



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Acting Mayor Nathan Daniell

| |
|--------------------------------|
| Councillor Kirrilee Boyd |
| Councillor Adrian Cheater |
| Councillor Chris Grant |
| Councillor Malcolm Herrmann |
| Councillor Lucy Huxter |
| Councillor Leith Mudge |
| Councillor Mark Osterstock |
| Councillor Kirsty Parkin |
| Councillor Alex Trescowthick |
| Councillor Lisa Clare Woolcock |
| Councillor Richard Gladigau |

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

Tuesday 10 February 2026
6.30pm
63 Mt Barker Road Stirling

A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

A handwritten signature in black ink, appearing to read 'Greg Georgopoulos'.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 10 February 2026
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

2.1. *Acknowledgement of Country*

Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.

2.2. Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology

3.2. Leave of Absence

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 27 January 2026

That the minutes of the ordinary meeting held on 27 January 2026 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

6. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1. Questions Adjourned

Frequency and duration of Elected Member Leave of Absences until 28 April 2026

Questions Lying on the Table

Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
- 8.2. Deputations
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

11.1 Advertising and Promotion of Oil and Gas Companies (Cr Chris Grant)

- 1. *Council reaffirms its long-standing commitment to sports in the Adelaide Hills, in particular the Tour Down Under;*
- 2. *Notwithstanding (1), Council rescinds decision 214/25 which explicitly supports the Santos Tour Down Under;*
- 3. *Council will no longer permit or participate in the advertising or promotion of any company whose main business is the extraction or sale of coal, oil and gas, including advertising or promotion of any event that promotes such a company (including through naming rights)*
 - a. *on any Council owned or controlled property;*
 - b. *on its website or other communications and*
 - c. *(c) in any other area within its control,*

unless it is legally required to do so;
- 4. *Council will not accept sponsorship from companies whose main business is the extraction or sale of coal, oil or gas, or hold or promote, or allow to be held or promoted, events sponsored by such companies where Council has the authority to do so;*
- 5. *That all relevant Council policies be reviewed and updated to reflect this policy position, including but not confined to the Festivals and Events Policy; and*
- 6. *That Council communicates this policy position via its usual means including, but not limited to, its website and Hills Voice, and inform relevant stakeholders including, but not limited to, local Federal and State Members of Parliament and any event organisers who may be affected.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Section 41 Committee – Independent Member Sitting Fees

1. *That the Review of Independent Member Remuneration – s41 Committees report be received and noted.*
2. *That in relation to Adelaide Hills Council S41 Committees, including but not limited to the Audit and Risk Committee and CEO Performance Review Panel:*
 - a) *The sitting fees for Independent Members, effective 11 February 2026, are:*
 - i. *Independent Presiding Member - \$ 692 (excl GST), plus super guarantee per attended s41 Committee meeting*
 - ii. *Independent Ordinary Member - \$542 (excl GST), plus super guarantee per attended s41 Committee meeting*
 - iii. *Authorised Information or Briefing Session or other meeting - \$100 (excl GST), plus super guarantee per meeting*
 - iv. *Authorised Training - \$90 (excl GST), plus super guarantee per hour of training attended excluding travel time*
 - b) *That in the event that an Independent Ordinary Member is required to preside at a meeting in the absence of the Presiding Member, then that Member receives the Independent Presiding Member (excl GST) sitting fee for that meeting.*
 - c) *That Independent Members are entitled to receive reimbursement (at the standard Council rate) for travelling expenses actually and necessarily incurred for travel associated with attendance at a Committee Meeting, other authorised meeting, or authorised training.*
 - d) *That unless otherwise resolved by Council the sitting fee will increase on 1 July each financial year. This increase will be by an equivalent percentage to the Adelaide Consumer Price Index (CPI) percentage for All Groups Adelaide (March quarter).*

12.2. Delegations – LGA Delegations Framework Update

1. *That the report be received and noted*
2. *The Adelaide Hills Council (Council) delegates each function or power of the Council:*
 - a. *listed in the attached tables (Appendix 2) to the Chief Executive Officer as identified in respect of the function or power*
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;*
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;*
 - iii. *all other conditions and limitations noted in the instrument of delegations (Appendix 2)*
 - b. *in regard to the following delegations under the Local Government Act:*
 - i. *section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;*
 - ii. *section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council;*
 - iii. *section 143(1): the power to write off debts is limited to debts not exceeding \$5000;*
 - iv. *section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);*
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 20 February 2026.*
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.*

12.3. Community Land Management Plan Amendment – Federation Park

1. *That the report be received and noted.*
2. *That the proposed amendment to the Community Land Management Plan for Gumeracha Federation Park has no significant impact on the interests of the community and therefore the provisions of section 198(3) of the Local Government Act 1999 requiring community consultation do not apply.*
3. *To adopt the proposed minor amendments to the Community Land Management Plan for Gumeracha Federation Park as detailed in Appendix 1.*

12.4. Update on Gumeracha Opportunity Shop EOI

1. *That the Update on Gumeracha Op Shop Expression of Interest report be received and noted.*
2. *To note the outcome of the Gumeracha Op Shop Expression of Interest process and that the Torrens Valley Lions Club are well placed to take over operations of the Op Shop from Council.*
3. *To progress a lease with the Torrens Valley Lions Club, for a two-year period, on a peppercorn basis, with the tenant responsible for all outgoings, day-to-day upkeep and maintenance.*
4. *That the Chief Executive Officer be authorised to finalise and execute the lease documentation.*
5. *That the Administration progress the transition of Op Shop operations to the Torrens Valley Lions Club, including any actions required by Council's previous resolutions, such as the installation of a plaque thanking volunteers for their contribution.*

12.5. Libraries Funding Campaign

1. *That the report be received and noted.*
2. *To support the LGA's advocacy position requesting funding for public libraries.*
3. *To support the LGA's position to seek annual CPI increases on a new funding agreement with the State Government, noting that current state funding for public libraries has not kept pace with rising costs and service demands.*
4. *To support the LGA campaign through council communication channels.*
5. *To advise the LGA of its decision so that it may collate signatories.*

