2] See Ombudsman SA (2016), [142].

4.9 The principles of section 8 of the LG Act, which the Council must act to uphold and promote the observance of, are also relevant including, but not necessarily limited to:

(a) provide open, responsive and accountable government;\

(b) be responsive to the needs, interests and aspirations of individuals and groups within its community;

and

(f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations;

(g) manage its operations and affairs in a manner that emphasises the importance of service to the community.

4.10 The Decision is clearly a preliminary step in the formal decision making process, and should be contrasted with formal approval under section 221 of the LG Act to alter the Memorial, as a structure on a public road.

4.11 There being no legislative basis for the Decision, in our view, the Council may exercise its discretion in making the Decision. There are no mandatory applicable considerations to such a decision.

4.12 There is no basis on any of the material we have reviewed to find that the Council committed any legal error in exercising its discretion.

4.13 We are satisfied that the Council (to the extent it was required to):

4.13.1 took into account all relevant matters;

4.13.2 did not take into account any irrelevant matters;

4.13.3 did not make the decision in bad faith or for an improper purpose;

4.13.4 made a decision which was not unreasonable in a legal sense (though the non-legal 'merits' of the decision are discussed later);

4.13.5 afforded sufficient procedural fairness to the Applicant; and

4.13.6 did not exercise a discretionary power at the direction of another person.

4.14 To this end we note the Committee had before it and considered a report from officers when making the Recommendation (which was ultimately adopted by Council). We agree the matters set out in the report are relevant matters.

Commented [JU8]: Ms Morant is convinced the Council's decision lacked a professional assessment of the case in favour and was unduly influenced by political considerations driven by the SA Boer war association and the SA RSL.
Council clearly placed little or no weight on SA Heritage exacting assessment and Councill paid 'lip' service to Mr Queale's decision and recommendation.

Commented [JU9]: I dispute the fairness was demonstrated. Since the inception of the original application, Council may have gone through the process, but it weighed heavily from the beginning in favour of the detractors to ensure the application would not be approved.

4.15 While Mr Unkles may consider that the weighting placed on particular considerations was not appropriate, in our view, it is open for the Council, as a body politic seized with the responsibility for managing a significant public asset, to weigh up the competing considerations in any way it sees fit.

4.16 We do not consider that any of the considerations taken into account were *irrelevant* or that any relevant matters were overlooked. We discuss Mr Unkles' more specific concerns about particular considerations further below.

4.17 Accordingly the Decision was in our view a legally valid decision.

4.18 Whether the Decision was the preferable or best possible decision in the circumstances is discussed below.

Merits of the Decision

4.19 We now turn to whether the Decision was the preferable or best possible decision in the circumstances.

4.20 Because this is a case where there are multiple lawful alternatives — to grant the Application, or to deny it — the task of the Reviewer is to identify the 'preferable' decision. What is 'preferable' should be determined by reference to community standards or community values, not the Reviewer's own personal standards or philosophy.[3]

4.21 In our view, the Council was correct to place weighting on the following factors against the Application:

4.21.1 the historical significance and purpose of the Memorial, including the policy position to treat the Memorial as a 'historical document' with no further names to be added;

4.21.2 the relevance of the Burra Charter which provides that places of cultural significance should be preserved and defines 'places' broadly. To this end, to take the view the 'place' in question which ought to be protected is not necessarily the Memorial itself, but also the area surrounding it;

4.21.3 the views of various stakeholders who were against the Application, notably including the RSL and the SA Boer War Association Inc, as key bodies associated with the veteran community; and

[3] See *Visa Cancellation Applicant and Minister for Immigration and Citizenship* [2011] AATA 69, [62] et seq.

Commented [ju10]: The history of the memorial is not conclusive, that no further names could be added.

However, if it concluded that no further could be included, it does not negate the compromise noted by Mr Queale that an interpretative panel and name plate could be included at the memorial site but not in the main pedestal and this would not interfere with the cultural significance of the memorial.

Ms Morant disputes the assertion that the Burra charter necessarily applies to the step of the memorial and the surrounding pavement.

Her view is the term 'places' should have a strict interpretation, being the pedestal, the plaques and the horse and rider figure.

Clearly, from Mr Queale's exacting review, he was acutely aware of the Burra Charter and the cultural overlay and so his opinion should be implemented by Council.

Wondering if you contacted Mr Queale and discussed his assessment? I did and I was impressive by his professionalism.

Commented [ju11]: It is concerning that the RSL and Boer War Association appear to have been given status as stakeholders over the interests of the community. I suggest the community is a key body of opinion and I don't believe sufficient weight has been given to the community's vested interest rather than deferring to the RSL and Boer War Association.

4.21.4 the responsibility of the Council to ensure appropriate technical expertise to implement the proposed works due to the Memorial's status as a State Heritage Place and the impact this would have on Council's budget. This was particularly difficult for the Council to ensure given the lack of detail provided with the Application. We discuss this further below in response to Ground 8.

4.22 As submitted by Mr Unkles, there are also factors in favour of the Application, including:

4.22.1 the proposed amendments to the Memorial (and the interpretative material) providing an opportunity for a well-known historical figure from the region to be recognised, including potentially offering tourist opportunities;

4.22.2 the possibility that other South Australians who served in the Boer War but are not currently expressly named on the Memorial could be similarly recognised for their service; and

4.22.3 the views of Ms Morant and various stakeholders who were in favour of the Application.

4.23 Weighing the factors in favour of the Application and those against the Application, in our view, it is open to the Council to determine it reached the correct and preferable decision with reference to the standards and values of the community.

4.24 In reaching this view we acknowledge the significant community sentiment both in support and against the proposal, and acknowledge that, from a heritage perspective, the proposal appears able to be accommodated. However, we note the Council is not compelled to agree to a proposal just because it is able to be accommodated.

4.25 We elaborate on these matters further in our analysis of the grounds on which Mr Unkles made his complaint to explain why they do not displace our view.

Ground 1

4.26 Mr Unkles indicated that '*the Lord Mayor refused [his] request to address Councillors'* at the meeting on 13 August 2024 and that this was 'unfair' and 'unethical.'

Commented [ju12]: With respect, I am not sure you appreciate the Council could have approved the application with a condition that technical detail and costings be provided following the approval. In the time available, I sourced contractors for the name plate and interpretive panel. I was assured by the contractors that costings would be provided once they knew the project had been approved, subject to conditions.

The application and in my discussions with Council representatives the technical aspects had to be exacting and would be provided before the works could proceed.

I don't accept the lack of technical detail at the time of the application was fatal to the approval process.

Commented [ju13]: Repeating the assertion that Council was selective in favoring two stakeholders over the public interest.

Commented [ju14]: I agree with the view expressed except the Council failed to adequately communicate the decision to refuse the application when SA Heritage had clearly stated that the proposal would not detract from the heritage consideration.

4.27 We note the Council's Code of Practice for Meeting Procedures (which applies to both Council and committee meetings) provides that '*a request for deputation is accepted is determined on a case-by-case basis and is dependent on the subject of the request'* and that generally a maximum of three speaking opportunities will be provided, unless the meeting determines otherwise. The Presiding Member of the meeting determines if the deputation will be heard.

Commented [ju15]: Council had broad discretion in implementing the code of practice and Ms Morant is convinced Council was selective in favouring the RSL and Boer War Association. We were not afforded a professional level of representation to Council.

4.28 The Code of Practice for Meeting Procedures also provides that when deciding whether to allow a deputation, the Presiding Member will take into account a number of considerations which relevantly include the following:

4.28.1 the subject matter of the proposed deputation;

4.28.2 whether the subject matter has previously been the basis of a deputation at another meeting;

4.28.3 the benefit of the Council of receiving the deputation; and

4.28.4 the history of deputations from the person.

4.29 The Presiding Member of the Committee meeting (Cr Giles) determined that one party 'in favour' of the Application and one party 'against' the Application would be permitted to give a deputation. Mr Unkles and Ms Morant submitted a Deputation Request for the Committee meeting which was accepted. The RSL's Deputation Request was also accepted as a party which was not in favour of the Application.

4.30 Mr Unkles submitted his Deputation Request for the Council meeting on 8 August 2024. His request was the fourth request to be received.

4.31 At the Council meeting, the Lord Mayor chose to approve one deputation in favour of the Application and one deputation against the Application before putting the rest of the deputation requests to the meeting. The two deputations were delivered by different people from those who spoke at the Committee meeting.

4.32 The Lord Mayor put to the meeting that there were three other persons who had requested a deputation. The meeting did not disturb the Lord Mayor's determination in this regard. This is consistent with the Code of Practice for Meeting Procedures and the *Local Government (Procedures at Meetings) Regulations 2013*.

4.33 In our view, if the Lord Mayor's view was that one person should speak in favour of the Application and one should speak against the Application (which we agree is sensible), Mr Unkles as the representative of the Applicant was likely the most appropriate person to speak in relation to the Application.

4.34 However, we do not consider that the decision not to accept Mr Unkles' request for a deputation at the Council meeting should weigh against a finding that the correct and preferable decision was made.

4.35 We are of the view that this decision was not inconsistent with any entitlement to procedural fairness, or the powers of the Lord Mayor to exercise her discretion in determining who may make a deputation. This is because:

4.35.1 the merits of the Application were still put forward in a clear and persuasive manner by Mr Pearce;

4.35.2 Mr Unkles (and Ms Morant) had previously had a deputation at the Committee meeting at which the Recommendation was approved;

4.35.3 Mr Unkles had ample opportunities previously to liaise with Council administration in relation to his Application. He had many opportunities to raise his point of view throughout the process and indeed he did so. It is evident those views were taken into account in the preparation of the Recommendation before it went to the Committee; and

4.35.4 The Council had the opportunity to allow Mr Unkles to present a deputation, notwithstanding the Lord Mayor's decision to refuse his request – but it choose not to.

Ground 2

4.36 Mr Unkles has identified that Ms Morant experienced difficulties delivering her statement at the Committee meeting and felt '*very disappointed as to how she was treated.*'

4.37 We have spoken to several members of the Council's administration who have expressed their surprise that this was Ms Morant's experience, as they believed the Council had accommodated Ms Morant appropriately.

Commented [ju16]: Ms Morant remains dissatisfied with the manner in which she was treated and this goes to the issue of due process.

4.38 We do not propose to address this ground in detail because, although we appreciate the sensitivity of this issue, we do not consider it particularly relevant to the Decision which is the subject of this review.

4.39 It may nevertheless be appropriate for the Council to determine whether it could do anything to make it easier for elderly people and people with disabilities to attend and speak at Council meetings, and to accommodate any difficulties which may arise.

Ground 3

4.40 Mr Unkles places significant weight on Mr Queale's position that the addition of a plaque at the base of the Memorial would not have a 'significant adverse impact' upon the heritage significance of the Memorial.