12.6. Road Exchange 21 Pomona Road, Stirling

1. *That the report "Updated Documentation for Road Exchange process - 21 Pomona Road, Stirling" be received and noted*
2. *Notes Council resolution (300/25) of 15 December 2020 supporting a road exchange adjacent to 21 Pomona Road, Stirling as outlined in the Original Preliminary Plan 20/0038 - dated 17/9/2020*
3. *Reaffirms Council's support for the proposed road exchange, noting that there has since been a land division for the adjacent property at 21 Pomona Road, Stirling*
4. *In accordance with the Roads (Opening and Closing) Act 1991, to proceed with the exchange of road process with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road opened numbered 1" on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as "Public Road A" (as identified in Appendix 4), subject to the owner of the land at 21 Pomona*

Road Stirling continuing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs

5. *That the closed road be excluded as Community Land pursuant to the Local Government Act 1999.*
6. *That the Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

14. CORRESPONDENCE FOR NOTING

- 14.1. Letter from the Minister of Local Government
- 14.2. SHLGA 2026-27 Federal Budget Submission
- 14.3. Grant Funding Outcomes – Adelaide Hills Region Waste Management Authority

15. QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. REPORTS

- 17.1. Council Member Function or Activity on the Business of Council
- 17.2. Reports of Members/Officers as Council Representatives on External Organisations
- 17.3. CEO Report

18. REPORTS OF COMMITTEES

- 18.1. Council Assessment Panel

Nil

- 18.2. Audit and Risk Committee

Nil

- 18.3. CEO Performance Review Panel – 28 January 2026

That the minutes of the CEO Performance Review Panel meeting held on 28 January 2026 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

- 18.4. Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

20. MEETING

Tuesday 24 February 2026, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meetings, Information and Briefing Sessions, CAP and Committee Meetings for 2026

| DATE | TYPE | LOCATION | MINUTE TAKER |
|----------------------------------|--------------------------|----------|----------------|
| JANUARY 2026 | | | |
| Tuesday 27 January | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 28 January | CEO PRP | Stirling | Zoë Gill |
| FEBRUARY 2026 | | | |
| Monday 2 February | Workshop | Woodside | N/A |
| Tuesday 10 February | Ordinary Council | Stirling | Lauren Jak |
| Wednesday 11 February | CAP | Stirling | TBA |
| Monday 16 February | Audit and Risk Committee | Stirling | Lauren Jak |
| Tuesday 17 February | Professional Development | Stirling | N/A |
| Tuesday 24 February | Ordinary Council | Stirling | Skye Ludzay |
| MARCH 2026 | | | |
| Monday 2 March | Workshop | Woodside | N/A |
| Tuesday 10 March | Ordinary Council | Stirling | Georgie McKeon |
| Wednesday 11 March | CAP | Stirling | TBA |
| Tuesday 17 March | Professional Development | Stirling | N/A |
| Saturday 22 March | Workshop | Stirling | N/A |
| Tuesday 24 March | Ordinary Council | Stirling | Georgie McKeon |
| APRIL 2026 | | | |
| Tuesday 7 April (Public Holiday) | Workshop | Woodside | N/A |
| Tuesday 14 April | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 8 April | CAP | Stirling | TBA |
| Monday 20 April | Audit and Risk Committee | Stirling | Lauren Jak |
| Tuesday 21 April | Professional Development | Stirling | N/A |
| Wednesday 22 April | CEO PRP | Stirling | Zoë Gill |
| Tuesday 28 April | Ordinary Council | Stirling | Skye Ludzay |
| MAY 2026 | | | |
| Monday 4 May | Workshop | Woodside | N/A |
| Tuesday 12 May | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 13 May | CAP | Stirling | TBA |
| Monday 18 May | Audit and Risk Committee | Stirling | Lauren Jak |
| Tuesday 19 May | Professional Development | Stirling | N/A |
| Tuesday 26 May | Ordinary Council | Stirling | Georgie McKeon |
| JUNE 2026 | | | |
| Monday 1 June | Workshop | Woodside | N/A |
| Tuesday 9 June | Ordinary Council | Stirling | Georgie McKeon |
| Wednesday 10 June | CAP | Stirling | TBA |
| Tuesday 16 June | Professional Development | Stirling | N/A |
| Tuesday 23 June | Ordinary Council | Stirling | Skye Ludzay |
| JULY 2026 | | | |
| Monday 6 July | Workshop | Woodside | N/A |
| Wednesday 8 July | CAP | Stirling | TBA |
| Tuesday 14 July | Ordinary Council | Stirling | Skye Ludzay |

| DATE | TYPE | LOCATION | MINUTE TAKER |
|------------------------------------|--------------------------|----------|----------------|
| Wednesday 15 July | CEO PRP | Stirling | Zoë Gill |
| Tuesday 21 July | Professional Development | Stirling | N/A |
| Tuesday 28 July | Ordinary Council | Stirling | Georgie McKeon |
| AUGUST 2026 | | | |
| Monday 3 August | Workshop | Woodside | N/A |
| Tuesday 11 August | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 12 August | CAP | Stirling | TBA |
| Monday 17 August | Audit and Risk Committee | Stirling | Lauren Jak |
| Tuesday 18 August | Professional Development | Stirling | N/A |
| Tuesday 25 August | Ordinary Council | Stirling | Georgie McKeon |
| SEPTEMBER 2026 | | | |
| Monday 7 September | Workshop | Woodside | N/A |
| Tuesday 8 September | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 9 September | CAP | Stirling | TBA |
| Tuesday 15 September | Professional Development | Stirling | N/A |
| Tuesday 22 September | Ordinary Council | Stirling | Georgie McKeon |
| OCTOBER 2026 | | | |
| Tuesday 6 October (Public Holiday) | Workshop | Woodside | N/A |
| Tuesday 13 October | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 14 October | CAP | Stirling | TBA |
| Monday 19 October | Audit and Risk Committee | Stirling | Lauren Jak |
| Tuesday 20 October | Professional Development | Stirling | N/A |
| Wednesday 21 October | CEO PRP | Stirling | Zoë Gill |
| Tuesday 27 October | Ordinary Council | Stirling | Georgie McKeon |
| NOVEMBER 2026 | | | |
| Monday 2 November | Workshop | Woodside | N/A |
| Tuesday 10 November | Ordinary Council | Stirling | Skye Ludzay |
| Monday 16 November | Audit and Risk Committee | Stirling | Lauren Jak |
| Tuesday 17 November | Professional Development | Stirling | N/A |
| Tuesday 24 November | Ordinary Council | Stirling | Georgie McKeon |
| DECEMBER 2026 | | | |
| Monday 7 December | Workshop | Woodside | N/A |
| Tuesday 8 December | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 9 December | CAP | Stirling | N/A |

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

Community Forums 2026

6.00 for 6.30pm

(dates and venues to be confirmed)

| DATE | LOCATION |
|----------------|--------------------------|
| 30 March 2026 | Lenswood |
| 30 June 2026 | Mylor Community Forum |
| 24 August 2026 | Birdwood Community Forum |

Council Member Attendance 2026

Information or Briefing Sessions

| Meeting Date | Cr Kirrilee Boyd | Cr Adrian Cheater | Cr Nathan Daniell | Cr Richard Gladigau | Cr Chris Grant | Cr Malcolm Herrmann | Cr Lucy Huxter | Cr Leith Mudge | Cr Mark Osterstock | Cr Kirsty Parkin | Cr Alex Trescowthick | Cr Lisa Woolcock | - |
|--------------|------------------|-------------------|-------------------|---------------------|----------------|---------------------|----------------|----------------|--------------------|------------------|----------------------|------------------|---|
| 2 Feb 2026 | F | P | F | F | AP | F | AP | F | AP | LOA | F | F | |

Index: Workshop (WS) / Professional Development (PD) / F = Full Attendance / P = Partial Attendance / AP = Apology / LOA = Leave of Absence / A = Absent

Council Member Attendance 2026

Council Meetings (including Special Council Meetings)

| Meeting Date | Cr Kirrilee Boyd | Cr Adrian Cheater | Cr Nathan Daniell | Cr Richard Gladigau | Cr Chris Grant | Cr Malcolm Herrmann | Cr Lucy Huxter | Cr Leith Mudge | Cr Mark Osterstock | Cr Kirsty Parkin | Cr Alex Trescowthick | Cr Lisa Woolcock | - |
|--------------|------------------|-------------------|-------------------|---------------------|----------------|---------------------|----------------|----------------|--------------------|------------------|----------------------|------------------|---|
| 27 Jan 2026 | F | F | F | F | F | F | F | F | F | F | F | F | |

Index: F = Full Attendance / P = Partial Attendance / AP = Apology / LOA = Leave of Absence / A = Absent

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Date: _____

Meeting Name (please tick one)

| | | | |
|------------------------------|--------------------------|---------------------------|--------------------------|
| Ordinary Council | <input type="checkbox"/> | Audit Committee | <input type="checkbox"/> |
| Special Council | <input type="checkbox"/> | Boundary Change Committee | <input type="checkbox"/> |
| CEO Performance Review Panel | <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> |

Item No

Item Name:

(Only one conflict of interest entry per form)

I, Mayor / Cr _____ have identified a conflict of interest as:

GENERAL

MATERIAL

GENERAL

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member's private interests might result in the Member acting in a manner that is contrary to their public duty.

MATERIAL

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act 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.

The nature of my conflict of interest is as follows:

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

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

- I intend to **stay** in the meeting (please complete details below)
- I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

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

(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

Office use only: Council Member voted FOR / AGAINST the motion.

8. DEPUTATIONS

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

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

8.3 PUBLIC FORUM

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

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

Motions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM**

Item: **11.1 Motion on Notice**

Originating from: **Cr Chris Grant**

Subject: **Advertising and Promotion of Oil and Gas Companies**

1. MOTION

I move that with immediate effect,

1. *Council reaffirms its long-standing commitment to sports in the Adelaide Hills, in particular the Tour Down Under;*
2. *Notwithstanding (1), Council rescinds decision 214/25 which explicitly supports the Santos Tour Down Under;*
3. *Council will no longer permit or participate in the advertising or promotion of any company whose main business is the extraction or sale of coal, oil and gas, including advertising or promotion of any event that promotes such a company (including through naming rights)*
 - (a) *on any Council owned or controlled property;*
 - (b) *on its website or other communications and*
 - (c) *in any other area within its control,*

unless it is legally required to do so;
4. *Council will not accept sponsorship from companies whose main business is the extraction or sale of coal, oil or gas, or hold or promote, or allow to be held or promoted, events sponsored by such companies where Council has the authority to do so;*
5. *That all relevant Council policies be reviewed and updated to reflect this policy position, including but not confined to the Festivals and Events Policy; and*
6. *That Council communicates this policy position via its usual means including, but not limited to, its website and Hills Voice, and inform relevant stakeholders including, but not limited to, local Federal and State Members of Parliament and any event organisers who may be affected.*

2. BACKGROUND

Fossil fuel sponsorship of sport is unethical because it sanitizes the reputation of those industries that are driving climate harm. It exploits sport's cultural power to delay necessary change.

Sport carries values people trust: fairness, teamwork and health. Fossil fuel companies want to be associated with those values to mask the damage their business causes. This is not neutral advertising; it's a deliberate strategy to soften public opposition and regulation. This is the same reason tobacco companies wanted to sponsor sport, and the same reason they were banned from sponsoring sport. The product conflicts with the values sport represents.

Sport promotes physical health, clean air, and safe environments. Fossil fuel combustion directly harms all three. Climate change increases heat stress, bushfires, floods, and extreme weather that already cancel events and endanger participants.