4.41 By letter to the Council dated 5 April 2024, Mr Queale provided the following assessment in support of his position:

- The Memorial will be physically unaffected, as the proposed plaque/ or similar interpretation is to be fixed on the base step, or on paving nearby, not on the pedestal of the Memorial.
- The addition of 'Morant' as a name will be on a separately located plaque, with suitable interpretation material, to ensure there is no confusion/ misinterpretation of the historic value of the Memorial as an illustration of the values of the community and commemorative committee of 1904. This solution will ensure that it is clear that Morant was not one of 'those who fell' when on services, as commemorated on the bronze plaques of the Memorial.
- Note: this advice focuses on the consideration of the potential heritage impact of a proposed plaque on/ or near the South African War Memorial. It does not consider the appropriateness of the content of the plaque, as this is a matter separate to the identified State Heritage value of the memorial.
- Further, it is suggested that consideration of all those involved in the War be interpreted in some manner at the memorial, to be fully inclusive of the contribution they made as a part of the conflict.

4.42 In our view, and as Mr Queale himself acknowledged in the letter of 5 April 2024 and in earlier communications with Mr Unkles, Mr Queale's role was in providing advice on the heritage impact of the proposed development during the Development Application process. This process is quite separate from the Council's consideration of the Application.

4.43 While the views of Heritage SA are relevant in the Development Application process, and could be given some weight by the Council in assessing the Application, we do not consider that those views are necessarily determinative in considering the Application. The considerations in each process are different

Commented [ju17]: Ms Morant's view is Mr Queale's opinion about the application including its amendment raised a presumption that it should be implemented as it addressed the most significant consideration, heritage compliance.

and the Council is quite within its rights to refuse alterations to its asset, even if development approval is granted for that purpose.

4.44 Just because a proposal is consistent with heritage advice does not mean that, on balance, it must be approved.

4.45 In particular, we consider it would be open to the Council to have formed the view that having a separate, standalone plaque bearing Lt Morant's name at the foot of the Memorial would draw particular attention to Lt Morant, given its unique positioning, such that the Council did not wish to proceed with the proposal.

Ground 4

4.46 We do not consider that opinion polls from *The Advertiser* needs to be afforded particularly significant weighting in considering the Application, or that such polls are particularly relevant in determining the public interest.

4.47 We do not know who voted on the poll, where they are from, or whether they have the full understanding of the Application and the historical background to the Application and the Memorial. In our view, the polls accordingly have limited probative value.

Ground 5

4.48 We note that the Council has received an assortment of *ad-hoc* pieces of correspondence from various members in the community, including former and current politicians and representatives of veterans' organisations across the country, some in favour of the proposal to recognise Lt Morant on the Memorial and others against.

4.49 Much of this correspondence was dated some time before the Development Application was granted and therefore was made without the knowledge of the specific details of the Application.

4.50 In general, the correspondence dated before the Development Application which is in favour of Lt Morant's inclusion indicates a desire for Lt Morant's unblemished service with the South Australian Mounted Rifles and/or his status as a folk hero for some Australians to be 'recognised.' This correspondence does not address why the Memorial is the appropriate location for this recognition. The writers have not been able to respond to the suggestion that Lt Morant's service could be recognised elsewhere, on a new memorial or installation, for example.

Commented [ju18]: With respect, the Council failed to adequately explain why in the light of Mr Queale's determination the application be declined.

Commented [ju19]: The polls were highly relevant and very probative of citing the public interest. The lack of who exactly voted (names) in favour of the recognising Morant was fatal to illustrating community interest.
The opinion polls gave an accurate snapshot of broad public sentiment on the issue of Morant and the Memorial.
Ms Morant's opinion remains that the polls were probative and their dismissal was another example of the Council's insistent that the application be dismissed regardless of the expression of the community's opinion.
We remain ignorant of the Councils' view of the polls . Given the Council's declared value about being cognizant of the community's, opinion, this case is an example of indifference about the polls while remaining silent about their probative value.

Commented [ju20]: The comments between 4.48 to 4.56 conclude the commentary in the references were of no value to the merit of the application. To be clear, those approached were asked about Morant being added to the Memorial. Alternative suggestions were not discussed nor sought.

The bottom line is references were send to Council and some provided directly.
Various community leaders indicated their support and it was not necessary they be provided with a copy of the application. They were however briefed by email.
I dispute the conclusion about their relevance lacking probative value.

Again, this is an example of Council focusing on the negative to the application rather than objectively assessing the merit of the references.

I spoke to each referee and they understood exactly what was proposed in the application.

Some references were provided to Council by me, others sent directly to the Lord Mayor and I also emailed a collection to Council members. Regardless, the references were provided.

In my view, Council has been derelict in dismissing the references which if considered as a whole supported recognition of Morant on the Memorial.

4.51 The correspondence against Lt Morant's inclusion appears to oppose his inclusion on the grounds that Lt Morant was executed as a war criminal but again largely lacks substantive analysis.

4.52 The correspondence predating the Development Application is therefore, broadly speaking, more commentary about the value (or otherwise) of recognising Lt Morant's service, rather than commentary about the specific Application. Our view is that such correspondence is of limited use to the Council in making its decision.

4.53 There is also some correspondence dated after the Development Application. This correspondence is of somewhat higher use to the Council. Generally, such correspondence relies heavily upon Mr Queale's statement from his letter of 5 April 2024 that the proposed development '*will not have a significant adverse impact*' upon the Memorial to justify the writer's support for the Application.

4.54 Mr Unkles has correctly identified that some of the correspondence in support of the Application in his possession, which was apparently issued to the Council in support of Lt Morant's inclusion on the Memorial, was not provided by Council administration to the Committee (and subsequently, the Council). This appears to have occurred for the following reasons:

4.54.1 some correspondence was submitted to the Council after 25 July 2024. The Council had advised Mr Unkles that submissions received after that date could not be considered or accepted, in line with Council reporting and publication deadlines;

4.54.2 some pieces of correspondence were withdrawn by the senders, after receipt by the Council. That correspondence was therefore not included in the information considered by the Committee (and subsequently, the Council);

4.54.3 correspondence received from persons who did not grant permission for its publication or reproduction (even after Council contacted those persons to obtain their permission) was not included; and

4.54.4 one letter does not appear to have been received by the Council at all.

4.55 The non-inclusion of this correspondence in the materials provided to the Committee does not cause us to change our conclusion as to the merits of the Decision because:

Commented [ju21]: This application was never relevant to Morant's service with a British Contingent. His record for SA was unblemished and the push was to acknowledge his service to SA by inclusion in some form on the Memorial.

Morant's record of war crimes was stressed by the opponents to the application and this may have unduly influenced Council. Regrettably, the Council has not explained if the convictions were used as a reason to decline the application.

Your statement at 4.58 is disputed. On one hand you say the convictions are relevant, but not determinative. As stated, the difficulty I have in understanding your statement is whether the convictions were used as a reason to decline the application. Council has remained silent on this and Isuggest you raise this in your report.

Mr Queale had an opportunity to address convictions as being a factor adversely affecting the merit of the application and the effects on heritage value of the Memorial. He did no discuss this and it is reasonable to concluded he dismissed the convictions as an aspect that could adversely affect the heritage value of the Memorial.

I remain concerned that the convictions were used as underhanded tactic to urge Council to reject the application.

4.55.1 it was open to Mr Unkles to table the documents that were not included in the Committee agenda at the Committee meeting. We understand Mr Unkles was advised of this by Council administration, but he does not appear to have sought to have the documents tabled;

4.55.2 Mr Unkles contacted Council members by email on 5 August 2024 to provide them with copies of 'documents relevant to the application', including copies of correspondence in support of the Application;

4.55.3 the contents of the correspondence which was not included in the materials provided to Committee is very similar to the contents of other correspondence provided to the Committee, which in our view suggests that their inclusion would have been unlikely to have changed the decision of the Committee or Council; and

4.55.4 there are no legislated mandatory requirements for the Council to consider in making the Decision.

Ground 6

4.56 In our view, it is appropriate for the Council to place weight on the views of Dr Stimson and the RSL given their status within the community and their roles working within reputable organisations, even if their views may be based on a level of conjecture. We consider this is consistent with objective community standards.

Commented [ju22]: Yes, agree their opinions are relevant, but so are many others, including Ms Morant as a living descendant. Ms Morant's concern is that Council has attributed too much weight to Stimson and the RSL.

4.57 With respect to the controversy surrounding the conviction of Lt Morant, it is well beyond the scope of our enquiry to express a view on those matters. However, we acknowledge the substantial number of eminent persons within the military, legal and political community who have expressed grave concerns regarding the processes adopted during the courts-martial.

4.58 We disagree with Mr Unkles' submission that Lt Morant's convictions are not relevant to the decision to deny the Application. In our view, this is a relevant (although not necessarily determinative) factor. Further, we consider that the exclusion of persons convicted of crimes (while acknowledging that those convictions are disputed by some) is not inconsistent with objective community standards.

4.59 We consider it of some import that the consideration of the adding of further names to the memorial was specifically considered, and decided in the negative, by the Memorial Committee in 1904 at a time when the court-martial

Commented [ju23]: There is no evidence that the Memorial Committee in 1904 directed that no further names were to be added to the Memorial. As previously, one SA volunteer was added to the Memorial at the application of his father who son died in about 1921.
Times change and there is no evidence that dictated adding other names would be prohibited.

and death of Lt Morant in 1902 could, no doubt, have been within the consciousness of the Committee.

Ground 7

4.60 Mr Unkles has put forward the view that Lt Morant (and other persons who were missing from the Memorial) could be added at a later date, if they were not intentionally excluded from the Memorial's honour roll by way of similar additional plaques.

4.61 We note that the honour roll on the Memorial indicates that it commemorates men who died for their country. The plaques are in memory of those who fell and headed by the inscription '*who dies for his country dies nobly*'. From that context it is evidence the Memorial commemorates those who died in the service of South Australia. We believe it likely that this is the reason for Lt Morant's initial omission, as he died in different circumstances.

Commented [ju24]: Speculative, there is no evidence that can be verified that Morant was omitted from the Memorial because he served in a British contingent. The argument in support of his inclusion is clear, he served SA honourably and should be included. His subsequent service is not relevant to the application.

4.62 Even were this not the case, however, we consider there are numerous other considerations which could prevent the inclusion of Lt Morant and other persons who were omitted from the Memorial, such as the desire to treat the Memorial as a 'closed site' and the practical infeasibility of including the name of every soldier who served South Australia in the Boer War.

4.63 As noted by Dr Stimson in his correspondence to the former Premier dated 30 July 2021:

> First, the memorial was erected to 'commemorate the valour of the citizen soldiers of the State' and the 'memory of those who fell', largely to disease and enemy action. Morant did serve briefly in a South Australian unit. His courage and swagger are not in question. Yet the circumstances of his death – shot by a firing squad after a court martial found him guilty of cold-blooded killings – are vastly different. It is difficult to see how it can be argued that he fell in the service of his sovereign and the Empire.
>
> Second, comparison with other memorials is difficult. For example, Morant is listed on the Renmark and District Honour Roll because it is explicitly a service record. That is, it lists 19 men with ties to that district who enlisted. The State memorial did not purport to be a service record naming every man who served. How could it, when perhaps 2,000 South Australians served in this war, 1,531 in contingents raised here and many more who made their own way to South Africa and enlisted there? It makes no sense to argue that because Morant is named on this or that memorial he should therefore be named on the North Terrace memorial. I could equally point out that his name is conspicuously absent on the plaque

commemorating the South Australian dead at the Australian War Memorial (AWM). The National Boer War Memorial does not name individuals.