Fossil fuel sponsorship reduces climate action by normalising the industry. We know fossil fuel companies are not transitioning fast enough to align with climate science, and in many cases actively lobbying against action on climate change. Sponsorship implies social approval and stability at a time when rapid change is essential.

Sporting events reach children and teenagers before they have the tools to critically evaluate corporate messaging. Young people will live longest with the consequences of climate change. Using their heroes, teams, and competitions to promote fossil fuel brands is unfair and offers them little hope.

Sport has successfully replaced unethical sponsors before (e.g. tobacco, apartheid-era sponsors, unsafe betting practices). The question isn't whether sport needs money, it's whether any money at all should be acceptable. There are better alternatives available to sponsor leading sporting events, e.g. renewable energy, transport, tech, education, and health sectors could sponsor instead.

Adelaide Hills Council has a reputation as a clean, green and beautiful place. We owe it to our community to not use its reputation to greenwash fossil fuel companies.

3. OFFICER'S RESPONSE – Gary Lewis, Director of Corporate Services

The most immediate effect of this resolution would be Councils response to the staging of the Santos Tour Down Under through the Adelaide Hills.

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

| | |
|---------------|--|
| Goal 1 | Natural Environment |
| Objective NE2 | Support the community and business to decarbonise and transition to sustainable lifestyle practices (green communities). |

The proposed resolution aligns with Goal 1 of the Strategic Plan.

➤ Legal Implications

Under the *Major Events Act 2013* Council may have legal obligations to support or promote some major events, including the Tour Down Under. How these obligations interact with the proposed resolution would need to be determined on a case-by-case basis.

➤ **Risk Management Implications**

The resolution will assist in mitigating the risk of Council being seen to fail in showing leadership in the promotion of its Guiding Principles of Natural Environment, Climate Change and Sustainability.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| Medium (2C) | Low (2D) | Low (2D) |

On the other hand, if this motion was successful, there is a risk that the reputation of Council could be damaged through not supporting a state-wide major event. In addition there may be financial impacts for local businesses and other stakeholders.

➤ **Financial and Resource Implications**

Councils budget and Long-Term Financial Plan includes the resources to support ongoing involvement in the Tour Down Under at its current level. This resolution would free up those resources to be deployed elsewhere.

For the 2026 Tour Down Under, Council had a budget of approximately \$80,000 to cover the cost of the activation of the start and finishes, and there was an additional \$30,000 for administrative staff. These costs would not be incurred by Council if this resolution is passed.

There is a cost incurred for tree pruning along the route of the race. This varies considerably from year to year; in 2025 this was a net cost of \$42,000 while for 2026 it will be approximately \$150,000. This is conducted in the weeks prior to the event. Pruning is required regardless of the Council engagement in the Tour Down Under, however timing is impacted by the event. The impact to this work and potential reimbursements for the work are not clear at this time. The timing of this work is *prima facie* a risk mitigation strategy, demonstrating that Council has taken reasonable steps to manage its tree's, and the effects of this resolution on this work is unclear.

With regards to policy review, it is noted that the Festivals and Events policy is scheduled for review by September 2027. A review of this policy will include a community consultation exercise. It would be preferable for review of the policy in response to this motion to be undertaken in 2027 considering other priorities in the Region and Place portfolio through 2026.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Not applicable.

4. ANALYSIS

At the 17 June 2025 Council Meeting, Council resolved to explore opportunities for a multi-year agreement for the conduct of the Tour Down Under:

MOTION AS VARIED

**Moved Cr Leith Mudge
S/- Cr Adrian Cheater**

214/25

Council resolves:

- 1. That the CEO or his delegate includes an allocation of \$80,000 for works associated with the 2026 Tour Down Under (TDU) in the 2025-26 Annual Business Plan and Budget.**
- 2. To acknowledge the significant economic and social benefits that the Tour Down Under brings to the Adelaide Hills Council district, including increased tourism, local business support, and community engagement.**
- 3. To Recognise the importance of Council's continued support for major events that enhance the region's profile and provide recreational opportunities for residents.**
- 4. To Note that the works may include, but are not limited to, road maintenance, traffic management support, public space preparation, tree works, site activation, and logistical assistance.**
- 5. That the CEO continues to work with the South Australian Tourism Commission (SATC) and Tour Down Under management to reduce these costs to Council.**
- 6. That the CEO explores with SATC and TDU management the possibility of a multi-year agreement for the conduct of TDU stages in the Adelaide Hills Council district.**
- 7. That a report be presented to Council by 30 September 2025 outlining progress and options for a multi-year agreement**

| |
|----------------------------|
| Carried Unanimously |
|----------------------------|

Subsequently, at its ordinary meeting of 23 September 2025 council resolved,

12.1 Multi-Year Agreement regarding Tour Down Under

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

310/25

Council resolves:

- 1. That the Multi-Year Agreement Regarding Tour Down Under report be received and noted.**
- 2. That Council acknowledges the importance of the Santos Tour Down Under to local communities and in particular the economic benefits it provides.**
- 3. That Council will provide in-principle support of the Santos Tour Down Under up to and including for the year 2030 providing there are no hosting fees applied.**
- 4. That each year support for the Santos Tour Down Under will be contingent upon, to the satisfaction of the Chief Executive Officer, there being no exceptional aspects to hosting the Santos Tour Down Under that would require Council consideration.**
- 5. Notes the Chief Executive Officer will use the delegation already provided to him to consider consent for road closures under Section 33(2) of the Road Traffic Act 1961 on an annual basis.**
- 6. That the planning and budgeting aspects of the Santos Tour Down Under be managed within the core operating budget of Council rather than as a Strategic Initiative.**
- 7. That each year the Chief Executive Officer will provide an information report to Council on the previous Santos Tour Down Under and outlining Council's involvement in the upcoming Santos Tour Down Under.**

Carried

The proposed resolution will rescind this motion. A rescission motion must be a written motion with notice and must be presented to the CEO with at least 7 clear days before the meeting. This motion is compliant. It should be noted that if the rescission motion fails then no further motion with the same effect can be brought to Council within twelve months or until after the next general election.

This motion will likely have the effect of ending Council's role in activating the start and finishes that occur within the Council area. This may have significant economic impacts for local businesses and other stakeholders.

This event has been routinely declared a major event under the *Major Events Act 2013*. As such, this motion will not prevent the event utilising the Adelaide Hills area to conduct elements of the race.

As a result of resolution (310/25) Council has informed the Tour Down Under and the South Australian Tourism Commission that it intends to support the event until 2030. The proposed resolution may lead to a loss of confidence in Council's decision making by those bodies. There is a potential for reputational damage for Council.

Administration Reports

Decision Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM**

Item: **12.1**

Responsible Officer: **Zoë Gill**
Executive Governance Officer
Office of the CEO

Subject: **Section 41 Committee – Independent Member Sitting Fees**

For: **Decision**

SUMMARY

The purpose of this report is to test Council's appetite for increasing the remuneration of Independent Members on s41 Committees.

Council currently has two Council Committees, being the Audit and Risk Committee and the Chief Executive Officer Performance Review Panel (CEOPRP) with three and one Independent Members respectively. One of the independent members on the Audit and Risk Committee is the Presiding Member of the Committee.

This report addresses matters related to the sitting fees paid to the Independent Members for s41 Committees. It does not contemplate the sitting fees paid to Council Assessment Panel members.

RECOMMENDATION

Council resolves:

- 1. That the Review of Independent Member Remuneration – s41 Committees report be received and noted.**
- 2. That in relation to Adelaide Hills Council S41 Committees, including but not limited to the Audit and Risk Committee and CEO Performance Review Panel:**
 - a) The sitting fees for Independent Members, effective 11 February 2026, are:**
 - i. Independent Presiding Member - \$ 692 (excl GST), plus super guarantee per attended s41 Committee meeting**
 - ii. Independent Ordinary Member - \$542 (excl GST), plus super guarantee per attended s41 Committee meeting**
 - iii. Authorised Information or Briefing Session or other meeting - \$100 (excl GST), plus super guarantee per meeting**
 - iv. Authorised Training - \$90 (excl GST), plus super guarantee per hour of training attended excluding travel time**

- b) That in the event that an Independent Ordinary Member is required to preside at a meeting in the absence of the Presiding Member, then that Member receives the Independent Presiding Member (excl GST) sitting fee for that meeting.
- c) That Independent Members are entitled to receive reimbursement (at the standard Council rate) for travelling expenses actually and necessarily incurred for travel associated with attendance at a Committee Meeting, other authorised meeting, or authorised training.
- d) That unless otherwise resolved by Council the sitting fee will increase on 1 July each financial year. This increase will be by an equivalent percentage to the Adelaide Consumer Price Index (CPI) percentage for All Groups Adelaide (March quarter).

1. BACKGROUND

At its 28 August 2021 meeting Council resolved the sitting fees for Audit and Risk Committee and Panel Independent Members as follows:

Moved Cr Nathan Daniell
S/- Cr Mark Osterstock

184/21

Council resolves:

1. That the report be received and noted.
2. That in relation to the Audit Committee and the Chief Executive Officer Performance Review Panel:
 - a. To determine the sitting fees for Members, effective 1 December 2021, as follows:
 - i. Independent Presiding Member - \$575 (excl GST) per attended meeting.
 - ii. Independent Ordinary Member - \$450 (excl GST) per attended meeting.
 - iii. Authorised Training - \$75 (excl GST) per hour of training attended excluding travel time but with a travel allowance being paid at the standard Council rate.
 - b. That in the event that an Independent Ordinary Member is required to preside at a meeting in the absence of the Presiding Member, then that Member receives the \$575 (excl GST) sitting fee for that meeting.

Carried Unanimously

These fees have not been reviewed for over 4 years and therefore a review is due to ensure that remuneration is competitive and reasonable.

The recommended remuneration has been determined by applying CPI year-on-year since Council's 28 August 2021 resolution (see the further analysis section of this report). Administration is also recommending that the Council resolution include a small fee for attendance at an authorised Information or Briefing Session and authorised training, and that Independent members can claim reimbursement for travel. The CEO would need to authorise the session or training prior to any invoice being issued.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Objective O2 Operate with integrity using best practice governance processes

➤ Legal Implications

Section 41 of the *Local Government Act 1999* (the “LG Act”) sets out the processes for the establishment of council committees. Section 41 committees may contain members who are not members of council. S126 of the LG Act requires that the majority of members on the Audit and Risk Committee must not be members of any Council.

The Council's Audit and Risk Committee and the CEOPRP are s41 Committees.

The Terms of Reference (TOR) for the Council's Audit and Risk Committee provides for three Independent Members. The Presiding Member of the Audit and Risk Committee must be an Independent Member.

The Terms of Reference (TOR) for the CEOPRP provides for one Independent Member. The Presiding Member of the CEOPRP is appointed by the Council and may be a Council Member or an Independent Member.

There is no legal requirement for setting sitting fees for independent members.

➤ Risk Management Implications

The Council's consideration of the remuneration paid to Independent Members of Council Committees will assist in mitigating the risk of

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

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| Extreme (5C) | Low (3E) | Low (3E) |

Note that there are many other controls that assist in mitigating this risk.

➤ Financial and Resource Implications

The ongoing costs associated with Independent Members are the sitting fees paid for meeting attendance and any costs associated with training.