Third, to reopen the question of who should and should not be named in 2021 is to open a Pandora's box. In researching *Citizen Soldiers: South Australians at the Anglo-Boer War 1899-1902*, which Wakefield Press will publish shortly, Jennifer Humphries and I identified another 25 men with South Australian ties who died as a result of their war service and are *not* named on the memorial. There may be more. Lt. Walter Arnot shot himself dead. He was not considered, presumably due to contemporary attitudes to 'self-murder'. Tpr. John Payne was invalided home and died a few months later, doctors at Kalyra sanatorium convinced his consumption was due to the rigours of war service. Tpr. Oliver Fry was a Mintaro lad serving in a Western Australian unit when he died. Tpr. Robert Tuckwell, Sgt. Alfred Balwin and others died while serving in irregular units raised in South Africa. If Morant's name is to be considered, why not these humbler men?

4.64 It is also of no small moment to observe that Lt Morant's service to South Australia is directly acknowledged on the Memorial's western face, in the same way all other Citizen Soldiers of the State are commemorated.

4.65 The addition of the names of persons to the Memorial, or its surrounds, in a piecemeal way would not, in our view, respect the cautious approach to conservation of heritage places advocated by the Burra Charter.

Ground 8

4.66 We understand Mr Unkles is concerned that the basis on which the Recommendation was made was based more on the Council's history of rejecting applications concerning the addition of Lt Morant to the Memorial, rather than by analysis of the present Application.

4.67 We agree with Mr Unkles that the materials provided to Council were somewhat unclear, in some respects.

4.68 For example, the material provided to the Committee states that:

> The current proposal… seeks the addition of a new plaque with the name 'Sergeant, HH. Breaker Morant' (HH Morant) and his South Australian regiment to the granite steps of the Memorial.
>
> …
>
> 17.2 The proposal seeks to embed the plaque either on the vertical or horizontal faces of the granite steps of the Memorial.

17.3 It is proposed that the text would replicate the style of font on the existing Memorial plaques, and while exact dimensions are to be confirmed, it is proposed that it is approximately 230mm x 100mm.

17.4 Development Approval is required as the Memorial is State Heritage listed.

4.69 The approved Development Application is also attached to the report to the Committee.

4.70 In our view, uncertainty in the materials provided in the report to the Committee arises because the scope of the proposed works within the Development Application is also uncertain and, in some instances, appears inconsistent with the summary set out above.

4.71 From our review of the stamped development approval documents, all that can be said with certainty is that there is to be a 'name plate' affixed at the foot of the Memorial with 'options' for the location of the name plate. The size of the plaque is not clear from the stamped documents, as well as the design, size and content of the interpretative material/interactive display. The wording on the plaque also varies across the mock ups provided in support of the Development Application. We assume that these are the matters which are to be resolved as part of the Condition and were to be attended to by Mr Unkles if the Council's in principle support were provided.

4.72 However, we consider it quite difficult for the reports provided to the Committee and Council to contain more substantive detail about the nature of the Application, or to provide commentary on the merits of that Application itself, when the Application itself is lacking in particulars.

4.73 This issue could, at least in part, be attributed to the Council for not requiring further particulars before approving the Development Application.

4.74 We are advised that the Council did not seek further particulars because development approval was only required due to the Memorial's status as a State Heritage Place. In those circumstances the Council accepted Heritage SA's view that there was sufficient information to complete the heritage assessment and did not consider it appropriate to seek further information.

4.75 The issue can also, at least in part, be attributed to the Applicant for seeking the approval of an Application which lacks substantive detail.

4.76 Notwithstanding our concerns about the lack of detail within the Development Application, we consider that the report does set out, to the extent possible, the

Commented [ju25]: Highlighting uncertainty is not an impediment to approving the application. The initial work I did in seeking input from two contractors was entirely appropriate, given I had been advised by Council staff that if the application was approved, I would then need to provide more detail as to the design and content of the name plaque and interpretive display.

What was provided to Council was consistent with Mr Queale's decision. More substantive detail would have been provided and this would have to be approved by Council.

I think it is regrettable that the merit of the application is now been criticised because final detail of design etc did not accompany the application. I provided photos and a design for aspects so Council could get an idea of what was being proposed if the application was successful.

nature of the Application so that Council members could form their views on the merits of the Application.

4.77 Further, in response to Mr Unkles' views more generally that the report contains 'insufficient detail', we consider that the report does set out clearly the reasons why the Recommendation was for the Application to not be approved, namely that its approval is inconsistent with the purpose of the Memorial, policy matters, budgetary considerations and the public interest.

4.78 Lastly, we do not consider that there is any issue in the Council reaffirming its previous views that the Memorial is a 'closed site.' Even though the nature of the Application was slightly different to previous requests for Lt Morant to be recognised on the Memorial (in that his name was to be included on a separate plaque), in our view, the proposal still consists of a variation to the Memorial and its surrounds, as contemplated by the Burra Charter. Accordingly, we consider it was reasonable for the Council to consider the Application to be inconsistent with the 'closed site' approach to the Memorial.

Commented [ju26]: I defer to my earlier comments about the Burra Charter and Mr Queale's decision.

Conclusion

4.79 There are weighty factors both in favour and against the Application. We acknowledge the difficulty faced by councils in balancing the needs and interests of various sectors of its community. Councils are also challenged when balancing the principle of being responsive to the needs, interests and aspirations of individuals and groups within its community against their long-term obligations to manage their assets in the public interest.

4.80 As we have indicated, we consider that in reviewing the Decision and determining the best decision, the Council ought to have regard to community standards or community values. That is, the Council ought to consider what is the preferable decision in accordance with community standards or values. The elected membership of the Council, as local representatives of the Council's community, would be aware of and appreciate such standards and values and be well placed to make an assessment that contemplates such standards and values.

Commented [ju27]: Ms Morant says the Council acted in a deficient manner in placing great emphasis on the RSL and Dr Stimson and failed to articulate, and discuss the interests of the community. A criticism that is often levelled at Councils as they pay favour to one lobbyists over the public interest. This is such an example.

4.81 We consider that the Decision has an evident and intelligible justification. It is, in our view, within the range of permissible decisions available to the Council to be made taking into account the information before it.

4.82 In our view, it is therefore open to the Council to determine the factors in favour of granting the Application are outweighed by the factors against granting the Application.

4.83 It would be open to the Council to conclude that community standards and values recognise, above all, the sanctity of the Memorial as a place commemorating, by specific name, those who fell in the service of South Australia. This conclusion does not diminish the service of all the other men of valour who served South Australia and who are rightly acknowledged and commemorated on the Memorial's western plate.

4.84 We accordingly conclude that it is open to the Council to conclude the decision made by the Council was the best possible decision in the circumstances.

4.85 Noting that the decision made by the Council is only a preliminary step in the decision-making process, there is nothing preventing Mr Unkles or Ms Morant from undertaking the further work to refine the proposal within the scope of the Development Application and lodging a formal application for approval under section 221 of the LG Act.

Commented [ju28]: Your comment is noted and appreciated. Ms Morant will be consulted.

4.86 Of course, any such application would need to contain specific detail regarding the actual proposed alteration to the Memorial and surrounds. Such an application would need to contain the final design for the plaque and its location, and a final design and location for the interpretative material.

4.87 The Council would then be in the position of considering an actual proposal to alter the Memorial and other parts of the road and would be required to consider the application on its own merits.

4.88 Equally, there is nothing to prevent Mr Unkles or Ms Morant from pursuing alternative avenues to recognise to the service of Lt Morant, and any of the other men who fell during the Boer War, at an alternative location within the City of Adelaide. We note that before Heritage SA granted its approval of the Application from a heritage perspective, the option of a 'separate installation' of this nature was also supported by Mr Queale and Heritage SA as a way of '*adding to the commemorative story without loss of the original meaning of the place.*'

Commented [ju29]: Thank you for this comment. In earlier discussions with Council staff It was canvassed that alternative sites could be identified to include the names of the 25 SA men, including Morant who died, but not yet recognised.

4.89 The cultural significance of the story of Lt Morant and the success of the film bearing his name cannot be overlooked. While entirely a matter of public policy for the Council, it may be that this important contribution to Australian culture

and society by a prominent South Australian identity can be recognised by the Council in another way.

Commented [ju30]: Morant made a significant contribution to SA prior to his service with the British Contingent. I agree his contribution should be recognised , Ms Morant would support this and it would be in the public interest.

5. **PROVISIONAL CONCLUSION**

5.1 Taking into account all the information as set out in this report, our view is that:

5.1.1 the Decision is lawful;

5.1.2 it is open to the Council to conclude the Decision be affirmed as the best possible decision in the circumstances.

6. **PROVISIONAL RECOMMENDATIONS**

6.1 That the Council consider all the information available at the time the Decision was made, and all new information including this report and make a determination on the Application.

6.2 We consider it would be open to the Council to affirm the Decision.

NORMAN WATERHOUSE

Dale Mazzachi
Principal

Annabelle Narayan
Associate

APPENDICES

Appendix A: Email correspondence between Applicant and Council

Complaint concerning Council's decision to decline the inclusion of Harry 'Breaker' Morant on the Adelaide Boer War Memorial

Mr Michael Sedgman
Chief Executive Officer
Adelaide City Council
GPO Box 2252
Adelaide, SA, 5001

19. 08.24

Dear Mr Sedgman

Reference:

1. https://customer.cityofadelaide.com.au/__home__/feedback-and-complaints/

I wish to lodge a complaint about the manner in which the Lord Mayor and Councillors conducted their review of an application I lodged on behalf of Ms Cathie Morant to have the name of Harry 'Breaker' Morant included on the Memorial and the inclusion of an interpretative display at a space on the paving near the Memorial.

Ms Morant is aggrieved by the Council's decision of 13 August to refuse her application and endorse a Recommendation made by the Community Services and Culture Committee on 6 August not to approve the application.

Particulars of the Complaint

1. At the Council meeting on 13 August the Lord Mayor refused my request to address Councillors minutes about the written submission I had lodged with Council.
   Council's refusal was unfair, unethical and denied me an opportunity summarise the application and address comments made by Mr Stimson who opposed the application, but was permitted to address Council. Ms Morant's application had been with Council for three years.

2. The Lord Mayor's decision to only permit Mr Stimson to address Council was harsh. Allowing me to have 5 minutes to address Council would not have prejudiced Council's opportunity to make a final determination. I appreciate the Council heard from Mr Pearce, but as I was representing Ms Morant, allowing me an opportunity to speak was appropriate.

3. The denial of the application contrary to the review and decision of Heritage South Australia, Environment, Heritage and Sustainability Division (Mr Michael Queale Senior Architect of the Department for Environment and Water) was unfair. Mr Queale's professional review concluded:
   'a plaque or similar commemorative treatment, fixed to the ground near the Memorial, or on the footpath step below the memorial statue, noting Morant's name along with specific interpretation to explain why the name plaque has been installed.
   'Interpretive material will be added, on the base of paving, or on a free-standing panel nearby, providing explanatory material relating to the Boer War Memorial and associated conflict, along with a discussion regarding the mix of views associated with South Australia's involvement in the War'.
   Council should have adopted the recommendation of Mr Queale who concluded the Memorial's

heritage significance would not be adversely affected by the inclusion of a plaque and interpretive display. Frankly, Council's decision was disrespectful of the heritage significance of the Memorial and Mr Queale's assessment.