The financial impact of the proposed increase will depend on the number of meetings scheduled as the fee is paid per a meeting. Under current memberships of the s41 Committees, an indicative cost for 2026 is likely to be:

| Committee member | Current sitting fee | Proposed sitting fee | Annual Increase per member |
|---------------------------------------|---------------------|------------------------|----------------------------|
| ARC Presiding member (6 meetings) | \$575 (\$3,450) | \$692 (\$4,152) | \$702 |
| CEO PRP Presiding member (5 meetings) | \$575 (\$2875) | \$692 (\$3460) | \$585 |

| | | | |
|--|----------------|-----------------------|-------|
| ARC Independent member (6 meetings) | \$450 (\$2700) | \$542 (\$3252) | \$552 |
| CEO PRP Independent member (5 meetings) | \$450 (\$2250) | \$542 (\$2710) | \$460 |

Should Council adopt the recommendation, there will be a slight adjustment to the Governance budget in BR3.

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

There is a high expectation that Council has appropriate governance and accountability mechanisms in place in relation to its meeting structures and that Council Committee members are competent and understand the role and functions of the committee and their individual obligations with regard to conduct.

Ensuring that the remuneration provided to Committee members is commensurate with industry standards is critical to attracting and retaining the skillset that Council requires.

➤ **Sustainability Implications**

Not applicable.

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

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

➤ **Additional Analysis**

Administration reviewed the sitting fees paid to Independent Members at Group 4 Councils (as identified by the Remuneration Tribunal of SA in their Determination *Minimum and Maximum Chief Executive Officer Remuneration*).

The following data is provided for comparative purposes noting that of the Council's surveyed no comparative data for CEO Performance Review Panel was available and the fees listed are for Audit & Risk Committees:

| Council | Fee paid to Independent Member | Fee paid to Presiding Member | Notes |
|--|---------------------------------------|-------------------------------------|--|
| City of Burnside | No response | | |
| City of Norwood, Payneham and St Peters | \$450 per meeting | \$650 per meeting | |
| City of Mt Gambier | \$400 per meeting | \$550 per meeting | \$300 for Presiding Member and \$200 for Independent Member attendance at IOBS |

| | | | |
|--------------------------------|---------------------|---------------------|---|
| Yorke Peninsula Council | \$350 per meeting | \$450 per meeting | Audit & Risk fees are scheduled for review. |
| City of Whyalla | \$9,560 per annum | \$9,840 per annum | |
| Town of Gawler | \$1,116 per quarter | \$1,535 per quarter | |
| City of Victor Harbor | \$450 per meeting | \$600 per meeting | \$100 for attendance at IOBS |
| Light Regional Council | No response | | |
| Kangaroo Island Council | \$450 per meeting | \$600 per meeting | Due for review in 2026 |

The fees of the Council Assessment Panel are also provided for comparative purposes, noting that the fees are also due for review in 2026.

| | |
|----------------------------|-------------------|
| Presiding Member | \$578 per meeting |
| Independent Member | \$450 per meeting |
| Council Member | \$318 per meeting |
| Authorised Training | \$78 per hour |

Administration has calculated proposed increase to sitting fees based on a CPI increase year-on-year basis since the 2021 resolution:

| Year | CPI Increase | Presiding Member Adjusted Amount | Independent Member Adjusted Amount | Authorised Training Adjusted Amount |
|-------------------------|--------------|----------------------------------|------------------------------------|-------------------------------------|
| 2021 (base year) | - | 575 | 450 | 75 |
| 2022 | +4.7% | 602.03 | 471.15 | 78.53 |
| 2023 | +7.9% | 649.58 | 508.37 | 84.73 |
| 2024 | +4.3% | 677.52 | 530.23 | 88.37 |
| 2025 | +2.2% | 692.42 | 541.90 | 90.32 |
| 2025 rounded | | \$692 | \$542 | \$90 |

Should the Presiding Member of a Committee be a Council Member the cost incurred by Council is an increase to the Council Member Allowance of a quarter. This currently equates to a cost of \$443.45 per month and increases by CPI annually in line with the Member Allowances.

Superannuation

Recent advice issued by the Australian Taxation Office (ATO) to councils in New South Wales has clarified that Superannuation Guarantee obligations extend to sitting fee payments made to members of Audit and Risk Committees and Council Assessment Panels. Following the release of this advice, the South Australian Financial Management Group has engaged closely with councils in SA to interpret the implications and ensure consistent application of the ATO's position. As a result of this review, it is now confirmed that superannuation will be payable on sitting fees, reflecting the ATO's view that these roles meet the criteria of 'employees' for Superannuation Guarantee purposes.

3. OPTIONS

Council has the following options:

- I. To set the s41 Committee Independent Member sitting fees as per the recommendation.
- II. To set sitting fees at a different level or not reviewing the current fees.

4. APPENDICES

Nil

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM

Item: **12.2**

Responsible Officer: **Zoë Gill**
Executive Governance Officer
Office of the CEO

Subject: **Delegations under the *Local Government Act 1999* and other legislation (excluding the Development Act 1993 and Planning, Development and Infrastructure Act 2016)**

For: **Decision**

SUMMARY

This report seeks Council's delegation of its statutory powers and functions pursuant to section 44 of the *Local Government Act 1999*, along with delegations under legislation.

Delegations allow the Council to transfer its powers and duties to the Chief Executive Officer (CEO), and others as determined. An absence of appropriate delegations would require decisions to be made through formal meetings of Council only, inevitably resulting in significant inefficiencies, reduced customer service and excessive time delays for many of the diverse daily activities undertaken by administration.

Council undertook a full review of delegations under the *Local Government Act 1999* in September 2023. Council last undertook a review of delegations for minor changes in October 2025.

There have been minor legislative changes since this date. New, updated and deleted provisions are detailed in *Appendix 1* for Council to review. The updated Instruments of Delegations at *Appendix 2* incorporate these new, updated and deleted provisions into the full instrument of delegations.

The instrument of delegation does not include delegations under the Development Act or the Planning, Development and Infrastructure Act. These delegations will be considered in a separate report to Council.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
- 2. The Adelaide Hills Council (Council) delegates each function or power of the Council:**
 - a. listed in the attached tables (Appendix 2) to the Chief Executive Officer as identified in respect of the function or power**

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;**
- 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;**
 - iii. all other conditions and limitations noted in the instrument of delegations (Appendix 2)**
 - b. in regard to the following delegations under the Local Government Act:**
 - i. section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;**
 - ii. section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council;**
 - iii. section 143(1): the power to write off debts is limited to debts not exceeding \$5000;**
 - iv. section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);**
- 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 20 February 2026.**
- 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.