4. Council's decision failed to objectively evaluate and place weight to the public interest in approving the application. Two opinion polls conducted by the Adelaide Advertiser produced a majority vote to recognise Morant on the Memorial.

5. Twenty four written references provided by State and Federal politicians, community leaders, RSL presidents, presidents of the WA Boer War Society and others were not given sufficient weight to approve the application. Council remained silent about this aspect of the application. I am unaware if the references were considered or ignored.

6. Mr Anthony Stimson President of the SA Boer War Association and Mr Ian Smith, SA RSL in their opposition to the application claimed that deceased South Australian veterans of the Boer war had opposed the inclusion of Morant on the Memorial. No evidence to support this hearsay claim was produced to Council and this prejudiced the merits of the application. Council failed to state whether it accepted or rejected the claim and this was a glaring omission. If Council accepted this claim on what evidence, rather than self-serving opinion?

7. Mr Stimson also argued reputational damage would be done to Adelaide and the Memorial if Morant was included. This claim was contradicted by Mr Queale's assessment that the Memorial's heritage status would not be adversely affected. Positive public opinion and those who provided written references cast doubt on this claim. Council's decision placed undue weight on Mr Stimson's opinion that was not based on verifiable evidence. Mr Queale's opinion about heritage also contradicted Mr Stimson's claim. Council failed to state whether it accepted or rejected Mr Stimson's assertion.

8. There is no evidence presented by Mr. Stimson that Morant was not included on the Memorial's honour roll when it was constructed and dedicated in 1904 because of his convictions during his service with a British Contingent. Mr Stimson has access to the records of National Memorial Committee that was responsible for funding the Memorial, commissioning, selecting a design, and determining whose names should appear on it. The fact that Morant was not included does not mean he was expressly excluded, yet Mr Stimson insisted Council conclude that Morant was not included, but failed to produce evidence to sustain his claim. In the circumstances, Council should have rejected this assertion but failed to do this or explain why it was accepted.

9. The Recommendation of the Committee dated 6 August 24 concluded the name of Sergeant H.H.'Breaker' Morant could not be included on the Boer war memorial. The Executive Summary and Recommendation were accepted by the Council on 13 June. However, the Committee's Recommendation was deficient and misleading as it failed to identify Mr Queale's assessment that an interpretative panel could be erected on the pavement near the Memorial as the pavement is not heritage listed. He confirmed this in an email of 8 August and I provided a copy of his advice to the Council. Ultimately, Council's decision to accept the Recommendation that the name plaque be not included failed to address the application to include the interpretative material, a draft of which was provided to Council for consideration.

10. I further complain that in submissions by Mr Stimson and Mr Smith, they argued my reference to the National Boer War Memorial recognized the service of Harry Morant was erroneous and a Memorial exists. Despite my production of evidence that the Memorial does exist and includes the name of Morant, (https://www.bwm.org.au/), the

Memorial having been endorsed by Sir Peter Cosgrove AK MC, former Governor-General of the Commonwealth of Australia and Sir David Hurley, former Chief of Army and former Governor General, Council failed to conclude the Memorial exists, including the name of Morant and the assertions of Messrs Stimson and Smith were false and irrelevant to the assessment of the application. This is another example of the Council remaining silent about an important aspect of my submission in support of the application.

11. Mr Stimson and Mr Smith argued that Morant's subsequent convictions and sentence while serving with a British Contingent was a reason to decline the application. My submission in support of the application argued there is no binding statutory provision that precludes the Council from recognizing Morant's service for SA as he is recognized on other Memorials, including the National Boer War Memorial. There is no legal requirement for Morant's convictions for murder to be overturned before he could be added to the Adelaide Memorial. Undue weight appears to have been placed by Council to opinions declining the application because of Morant's convictions. Council remained silent about whether Morant's convictions were a reason to deny the application.

12. Ms Morant travelled from Canberra to read a statement about her application at the Committee meeting on 6 August. Ms Morant is elderly and vision impaired, which was apparent to the Councillors as she had to be assisted at the table and used a cane. She struggled to read her statement and had to use an illuminated device. The Committee's chair person, Councillor Giles should have ensured Ms Morant's disability was a reason to allow sufficient time for Ms Morant to complete her address. I think her presence was ignored and she was left very disappointed as to how she was treated. At the time, I was concerned but did not feel comfortable to raise my concerns with Councillor Giles.

13. Finally, the Executive Summary was little more than a chronology of about the application and its journey. It provided some detail of Mr Queale's assessment, but insufficient detail to justify the recommendation and largely based on the rejection of similar applications in the past. The current application lodged was more detailed, involving a descendant of Morant and included public comment about the merits of the application. The summary lacked sufficient detail for rejecting the application and lacked balance in explaining the merits of the application against the decision to reject.

Conclusion

I am not satisfied that Ms Morant's application was assessed in a competent manner and ignored or failed to appreciate the submissions in support of the application and the significance of Mr Queale's assessment.

The lack of transparency of Council's decision to refuse the application is a concern and the failure of the Committee and Council to refer to the interpretive display and its location on the pavement near the Memorial suggests the matter was not considered.

The refusal to deny me 5 minutes to address Council is concerning. If Council claims it acted in a fair and professional manner, how could 5 minutes after 3 years damage the integrity and due process of Council?

I don't think the Council acted in the public interest, but only in the interests of the RSL and the Boer War Association. I believe a political decision was taken to appease the RSL and Association rather than a consideration of the merits of the application and the public interest.

In 2021, Clare Mockler conducted a review of the original application that had been denied. She was satisfied that due process had not been followed directed a new review be conducted. Denial of process again remains a concern given my complaint about the present decision.

I believe the Committee meeting on 6 August and Council's meeting on 13 August failed the test for due process. The review of the application lacked transparency. On behalf of Ms Morant I am not satisfied Council approached the application with an open mind to the strengths of the application, failed to consider my submission, discussed the matters I had raised, explain the reasons for accepting the Recommendation, and failing to address Mr Queale's approval for an interpretive display, and if rejected, the reason.

Resolution

I urge you to appoint an independent external review of this complaint about the decisions of the Committee and Council, the process used to decline the application, including the treatment of Ms Morant on 6 August and my treatment on 13 August.

I also request that a decision about the inclusion of interpretive material be settled as the Committee's recommendation failed to address this aspect, noting the decision of Mr Queale that it would not detract from the Memorial's heritage. Council also failed to raise the matter on 13 August even though it was mentioned by Mr Pearce on 13 August and in my written submission to Council.

Cathie Morant's application has not been afforded transparent, fair and due process and must be addressed.

Thank you for your consideration.

Yours Sincerely

James Unkles

Reports from Council Members

Tuesday, 28 October 2025
Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate Director Governance & Strategy

Public

Approving Officer:
Anthony Spartalis, Chief Operating Officer

EXECUTIVE SUMMARY

The purpose of this report is to:

1. Inform Council of Council Member activities and functions that Council Members have attended on behalf of the Lord Mayor for the period 20 September to 19 October 2025.
2. Provide a summary of Council Members' attendance at meetings for the period 16 September to 17 October 2025.

Council Members may also table reports on activities undertaken on Boards and Committees where they are representing Council, and these reports will be included in the Minutes of the meeting

RECOMMENDATION

THAT COUNCIL

1. Notes the Council Member activities and functions attended on behalf of the Lord Mayor (Attachment A to Item 16.1 on the Agenda for the meeting of the Council held on 28 October 2025.
2. Notes the summary of meeting attendance by Council Members (Attachment B to Item 16.1 on the Agenda for the meeting of the Council held on 28 October 2025.
3. Notes that reports from Council Members tabled at the meeting of the Council held on 28 October 2025 will be included in the Minutes of the meeting.

ATTACHMENTS

Attachment A – Council Member activities and functions attended on behalf of the Lord Mayor

Attachment B – Summary of Council Member meeting attendance

- END OF REPORT -

FUNCTIONS ATTENDED ON BEHALF OF THE LORD MAYOR: 20 September - 19 October 25			
COUNCIL MEMBER	**DATE**	**EVENT TITLE**	**EVENT DETAILS**
Councillor Janet Giles	20/09/25	Unmasked African Festival SA	Victoria Square
Councillor Mary Couros	24/09/25	Adelaide Italian Festival Program Launch	SOL Rooftop
Deputy Lord Mayor Keiran Snape	26/09/25	Tiny ArtWorks, Nature Festival Exhibition Launch - SPEECH	Light Square/Wauwi
Deputy Lord Mayor Keiran Snape	26/09/25	Nature Festival's Welcome Event - SPEECH	Art Gallery of SA
Councillor Phillip Martin	28/09/25	Season Launch Adelaide Bowling Club - SPEECH	Adelaide Bowling Club
Councillor Carmel Noon	28/09/25	Australian String Quartet to host their 40th anniversary celebrations - SPEECH	Adelaide Town Hall
Deputy Lord Mayor Keiran Snape	03/10/25	Invitation to Launch/Welcome at Palti Marri (State Theatre Company)	Meeting Hall
Councillor Mary Couros	03/10/25	18th Adelaide Hellenic Cultural Festival “ODYSSEY” - SPEECH	Olympic Hall
Deputy Lord Mayor Keiran Snape	14/10/25	The Long Ride Australia 2025 - SPEECH	Torrens Parade Grounds
Councillor Mary Couros	16/10/25	Invitation to the Adelaide Greek Film Festival	Palace Nova Prospect Cinema
COUNCIL MEMBER MEETINGS ATTENDED: 20 September - 19 October 25			
COUNCIL MEMBER	**DATE**	**EVENT TITLE**	**EVENT DETAILS**
Councillor Mary Couros	09/10/25	Adelaide Festival Corporation Board Meeting	Attended as Representative

Council Member Meeting Attendance

	City Finance and Governance Committee - Reconvened from 19 August 2025 16 September 2025	City Finance and Governance Committee - Reconvened from 26 August 2025 16 September 2025	City Finance and Governance Committee 16 September 2025	City Infrastructure and Public Works Committee 16 September 2025	Adelaide Economic Development Agency Board Meeting 17 September 2025	Kadaltilla / Adelaide Park Lands Authority 18 September 2025	Council 23 September 2025
Lord Mayor Dr Jane Lomax-Smith	✔	✔	✔	✔	✔	✔	
Councillor Keiran Snape (Deputy Lord Mayor from 24/9/2025)	✔	✔	✔	✔			✔
Councillor Phillip Martin (Deputy Lord Mayor until 23/9/2025)	✔	✔	✔	✔			✔
Councillor Arman Abrahimzadeh							✔
Councillor Alfredo Cabada							
Councillor Mary Couros	✔	✔	✔	✔			✔
Councillor Henry Davis	✔	✔	✔	✔			
Councillor Eleanor Freeman	✔	✔	✔	✔			✔
Councillor Janet Giles							✔
Councillor Patrick Maher	✔	✔	✔	✔			✔
Councillor Carmel Noon	✔	✔	✔	✔			✔
Councillor Mark Siebentritt	✔	✔	✔	✔			✔
Total number	9	9	9	9	1	1	9

	Audit and Risk Committee 23 September 2025	City Finance and Governance Committee - Reconvened from 25 September 2025 2 October 2025	City Community Services and Culture Committee 7 October 2025	City Planning, Development and Business Affairs Committee 7 October 2025	Council 14 October 2025	Audit and Risk Committee - Special 17 October 2025	Total meetings held	Total meetings attended
Lord Mayor Dr Jane Lomax-Smith			✔	✔	✔	✔	13	10
Councillor Keiran Snape (Deputy Lord Mayor from 24/9/2025)	✔	✔			✔		10	8
Councillor Phillip Martin (Deputy Lord Mayor until 23/9/2025)		✔	✔	✔	✔		9	9
Councillor Arman Abrahimzadeh		✔	✔	✔	✔		9	5
Councillor Alfredo Cabada							9	0
Councillor Mary Couros		✔	✔	✔	✔		9	9
Councillor Henry Davis		✔	✔	✔	✔		9	8
Councillor Eleanor Freeman		✔	✔	✔	✔		9	9
Councillor Janet Giles	✔						11	2
Councillor Patrick Maher		✔	✔	✔	✔		9	9
Councillor Carmel Noon		✔	✔	✔	✔		9	9
Councillor Mark Siebentritt							9	5
Total number	2	8	8	8	9	1		

Key:

- Apology
- Apology - meeting commenced prior to 5pm
- Leave
- Absent
- Not a Member
- Proxy Member (not in attendance)
- Ex-officio Member

Ombudsman SA - Determination

28 October 2025

Council

Strategic Alignment - Our Corporation

Program Contact:
Rebecca Hayes, Associate Director, Governance and Strategy

Public

Approving Officer:
Michael Sedgman, Chief Executive Officer

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with a copy of the South Australian Ombudsman's Full Investigation Report (the Report) into allegations made against Councillor (Cr) Couros alleging she failed to appropriately manage a conflict of interest in accordance with section 75C of the *Local Government Act 1999* (the Act).

The allegations were received by the Ombudsman on 7 June 2024. The Ombudsman subsequently completed a full investigation of the allegations with the final Report provided to the Lord Mayor on 17 September 2025.

The Report provides for several recommendations under section 263B(1) of the Act and section 25(2) of the *Ombudsman Act 1972*, specifically:

- *Cr Couros issue a public apology at a public meeting of council, for:*
    - *texting Cr Davis about the subject matter of item 17.1 during the council's consideration of the matter at the council meeting on 28 May 2024, after she had declared a material conflict of interest and left the chamber*
    - *thereby breaching section 62(1) of the Local government Act, and for committing misconduct under the Ombudsman Act*

  and that this and the terms of the apology be recorded in the Minutes.
- *the council reprimand Cr Couros*
- *Cr Couros attends training relevant to the integrity provisions with a particular focus on conflicts of interest.*

I also recommend that my final report be provided to a public meeting of the council within three ordinary meetings of the council following receipt of my recommendations.

This report is submitted to Council in fulfillment of the requirements outlined in the Ombudsman's recommendation.

RECOMMENDATION

THAT COUNCIL

1. Receives the Full Investigation Report by the South Australian Ombudsman dated 2 September 2025 as contained in Attachment A to Item 16.2 listed on the Agenda for the meeting of Council held on 28 October 2025.
2. Notes that in accordance with the South Australian Ombudsman's recommendations:
    - 2.1. Cr Couros has issued a public apology, and the terms of that apology have been recorded in the minutes of the meeting; and
    - 2.2. Cr Couros will be attending training relevant to the integrity provisions.
3. Resolves that the requirements of the recommendations of the South Australian Ombudsman will, for the purposes of the Full Investigation Report, be taken to fulfil the reprimand required by the Council.

4.	Notes a report will be provided to the South Australian Ombudsman by 15 December 2025 outlining what steps have been taken to give effect to recommendations in the Report.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Demonstrate bold capital city leadership and robust governance with our community at the heart of our decisions Enable effective governance, risk management, accountability and transparency at all times in decision making
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	*Local Government Act 1999* (SA) and *Ombudsman Act 1972* (SA)
Opportunities	This report provides an opportunity for councillors to reflect on their role and responsibilities when managing the integrity provisions under the Act.
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. On 7 June 2024 a report was made to the South Australian Ombudsman (the Ombudsman) about Councillor (Cr) Mary Couros.
2. The report alleged that Cr Couros had failed to manage a conflict of interest in accordance with section 75C of the *Local Government Act 1999* (the Act). Section 75C falls under the broader integrity provisions in Chapter 5 of the Act.
3. The Ombudsman has determined that the report attracts the protections of the *Public Interest Disclosure Act 2018*.
4. In particular, the report to the Ombudsman related to the way Cr Couros managed a conflict of interest in relation to agenda item 17.1 at the Council meeting held 28 May 2024.
5. Agenda item 17.1 requested Administration prepare a report on the possible inclusion of the Lombard Street, North Adelaide council owned land within the O'Connell Street project and requested Administration to look at a range of inclusions, including appropriate public toilet facilities as part of the requested report.
6. Cr Couros declared a material conflict of interest in agenda item 17.1 as her partner is a shareholder in a hospitality business which is situated adjacent to Lombard Street, North Adelaide.
7. It was alleged that Cr Couros, after leaving the meeting, positioned herself close to the council chamber door where she was able to hear discussion and was observed sending text messages. Relevantly, Cr Davis was seen receiving and sending text messages during this period.
8. It was subsequently found by the Ombudsman that Cr Couros and Cr Davis had participated in a text message conversation relating to the subject matter contained in agenda item 17.1 during Cr Couros' absence from the meeting because of her declared material conflict of interest.
9. The Ombudsman's investigation considered whether, by texting Cr Davis in relation to the agenda item 17.1, Cr Couros failed to appropriately manage her declared material conflict of interest.
10. The Ombudsman also considered whether Cr Couros had a material conflict of interest in the subject matter contained in agenda item 17.1.
11. The Ombudsman determined that Cr Couros most likely had a general conflict of interest rather than a material conflict. Consequently, the Ombudsman formed the view that she was unable to conclude that Cr Couros had breached sections 75B and 75C of the Act (see points 33 to 42 of the Full Investigation Report).
12. Notwithstanding, the Ombudsman found that Cr Couros had failed to act honestly in the performance and discharge of her official functions and duties on this occasion (see points 43 to 53 of the Full Investigation Report).
13. Furthermore, the Ombudsman formed the view that Cr Couros' behaviour was intentional and that Cr Couros had therefore breached section 62(1) of the Act (see points 54 to 59 of the Full Investigation Report).
14. The Ombudsman provided a copy of her provisional report to Cr Couros, the Lord Mayor as principal officer of the council, the Chief Executive Officer and the person who alleged the breach. Submissions received in response to the provisional report have been considered and addressed as necessary in the Full Investigation Report which is provided as **Attachment A**.
15. The Ombudsman has made the following recommendations under section 263B(1) of the Act and section 25(2) of the *Ombudsman Act 1972*:
    - 15.1. Cr Couros issue a public apology at a public meeting of council;
    - 15.2. The council reprimand Cr Couros; and
    - 15.3. Cr Couros attend training relevant to the integrity provisions with a particular focus on conflicts of interest.
16. The Ombudsman further recommended that the Full Investigation Report be provided to a public meeting of the council within three ordinary meetings of the council following receipt of her recommendations.
17. The council must now decide how Cr Couros will be formally reprimanded and adopt a resolution outlining the actions to be taken.
18. The Ombudsman has requested council provide a report to her by 15 December 2025 outlining what steps have been taken to give effect to her recommendations.

ATTACHMENTS

Attachment A – *South Australian Ombudsman Full Investigation Report dated 2 September 2025*

- END OF REPORT -

OmbudsmanSA

Report

Full investigation - *Ombudsman Act 1972*

Council member	**Cr Mary Couros**
Council	**City of Adelaide**
Ombudsman reference	**2024/03365**
Date report received	**7 June 2024**
Issues	**1. Whether Cr Couros had a material conflict of interest and managed it appropriately in relation to agenda item 17.1 during the council meeting on 28 May 2024** **2. Whether Cr Couros breached the general integrity provisions in the *Local Government Act 1999*** **3. Whether Cr Couros' conduct amounts to misconduct in public administration**

Jurisdiction

On 7 June 2024, a report was made to my office about Cr Mary Couros of the City of Adelaide.

The report alleges that Cr Couros failed to appropriately manage a conflict of interest in accordance with section 75C of the *Local Government Act 1999*. Section 75C falls under the broader integrity provisions in Chapter 5 of the Local Government Act.

All acts of an elected member that may involve a failure to comply with an integrity provision are taken to be administrative acts for the purposes of the Ombudsman Act.[1] I also consider that the integrity provisions constitute a relevant code of conduct for the purposes of the definition of misconduct in section 4(1) of the Ombudsman Act.

I consider that the original report attracted the protections of the *Public Interest Disclosure Act 2018.*

[1] Local Government Act 1999 s 263A(4); Ombudsman Act 1972 s 3.

Investigation

My investigation has involved:

- assessing the information provided by the reporter
- seeking a response from Cr Couros
- considering the *Local Government Act 1999* and the *Ombudsman Act 1972*
- providing Cr Couros, the council and the reporter with my provisional report for comment, and considering their responses
- preparing this report.

Standard of proof

The standard of proof I have applied in my investigation and report is on the balance of probabilities. However, in determining whether that standard has been met, in accordance with the High Court's decision in *Briginshaw v Briginshaw* (1938) 60 CLR 336, I have considered the nature of the assertions made and the consequences if they were to be upheld. That decision recognises that greater care is needed in considering the evidence in some cases.[2] It is best summed up in the decision as follows:

> The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding, are considerations which must affect the answer to the question whether the issue has been proved … .[3]

Procedural fairness

I provided a copy of my provisional report to Cr Couros, the Chief Executive Officer of the council, Lord Mayor Jane Lomax-Smith as the principal officer of the council, and the reporter, inviting submissions in relation to my provisional views.

The Lord Mayor provided a response, accepting my provisional findings. Cr Couros and the reporter both provided submissions in relation to my report.

I have addressed those responses as I consider necessary in the body of this report.

Background

1. The report to my office relates to the way Cr Couros managed a conflict of interest in relation to agenda item 17.1 at the council meeting of 28 May 2024 (**the council meeting**).

2. The motion for discussion at item 17.1 was as follows [my emphasis added]:

> That Council;
>
> Requests the Administration prepare a report on the possible inclusion of the Lombard Street, North Adelaide council owned land within the O'Connell Street (Mainstreet Project).
>
> Asks that the report considers opportunities to add further greening, additional street furniture and / or other features, **including appropriate public toilet facilities** and present the findings and costs associated with the proposal to a future Infrastructure and Public Works Committee.[4]

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2 This decision was applied more recently in *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 110 ALR 449 at pp449-450, per Mason CJ, Brennan, Deane and Gaudron JJ.

3 *Briginshaw v Briginshaw* at pp361-362, per Dixon J.