1. BACKGROUND

Section 44 of the *Local Government Act 1999* (Act) enables Council to delegate powers or functions vested or conferred under this, or any other Act, for the day-to-day activities of the Council to be carried out in an effective and efficient manner. Delegations may be subject to conditions and limitations determined by Council or as specified in the Instrument of Delegation.

Council may delegate powers and functions to:

- A Committee of Council
- A subsidiary of Council
- An employee of Council
- An authorised person.

In line with general practice, all proposed delegations have been made to the position of Chief Executive Officer (CEO), unless otherwise specified. This enables Administration to undertake its functional and operational roles and responsibilities effectively and efficiently. In the case of the powers delegated to the CEO, these may be further delegated by the CEO as the CEO sees fit pursuant to s44 and s101 of the Act.

The instrument of delegation identifies:

- (a) the statutory power or powers to delegate the powers or functions subject to the instrument of delegation;
- (b) the statutory basis for any power to sub-delegate a delegated power or function;
- (c) the conditions and limitations applying to the exercise of a delegated power or function; and
- (d) in an attached table for each Act or regulation under which a delegation is granted by the instrument of delegation:
 - i. the delegated power or function; and
 - ii. the identity of the delegate or delegates in respect of that power or function.

If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then delegations will come into operation on 20 October 2025.

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

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your place, your space

| | |
|---------------|--|
| Goal | Organisation |
| Objective O2 | Operate with integrity using best practice governance processes. |
| Priority 02.3 | Enhance governance structures and systems to be agile and support our legislative obligations. |

The recommended delegation updates ensure that Council's delegation framework is consistent with legislative updates.

➤ Legal Implications

Local Government Act 1999

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

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

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

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

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

- (a) power to make a by-law;
- (b) power to declare rates or a charge with the character of a rate;
- (c) power to borrow money or to obtain other forms of financial accommodation;
- (d) power to adopt or revise a strategic management plan or budget of the council;
- (e) power to approve expenditure of money on works, services or operations of the council not contained in a budget approved by the council;
- (f) power to determine annual allowances under Chapter 5;
- (g) power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provision;

- (h) power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;
- (i) power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;
- (j) power to fix, vary or revoke a fee under section 188(1)(d) to (h);
- (k) a power or function excluded from delegation by the regulations.

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

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

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

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

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

➤ **Risk Management Implications**

The maintenance of a robust legislative delegation regime is an important control in managing the risk of:

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

| Inherent Risk | Residual Risk | Desired Risk |
|---------------|---------------|--------------|
| Extreme (5C) | Medium (3D) | Low (3E) |

Note: there are many other controls that also assist in mitigating this risk.

➤ **Financial and Resource Implications**

There are no financial or resource implications in delegating Council's powers.

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

Delegations allow Council's legislative obligations to be discharged in an effective and efficient manner and enable the administration to provide more timely service.

➤ **Sustainability Implications**

There are no direct sustainability implications from this report.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Reliansys and Local Government Association of SA.

Community: Not Applicable

➤ **Additional Analysis**

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

Updates to Instruments

The following instruments require an update:

| |
|---------------------------------|
| Local Government Act 1999 |
| Graffiti Control Act 2001 |
| Expiation of Offences 1996 |
| Dog and Cat Management Act 1995 |
| Disability Inclusion Act 2018 |

Appendix 1 contains a summary of the legislative updates that have occurred since the last delegation review.

Appendix 2 contains the updated instrument. The changes to this is restricted to the updates from Appendix 1 including New, Updated and Deleted provisions.

A fulsome delegations review will be undertaken when required by the *Local Government Act*.

3. OPTIONS

Council has the following options:

- I. To determine to delegate to the Chief Executive Officer the powers and functions contained in the appendices. The previous delegations must be revoked and replaced with the new delegations.
- II. To determine not to delegate to the Chief Executive Officer the powers and functions contained in the appendices and that it be further workshopped.

4. APPENDICES

- (1) New, Updated and Deleted Delegations – **Appendix 1** (detailed in the table below)

| Updates | Appendix Number |
|--|-------------------|
| <i>Local Government Act 1999</i> | Appendix A |
| <i>Graffiti Control Act 2001</i> | Appendix B |
| <i>Expiation of Offences 1996</i> | Appendix C |
| <i>Dog and Cat Management Act 1995</i> | Appendix D |
| <i>Disability Inclusion Act 2018</i> | Appendix E |

- (2) Full Instrument of Delegation – Appendix 2 (detailed in the table below)

| Instrument of Delegation | Appendix Number |
|--|-------------------|
| <i>Local Government Act 1999</i> | Appendix A |
| <i>Graffiti Control Act 2001</i> | Appendix B |
| <i>Expiation of Offences 1996</i> | Appendix C |
| <i>Dog and Cat Management Act 1995</i> | Appendix D |
| <i>Disability Inclusion Act 2018</i> | Appendix E |

Appendix 1

New, Updated and Deleted Delegations

APPENDIX A

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

LOCAL GOVERNMENT ACT 1999

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

04 FEBRUARY 2026

NEW Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|---------------------------|------------------|---|-------------------------------|--------------------------|---------------------|
| 804578 | Local Government Act 1999 | Section178(7)(b) | By written notice to the owner of the land, inform the owner of the imposition of the requirement under section 178 (4) | Chief Executive Officer (95), | Nil | council |

CHANGED Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|---------------------------|-------------------|--|-------------------------------|--------------------------|---------------------|
| 397204 | Local Government Act 1999 | section 184(4)(c) | Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State | Chief Executive Officer (95), | | council |
| | | | | | NIL | |
| 397205 | Local Government Act 1999 | section 184(4)(d) | Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land | Chief Executive Officer (95), | | council |
| | | | | | NIL | |
| 397268 | Local Government Act 1999 | section 210(2)(b) | Give public notice of a proposed declaration | Chief Executive Officer (95), | | council |
| | | | | | NIL | |