4 City of Adelaide, Council Meeting Minutes (Item 17.1, 28 May 2024) 12.

3. Cr Couros' partner is a shareholder in a hospitality business which is situated adjacent to Lombard Street in North Adelaide.[5]

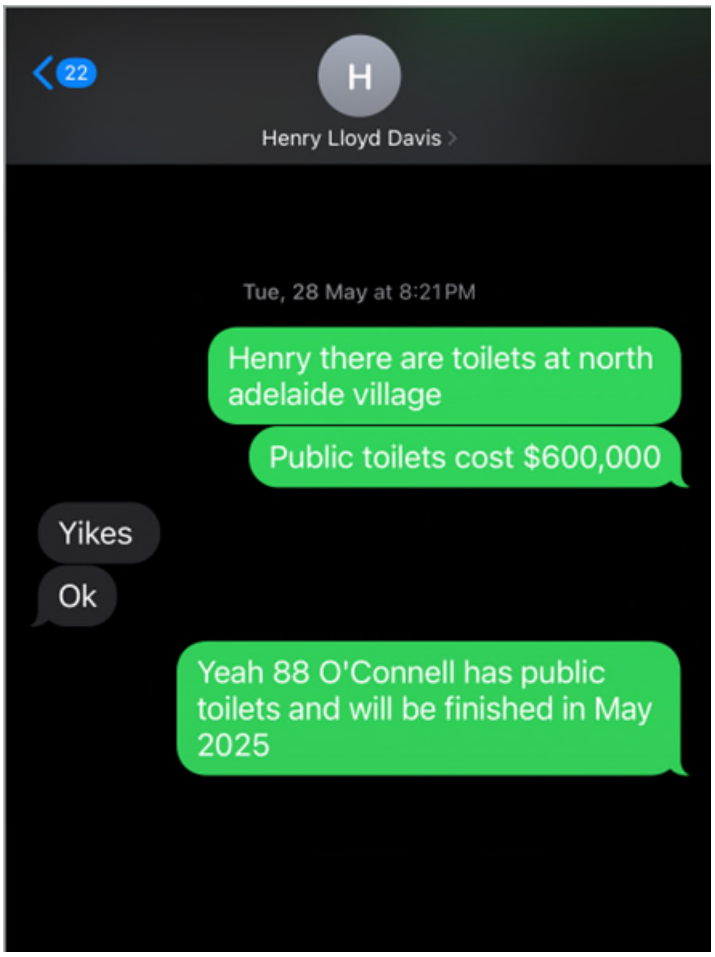
4. Prior to the commencement of the elected members' consideration of item 17.1, Cr Couros declared a material conflict of interest, stating that any upgrades to Lombard Street could increase the value of the business. Cr Couros stated that she would leave the council meeting and not vote.

5. The reporter has alleged that, after leaving the council chamber, Cr Couros positioned herself close to the chamber door where discussion remained audible and was observed to be sending text messages. Cr Henry Davis, who remained in the chamber, was observed to have been sending text messages on his mobile telephone at the same time.

6. It has been alleged that, despite removing herself from the discussion on item 17.1, Cr Couros was texting Cr Davis information relating to the discussion on that item and, by doing so, Cr Couros failed to appropriately manage her declared conflict of interest under section 75C of the Local Government Act.

7. My office made preliminary enquiries with Cr Couros on 9 September 2024, requesting that she provide evidence of any text messages that she may have sent to Cr Davis during the council's consideration of agenda item 17.1.

8. Cr Couros provided the below screenshot, evidencing that a text message conversation in fact occurred between Cr Couros and Cr Davis:



[5] City of Adelaide, Elected Members' Register of Interests (28 January 2025) 14.

9. These text messages are time stamped as sent at 8:21pm on 28 May 2024. The publicly available video recording of the council meeting records that the council's discussion of agenda item 17.1 took place between approximately 8:21pm and 8:32pm.[6] Therefore, it is evident that Cr Couros sent her text messages shortly after the commencement of the council's discussion of item 17.1.

10. Furthermore, it can be seen that the subject matter of the messages concerns public toilets. This is of relevance, given that item 17.1 required the elected members to consider requesting a report from the council administration that would examine the potential for the inclusion of public toilets as part of the upgrades to the Lombard Street area.

11. My investigation has considered whether, by texting Cr Davis in relation to agenda item 17.1, Cr Couros failed to appropriately manage a declared material conflict of interest.

Response from Cr Couros

12. On 16 December 2024, I requested a response from Cr Couros to the allegations that she had breached the Local Government Act by texting Cr Davis in relation to the council's discussion of agenda item 17.1.

13. Cr Couros made submissions in response on 5 February 2025. Cr Couros explained that she declared a material conflict of interest in relation to agenda item 17.1 as she had thought that 'a fair-minded person would think that [she has] something to gain with those improvements with the restaurant next door.'[7]

14. I note that while Cr Couros declared a material conflict of interest, this submission references the 'fair-minded person' objective test that applies to general conflicts of interest under section 74 of the Local Government Act.

15. In contrast, Cr Couros then went on to state that she declared a **material conflict** of interest in relation to the item as her partner, who has shares in the restaurant Tony Tomatoes, has requested that the council improve Lombard Street.

16. Cr Couros has submitted that she exercised caution and declared her interest, and then left the chamber in accordance with the requirements for managing a material conflict of interest as set out in section 75C of the Local Government Act. Cr Couros has confirmed that she remained outside of the room throughout the entirety of the council's discussion about the item and sat far away so as to not hear any of the discussion.

17. In relation to the nature of the text messages Cr Couros sent to Cr Davis, Cr Couros has submitted:

> Since the South Ward councillor has no knowledge of North Adelaide I thought I should send him some information if he hadn't already asked administration of where some public toilets are located on the street and how much they cost as it would be prudent for an informed decision.[8]

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6 City of Adelaide, '28 May 2024 - Council Meeting' (YouTube, 28 May 2024, 2:21:21) <https://www.youtube.com/watch?v=SC01XJOGULw>.

7 Email from Mary Couros to Ombudsman SA, 5 February 2025.

8 Ibid.

18. Cr Couros has expressed the view that, as she was not in the chamber for the discussions and she did not participate in the deliberation of the item, her actions did not amount to a contravention of section 75C of the Local Government Act.

Relevant law/policies

19. Section 75(1) of the Local Government Act defines the circumstances in which an elected member has a material conflict of interest in a matter as follows:

> **75 – Material conflicts of interest**
>
> (1) Subject to section 75A, for the purposes of this Subdivision, a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if any of the following persons would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting:
>
> …

20. Section 75C of the Local Government Act sets out what an elected member is required to do if they have a material conflict of interest:

> **75C – Dealing with material conflicts of interest**
>
> (1) If a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council, the member must–
>
> (a) inform the meeting of the member's material conflict of interest in the matter; and
>
> (b) leave the meeting room (including any area set aside for the public) such that the member cannot view or hear any discussion or voting at the meeting and stay out of the meeting room while the matter is being discussed and voted on.
>
> (2) However, a member of the council does not contravene subsection (1) by taking part in the meeting if the member–
>
> (a) has been granted an approval under subsection (3); and
>
> (b) complies with the conditions of the approval.
>
> …

21. Section 74(1) of the Local Government Act defines the circumstances in which an elected member has a general conflict of interest in a matter as follows:

> **74 – General conflicts of interest**
>
> (1) Subject to section 75A, for the purposes of this Subdivision, a member of a council has a general conflict of interest in a matter to be discussed at a meeting of the council if an impartial, fair-minded person might consider that the member's private interests might result in the member acting in a manner that is contrary to their public duty.

22. Section 75B of the Local Government Act sets out what an elected member is required to do if they have a general conflict of interest:

> **75B – Dealing with general conflicts of interest**
>
> (1) If a member of a council has a general conflict of interest in relation to a matter to be discussed at a meeting of the council, the member must deal with the interest in a transparent and accountable way and, in particular, must inform the meeting of –
>
> (a) the member's interest in the matter; and

(b) whether or not the member proposes to participate in the meeting in relation to the matter; and

(c) if the member proposes to participate in the meeting in relation to the matter

(i) how the member intends to deal with the general conflict of interest, including whether the member intends to vote on the matter; and

(ii) the member's reasons for participating (and, if relevant, voting) in relation to the matter.

(2) If a quorum at a meeting cannot be formed because a member of a council proposes to exclude themself from the meeting in order to comply with subsection (1), the member will not be taken to have contravened subsection (1) by participating (including by voting, for example) in the meeting in relation to the matter if the attendance of the member, together with any other required number of members, forms a quorum for the meeting.

(3) If a member of a council discloses a general conflict of interest in a matter to be discussed at a meeting of the council, the following details must be recorded in the minutes of the meeting:

(a) the member's name;

(b) the nature of the interest, as described by the member;

(c) the manner in which the member dealt with the general conflict of interest;

(d) if the member voted on the matter, the manner in which the member voted;

(e) the manner in which the majority of persons who were entitled to vote at the meeting voted on the matter.

(4) To avoid doubt, it is declared that non-participation in a meeting of a council is not the only way in which a member of the council may appropriately deal in a transparent and accountable way with a general conflict of interest of the member in a matter to be discussed at the meeting.

23. Section 62 of the Local Government Act provides the general duties that apply to elected members:

62 - General duties

(1) A member of a council must at all times act honestly in the performance and discharge of official functions and duties.

(2) A member of a council must at all times act with reasonable care and diligence in the performance and discharge of official functions and duties.

(3) **...**

24. Section 4(1) of the Ombudsman Act provides me with jurisdiction in relation to misconduct in public administration, which is defined as:

4 – Misconduct and maladministration

(1) ***Misconduct in public administration*** means an intentional and serious contravention of a code of conduct by a public officer while acting in their capacity as a public officer that constitutes a ground for disciplinary action against the officer.

Whether Cr Couros had a material conflict of interest and managed it appropriately in relation to agenda item 17.1 during the council meeting on 28 May 2024

25. As a starting point, I have considered whether Cr Couros had a material conflict of interest in relation to the matter that was to be discussed by the council at item 17.1.

26. In doing so, I must turn my mind to whether Cr Couros **would** have gained a benefit, or suffered a loss, depending on the outcome of the council's consideration of the matter. As outlined in section 75 of the Local Government Act, the benefit or loss can be direct or indirect, personal or pecuniary.

27. Forming a view on this point requires consideration of the nature of the agenda item discussed, and the decision that needed to be made by the council.

28. Agenda item 17.1 asked the council to consider whether to request the preparation of a report by the council administration, for the purposes of considering potential improvements that could be made to the Lombard Street area. An administration report would then presumably come before the council at a later date for a decision on matters arising from the report.

29. The consequence of the council's decision in relation to Agenda Item 17.1 was that a report either would or would not be prepared. Therefore, I consider that the agenda item in question is a preliminary decision that would not result in a benefit or loss to Cr Couros. The link between the commissioning of the report and any potential upgrades being made to Lombard Street that might impact Tony Tomatoes is, in my view, too remote.

30. With this in mind, I do not consider that Cr Couros had a material conflict of interest in relation to item 17.1. In response to my provisional report, the reporter disagreed with my view that Cr Couros' conflict of interest in the matter was not of a material nature, noting that I had failed to contemplate that Cr Couros could have gained a benefit through the defeat or amendment of the motion initiating a report. As I have mentioned above, I consider that the council's decision on the specific motion in question would not in itself result in any benefit or loss to Cr Couros or to Tony Tomatoes, and so the reporter's submissions have not changed my view that Cr Couros did not have a material conflict of interest in the matter.

31. However, I am of the view that Cr Couros' interest in agenda item 17.1 is more accurately characterised as giving rise to a general conflict of interest. The motion required the elected members to consider whether a report would be prepared on improvements to Lombard Street, and what options would be considered by that report. In my view (and as acknowledged by Cr Couros in her submissions to me), an impartial, fair-minded person might consider that Cr Couros' interest in Tony Tomatoes might result in her acting in a manner that is contrary to her public duty to represent the interests of her constituents.

32. Given I have formed the view that Cr Couros likely had a general conflict of interest rather than a material one, I have turned my mind to whether Cr Couros could nonetheless be in breach of section 75C by failing to manage a material conflict of interest that she herself declared.

33. In my view, she could not. I consider that the obligation in section 75C to manage a conflict of interest is conditional upon the existence of a material conflict and that the existence of a material conflict of interest is to be determined objectively. The language of both sections 75 and 75C is as follows [my emphasis added]:

> **75 – Material conflicts of interest**
>
> (1) Subject to section 75A, for the purposes of this Subdivision, a member of a council **has** a material conflict of interest in a matter to be discussed at a meeting of the council if …
>
> **75C – Dealing with material conflicts of interest**

(1) If a member of a council **has** a material conflict of interest in a matter to be discussed at a meeting of the council, the member must– …

34. The obligations in section 75C to declare a conflict and to remove oneself from discussions arise when an elected member **has** a material conflict of interest. In my view, this denotes an objective state of fact. Section 75C is not worded in such a way that it is to be enlivened by a council member's subjective belief that they have a material conflict of interest in a matter. Similarly, a council member's subjective belief that they do not have a conflict of interest would not preclude a finding that they breached section 75C by failing to declare and manage a conflict, if, as a matter of fact, such a conflict existed.

35. In light of this, and given my view that Cr Couros did not have a material conflict of interest, I consider that I am unable to conclude that Cr Couros breached section 75C of the Local Government Act.

36. For the sake of completeness, I have considered whether Cr Couros complied with section 75B of the Local Government Act.

37. Section 75B requires that, if a member has a general conflict of interest in a matter, they disclose the nature of their interest to the council, and advise how they intend to manage the conflict, including whether they intend to participate in the meeting for the discussions and whether they will vote on the matter.

38. Notwithstanding that she characterised her conflict as a material one, I am satisfied that Cr Couros disclosed to the meeting the nature of her interest in the matter. The way in which Cr Couros proposed to deal with her conflict in relation to item 17.1 was to leave the chamber and abstain from voting.

39. I note that section 75B of the Local Government Act specifies that non-participation in the meeting is not the only way that a councillor may appropriately manage a general conflict of interest in an open and accountable manner.

40. While it is arguable that by texting Cr Davis about subject matter relating to the item may not have amounted to removing herself from the discussion, I am conscious that section 75B is worded in such a way that Cr Couros was simply required to state her intention for dealing with the conflict. I consider Cr Couros' subsequent failure to comply with her declared intention for managing the conflict later in this report.

41. Given the requirements of section 75B, and in light of Cr Couros declaring her conflict of interest and stating her intended approach for managing her conflict, I am not satisfied that Cr Couros contravened section 75B of the Local Government Act.

42. Consequently, it is my view that I am unable to conclude that Cr Couros breached sections 75B and 75C of the Local Government Act in relation to item 17.1.

Opinion

In light of the above, I consider that Cr Couros did not breach sections 75B or 75C of the Local Government Act.

Whether Cr Couros breached the general integrity provisions in the Local Government Act

43. I have had regard to whether Cr Couros breached the elected member general duties under section 62 of the Local Government Act, in particular the duty to act honestly set

out in section 62(1).

44. I consider that Cr Couros' failure to adequately separate herself from the meeting and the council's discussion of item 17.1 by texting Cr Davis goes directly against her declaration of a material conflict of interest and, most relevantly, her stated intention to not participate in the meeting.

45. Cr Couros formed the view that she had a material conflict of interest and stated her intention to leave the meeting and not vote. Despite this, Cr Couros then went on to effectively insert herself into the meeting discussion by texting Cr Davis information that she apparently considered would be pertinent or useful to him in the discussion.

46. I have noted that Cr Couros appears to have sent the text messages to Cr Davis in very close proximity to leaving the chamber at approximately 8:21pm. I am mindful that just moments earlier Cr Couros had made a statement to the council and to the public that she would remove herself from the discussions. Cr Couros noted in response to my provisional report that she could not recall the exact time frame, as she was replying to other messages that she could not respond to from within the chamber. I query this submission, noting that on this occasion Cr Couros instigated the text messages to Cr Davis just moments after leaving the chamber, which suggests that she had the intention of texting him during the council's debate on the item.

47. In my view, Cr Couros' actions may be perceived as an attempt to influence discussions on item 17.1 by virtue of influencing Cr Davis with the information provided in the text messages. The fact that the text messages were sent privately and within minutes of publicly declaring her intention not to participate in the discussions, in my view, appears to suggest a covert attempt to influence the discussion.

48. I consider the conduct to be at odds with the purpose of the conflict of interest provisions, being that council members must be transparent about their interests and manage any conflicts appropriately so that ratepayers have confidence that council decisions are being made to benefit the community and not to personally benefit elected members. While I have concluded that Cr Couros did not, in fact, have a material conflict of interest, she believed and had declared that she did and accordingly, the purpose and requirements of section 75C are relevant to determining whether her conduct was honest.

49. Having formed the view that she had a material conflict, Cr Couros' conduct in sending text messages that directly undermine her public statement that she would not participate in the discussion appears to demonstrate a lack of transparency with regard to the other council members and the public.

50. It was alleged that Cr Couros positioned herself outside the chamber so that the discussion on the item was audible to her. Doing so, after declaring that she would remove herself from the discussion, inherently raises questions of dishonest conduct. However, Cr Couros has informed my investigation that she was positioned far enough away so as not to hear the discussion. Cr Couros further submitted in response to my provisional report that she recalls the chamber door being closed, and she could not hear the debate. Without more conclusive evidence, I am hesitant to form a view either way on the matter.

51. In any case, it is my view that the sending of the text messages by Cr Couros in and of itself amounted to a failure to act with the standard of integrity envisaged by section 62 of the Local Government Act. In response to my provisional report, Cr Couros submitted that it was not her intent was to act dishonestly, and she has always sought advice and declared her interests openly to ensure transparency.

52. However, in the circumstances where Cr Couros had declared that, due to a personal interest, she would leave the chamber and not be involved in the discussions, this is what the elected members expected to occur, and indeed what the elected members and the public were entitled to trust had occurred. In my opinion, by sending text messages to involve herself in and seek to influence the discussion through Cr Davis, Cr Couros did not act with the degree of honesty required by section 62(1).

53. With this in mind, it is my view that, on the balance of probabilities, Cr Couros failed to act honestly in the performance and discharge of her official functions and duties on this occasion.

Opinion

In light of the above, I consider that, by sending text messages to Cr Davis during the council's discussion of item 17.1 at the 28 May 2024 meeting, Cr Couros failed to act honestly in the performance and discharge of her official functions and duties and therefore breached section 62(1) of the Local Government Act.

To remedy this error, I make a recommendation under section 25(2) of the Ombudsman Act and section 263B(1)(b)(i) that Cr Couros issue a public apology at a public meeting of the council, for failing to act honestly in the performance and discharge of her official functions and duties in relation to agenda item 17.1 at the meeting of 28 May 2024, and that this and the terms of the apology be recorded in the Minutes.

Whether Cr Couros' conduct amounts to misconduct in public administration

54. As outlined in paragraph 24 above, misconduct in public administration means an 'intentional and serious contravention of a code of conduct'. I consider that the integrity provisions of the Local Government Act constitute a code of conduct for the purposes of this definition.

55. I consider 'intentional' to mean a deliberate, rather than accidental, act or course of conduct that contravenes a code of conduct, in this case the integrity provisions of the Local Government Act. I therefore do not need to be satisfied that Cr Couros knowingly acted in contravention of the integrity provisions, but that she intentionally engaged in the conduct which forms the subject of that contravention.

56. In my view, the act of Cr Couros texting Cr Davis about the subject matter of agenda item 17.1 directly after declaring a conflict in relation to the item and removing herself from the chamber, was intentional. This is supported by her submission that she felt she needed to give Cr Davis further information for him to then make an informed decision on the matter. I am therefore satisfied that Cr Couros' conduct was intentional in this regard.

57. In determining whether Cr Couros' actions are serious, I have considered the broader impact of her conduct, as well as the importance of the elected member integrity provisions.

58. The conflict of interest and general integrity provisions serve to ensure that there is fair and impartial decision-making, and that council members are transparent with regard to their interests. This acts to support the integrity of decisions made by elected bodies on behalf of their constituents. By attempting, dishonestly, to insert herself in the discussions from which she declared she would remove herself, Cr Couros acted in stark contravention of these principles.

59. As such, I consider that the conduct that forms the subject of this investigation is serious. I remain mindful that if councillors are to engage in this type of behaviour it would not only compromise the integrity of individual council decisions but also faith in the local government sector more broadly.

Opinion

It is my view that Cr Couros' conduct amounts to an intentional and serious breach of the integrity provisions of the Local Government Act, which I take to be a code of conduct. Therefore, I consider that Cr Couros' conduct amounts to misconduct as it is defined by section 4(1) of the Ombudsman Act.

To remedy this error, I make recommendations under section 25(2) of the Ombudsman Act and section 263B of the Local Government Act, that:

- the council reprimand Cr Couros
- Cr Couros attends training relevant to the integrity provisions with a particular focus on conflicts of interest
- Cr Couros issue a public apology at a public meeting of the council for committing misconduct under the Ombudsman Act, and that this and the terms of the apology are recorded in the Minutes.

Summary and Recommendations

In light of the above, my final view is that:

1. by texting Cr Davis about the subject matter of item 17.1 during the council's consideration of the matter at the council meeting on 28 May 2024, Cr Couros failed to act honestly in the performance and discharge of her official functions and duties and therefore breached section 62(1) of the Local Government Act.

2. Cr Couros' conduct amounts to an intentional and serious breach of the integrity provisions of the Local Government Act, which I take to be a code of conduct. Therefore, I consider that Cr Couros' conduct amounts to misconduct as defined by section 4(1) of the Ombudsman Act.

In response to my provisional report, the reporter expressed disagreement with my proposed recommendations, specifically that Cr Couros issue a public apology for the errors as outlined above, suggesting that this is 'manifestly inadequate given the seriousness of the breach'.[9] I note that I am able to make recommendations as I see fit under section 263B(1) of the Local Government Act, which includes that the elected member make a public apology. It is my view that this is an effective way of improving transparency and accountability in local government, and it is not my inclination to make recommendations that are purely punitive in nature. Therefore, the reporter's submissions have not altered my view on the recommendations I will make in this matter.

In light of the above, I make the following recommendations under section 263B(1) of the Local Government Act and section 25(2) of the Ombudsman Act:

- Cr Couros issue a public apology at a public meeting of the council, for:

[9] Letter from the reporter to the Ombudsman, 5 August 2025, 1.

- texting Cr Davis about the subject matter of item 17.1 during the council's consideration of the matter at the council meeting on 28 May 2024, after she had declared a material conflict of interest and left the chamber
- thereby breaching section 62(1) of the Local Government Act, and for committing misconduct under the Ombudsman Act

and that this and the terms of the apology be recorded in the Minutes.

- the council reprimand Cr Couros
- Cr Couros attends training relevant to the integrity provisions with a particular focus on conflicts of interest.

I also recommend that my final report be provided to a public meeting of the council within three ordinary meetings of the council following receipt of my recommendations.

Final comment

I now report Cr Couros' misconduct to the principal officer of the council, as required by section 18(5) of the Ombudsman Act.

In accordance with section 25(4) of the Ombudsman Act, I request that the council report to me by **15 December 2025** on what steps have been taken to give effect to my recommendations above; including:

- details of the actions that have been commenced or completed
- relevant dates of the actions taken to implement the recommendation.

In the event that no action has been taken, reason(s) for the inaction should be provided to me.

Pursuant to section 263B(2) of the Local Government Act, if a council member fails to comply with a council requirement made as a result of an Ombudsman recommendation such as those above, the council member will be taken to have failed to comply with Chapter 5 Part 4 of the Local Government Act. In this event, the council is to ensure that a complaint is lodged against the member with the South Australian Civil and Administrative Tribunal.

I have also sent a copy of my report to the Minister for Local Government as required by section 25(3) of the *Ombudsman Act 1972*.

Emily Strickland
SA OMBUDSMAN

2 September 2025

Councillor Noon - QoN - Water Quality Management and Algal Bloom Mitigation in the River Torrens Lake and City Water Bodies

Tuesday, 28 October 2025
Council

Council Member
Councillor Carmel Noon

Public

Contact Officer:
Tom McCready, Director City Infrastructure

QUESTION ON NOTICE

Councillor Carmel Noon will ask the following Question on Notice:

In the context of ongoing algal blooms, faecal and other contamination, and repeated lake closures over the years- I seek answers to the following questions.

- How much is the Adelaide City Council expending on water quality per annum?
- What technology/technologies are currently being deployed?
- Given recurrent blooms and ongoing lake closures, what criteria are used to evaluate the efficacy of these technologies?
- Other than the one/s already being deployed, what technologies has the ACC been made aware of with regard to improving water quality?
- What, if any, other technologies have actually been trialled?
- If other technologies have not been trialled, on what basis have these trials been rejected?
- What plans does Council have to improve the water quality in the Torrens Lake and other water bodies, especially given the possibility of Adelaide hosting COP31?

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT –

Councillor Freeman - QoN - Integrated Transport Strategy - Implementation Plan - Increasing Active/Sustainable Transport

Tuesday, 28 October 2025
Council

Council Member
Councillor Eleanor Freeman

Public

Contact Officer:
Tom McCready, Director City Infrastructure

QUESTION ON NOTICE

Councillor Eleanor Freeman will ask the following Question on Notice:

'The City of Adelaide's Integrated Transport Strategy (ITS) sets an aspiration to significantly increase the proportion of people in the city using active and sustainable travel modes. This aspiration is shared by other Council strategies, including the Strategic Plan 2024-28, City Plan 2036, Integrated Climate Strategy 2030 and Disability Access and Inclusion Plan 2024-2028.

To achieve this aspiration, the ITS outlines commitments to be delivered by the City of Adelaide and partners over the next decade.

An implementation plan is required to understand how the commitments in the ITS will be delivered, and when.

Administration is requested to confirm:

1. The approach taken to developing an implementation plan that delivers upon the commitments made by the ITS and other strategies.

2. The timing of when an implementation plan will be presented for Committee consideration and Council approval.

3. If the implementation plan will include projects to be considered by Council for inclusion in the 2026-27 Budget process.'

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT –

Councillor Freeman - QoN - Capital City Celebration of National Events

Tuesday, 28 October 2025
Council

Council Member
Councillor Eleanor Freeman

Public

Contact Officer:
Michael Sedgman, Chief Executive Officer

QUESTION ON NOTICE

Councillor Eleanor Freeman will ask the following Question on Notice:

'As the Capital City, the City of Adelaide is looked to for recognition and promotion of relevant national events. This is particularly important when national events align to aspirations documented within Council's adopted strategies – such as the Integrated Transport Strategy's target to triple the number of people cycling to the city by 2030.

National Ride2Work Day was held on 15 October 2025 and celebrated across Australia. However, for the first time since 2014, the City of Adelaide did not celebrate the event due to budget constraints.

Can the Administration advise:

1. What national events does the City of Adelaide currently commit to?
2. How are national events identified, prioritised and funded within the City of Adelaide's broader program of events?
3. What proportion of the 2025/26 budget is allocated to the celebration of national events?
4. What consideration of national events will be included for prioritisation in the 2026-27 Annual Business Plan and Budget process?'

The Lord Mayor will provide a reply at the meeting, the reply and question will be included in the Minutes of the meeting.

- END OF REPORT –

Exclusion of the Public

Agenda Item 21

Tuesday, 28 October 2025

Council

Program Contact:
Anthony Spartalis, Chief Operating Officer

Approving Officer:
Michael Sedgman, Chief Executive Officer

Public

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this Council meeting for the consideration of information and matters contained in the Agenda.

For the following Committee Reports for Recommendation to Council seeking consideration in confidence

22 Confidential Recommendations of the Infrastructure and Public Works Committee – 21 October 2025 [section 90(3) (b) & (d) of the Act]

23 Confidential Recommendation of the City Finance and Governance Committee – 21 October 2025 [section 90(3) (b) & (d) of the Act]

For the following Reports for Council (Chief executive Officer's Reports seeking consideration in confidence

24.1 Confidential Complaint [section 90(3) (a) of the Act]

24.2 Confidential Second Complaint [section 90(3) (a) of the Act]

24.3 Confidential Fourth Complaint [section 90(3) (a) of the Act]

24.4 Establishment of Conduct Committee [section 90(3) (a) of the Act]

The Order to Exclude for Items 22, 23, 24.1, 24.2, 24.3 and 24.4

1. Identifies the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 22

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 October 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 22 [Confidential Recommendations of the Infrastructure and Public Works Committee – 21 October 2025] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Recommendation 1 - Commercial Expressions of Interest – Victoria Park/Pakapakanthi (Park 16)]

Grounds and Basis

This Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiation with the proponent and a competitor receiving the information to the detriment of the proponent who supplied information at this point in time, may materially and adversely affect the financial viability of the proponent for any future projects and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

Recommendation 2 - Expressions of Interest – E-Scooter Business Operating Permits

Grounds and Basis

This Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and confer a commercial advantage on a third party.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information will result in a competitor receiving the information to the detriment of the interested parties and the person who supplied valuation information at this point in time.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 October 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 22 [Confidential Recommendations of the Infrastructure and Public Works Committee – 21 October 2025] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 23

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 October 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 23 [Confidential Recommendation of the City Finance and Governance Committee – 21 October 2025] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

   Grounds and Basis

   This Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to identify the proponent and to confer a commercial advantage on a person with whom the council is conducting business and prejudice the commercial position of the council, with the potential to confer a commercial advantage to a third party competitor of a person with whom the council is conducting business.

   Public Interest

   The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiation with the proponent and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 October 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 23 [Confidential Recommendation of the City Finance and Governance Committee – 21 October 2025] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 24.1

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 October 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 24.1 [Confidential Complaint] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

   Grounds and Basis

   Consideration in confidence is sought because this report contains information that would amount to an unreasonable disclosure of personal affairs under section 90(3)(a) of the *Local Government Act 1999* (SA).

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 October 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 24.1 [Confidential Complaint] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

ORDER TO EXCLUDE FOR ITEM 24.2

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 October 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 24.2 [Confidential Second Complaint] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

   Grounds and Basis

   Consideration in confidence is sought because this report contains information that would amount to an unreasonable disclosure of personal affairs under section 90(3)(a) of the *Local Government Act 1999* (SA).

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 October 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 24.2 [Confidential Second Complaint] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

ORDER TO EXCLUDE FOR ITEM 24.3

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 October 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 24.3 [Confidential Fourth Complaint] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

   Grounds and Basis

   Consideration in confidence is sought because this report contains information that would amount to an unreasonable disclosure of personal affairs under section 90(3)(a) of the *Local Government Act 1999* (SA).

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 October 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 24.3 [Confidential Fourth Complaint] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

ORDER TO EXCLUDE FOR ITEM 24.4

THAT COUNCIL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Council dated 28 October 2025 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 24.4 [Establishment of Conduct Committee] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

   Grounds and Basis

   Consideration in confidence is sought because this report contains information that would amount to an unreasonable disclosure of personal affairs under section 90(3)(a) of the *Local Government Act 1999* (SA).

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the Council dated 28 October 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 24.4 [Establishment of Conduct Committee] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (a) of the Act.

DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.

2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.

4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -

   '(a) cause embarrassment to the council or council committee concerned, or to members or employees of the council; or

   (b) cause a loss of confidence in the council or council committee; or

   (c) involve discussion of a matter that is controversial within the council area; or

   (d) make the council susceptible to adverse criticism.'

5. Section 90(7) of the Act requires that an order to exclude the public:

   5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.

   5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.

   5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following reports are submitted seeking consideration in confidence.

   6.1 Information contained in Item 22 – Confidential Recommendations of the Infrastructure and Public Works Committee – 21 October 2025

      6.1.1 Is subject to an Existing Confidentiality Order dated 21/10/2025

      6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act

         (b) information the disclosure of which –

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

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

         (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –

            (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

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

   6.2 Information contained in Item 23 – Confidential Recommendation of the City Finance and Governance Committee – 21 October 2025

      6.2.1 Is subject to an Existing Confidentiality Order dated 21/10/2025

      6.2.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act

         (b) information the disclosure of which –

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

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

(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –

(i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

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

6.3 Information contained in Item 24.1 – Confidential Complaint

6.3.1 Is not subject to an Existing Confidentiality Order

6.3.2 The grounds utilised to request consideration in confidence is section 90(3) (a) of the Act

(a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the affairs of any person (living or dead).

6.4 Information contained in Item 24.2 – Confidential Second Complaint

6.4.1 Is not subject to an Existing Confidentiality Order

6.4.2 The grounds utilised to request consideration in confidence is section 90(3) (a) of the Act

(a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the affairs of any person (living or dead).

6.5 Information contained in Item 24.3 – Confidential Fourth Complaint

6.5.1 Is not subject to an Existing Confidentiality Order

6.5.2 The grounds utilised to request consideration in confidence is section 90(3) (a) of the Act

(a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the affairs of any person (living or dead).

6.6 Information contained in Item 24.3 – Establishment of Conduct Committee

6.6.1 Is not subject to an Existing Confidentiality Order

6.6.2 The grounds utilised to request consideration in confidence is section 90(3) (a) of the Act

(a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the affairs of any person (living or dead).

ATTACHMENTS

Nil

- END OF REPORT -

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