APPENDIX B ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

GRAFFITI CONTROL ACT 2001

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

04 FEBRUARY 2026

NEW Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|---------------------------|------------------|---|-------------------------------|--------------------------|---------------------|
| 798530 | Graffiti Control Act 2001 | section 7(1) | Appoint an authorised person | Chief Executive Officer (95), | Nil | council |
| 798531 | Graffiti Control Act 2001 | section 7(2) | Impose conditions | Chief Executive Officer (95), | Nil | council |
| 798532 | Graffiti Control Act 2001 | section 9(3) | Issue reasonable directions | Chief Executive Officer (95), | Nil | council |
| 798533 | Graffiti Control Act 2001 | section 12(1) | Enter private property and take any action necessary to remove or obliterate graffiti if: <ul style="list-style-type: none"> • notice was served on the owner or occupier; and • the owner or occupier has not objected | Chief Executive Officer (95), | Nil | council |
| 798534 | Graffiti Control Act | section 12(3)(a) | Take reasonable steps to consult with the owner or occupier of the property | Chief Executive | Nil | council |

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|---------------------------|------------------|---|-------------------------------|--------------------------|---------------------|
| | 2001 | | | Officer (95), | | |
| 798535 | Graffiti Control Act 2001 | section 12(3)(b) | Ensure as far as practicable the work is carried out: • expeditiously and in such a way as to avoid unnecessary inconvenience or disruption to the owner or occupier; and • with reasonable care and to a reasonable standard | Chief Executive Officer (95), | Nil | council |
| 798536 | Graffiti Control Act 2001 | section 12(4) | Authorise a person to take action on behalf of the council | Chief Executive Officer (95), | Nil | council |

APPENDIX C ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

EXPIATION OF OFFENCES ACT 1996

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

04 FEBRUARY 2026

NEW Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|--------------------------------|---------------------|---|-------------------------------|--------------------------|---------------------|
| 804527 | Expiation of Offences Act 1996 | section 6(3)(b)(ii) | Authorise a person in writing to give expiation notices | Chief Executive Officer (95), | Nil | issuing authority |

APPENDIX D

ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

DOG AND CAT MANAGEMENT ACT 1995

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

04 FEBRUARY 2026

CHANGED Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|---------------------------------|-----------------------|---|-------------------------------|--|---------------------|
| 396450 | Dog and Cat Management Act 1995 | section 26(6)(b)(i) | Charge fees for registration of dogs or businesses | Chief Executive Officer (95), | | council |
| | | | | | In accordance with the Fees and Charges Register approved by Council | |
| 396451 | Dog and Cat Management Act 1995 | section 26(6)(b)(ii) | Charge fees for late payment of registration | Chief Executive Officer (95), | | council |
| | | | | | In accordance with the Fees and Charges Register approved by Council | |
| 396452 | Dog and Cat Management Act 1995 | section 26(6)(b)(iii) | Charge fees for meeting requirements under the Dog and Cat Management Act | Chief Executive Officer (95), | | council |
| | | | | | In accordance with the Fees and Charges Register approved by Council | |
| 396492 | Dog and Cat Management | section | Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or | Chief Executive | | council |

Adelaide Hills Council

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|---|-------------------|-----------|--|---------------|--------------------------|---------------------|
| | Act 1995 | 88A(4) | an expiation reminder given under the Expiation of Offences Act 1996 | Officer (95), | NIL | |

APPENDIX E ADELAIDE HILLS COUNCIL

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

DISABILITY INCLUSION ACT 2018

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

04 FEBRUARY 2026

NEW Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|--------|-------------------------------|----------------------|---|-------------------------------|--------------------------|---------------------|
| 804376 | Disability Inclusion Act 2018 | section 18(3)(a) | Review disability access and inclusion plan to ensure it is consistent with the State Disability Inclusion Plan | Chief Executive Officer (95), | Nil | State authority |
| 804377 | Disability Inclusion Act 2018 | section 18(3)(b)(i) | Vary the disability access and inclusion plan as necessary to ensure consistency with the State Disability Inclusion Plan | Chief Executive Officer (95), | Nil | State authority |
| 804378 | Disability Inclusion Act 2018 | section 18(3)(b)(ii) | Publish the varied disability access and inclusion plan | Chief Executive Officer (95), | Nil | State authority |

Appendix 2

Full Instrument of Delegation



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

LOCAL GOVERNMENT ACT 1999

04 FEBRUARY 2026

Preamble

Delegation Sources

- Local Government Act 1999

Positions

| Abbreviation | Position | Name |
|------------------------------|------------------------------|-------------------|
| Chief Executive Officer (95) | Chief Executive Officer (95) | Greg Georgopoulos |

Instrument of Delegation under the Local Government Act 1999

| Local Government Act 1999 | | | | |
|----------------------------------|---|------------------------------|-----------------------------------|----------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 7(a) | Plan at the local and regional level for the development and future requirements of the council area | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 7(ba) | Determine appropriate financial contribution to be made by ratepayers to resources of the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 7(c) | Provide for the welfare, well-being and interests of individuals and groups within the council's community | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 7(d) | Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 7(e) | Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity | Chief Executive Officer (95) | NIL | 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 (95) | NIL | 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 (95) | NIL | council |
| section 7(h) | Establish or support organisations or programs that benefit people in the council area or local government generally | Chief Executive Officer (95) | NIL | council |
| section 7(i) | Manage and, if appropriate, develop, public areas vested in, or occupied by, the council | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 7(j) | Manage, improve and develop resources available to the council | Chief Executive Officer (95) | NIL | council |
| section 7(k) | Undertake other functions and activities conferred by or under an Act | Chief Executive Officer (95) | NIL | 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 | Chief Executive Officer (95) | NIL | council |
| section 12(2) | Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward | Chief Executive Officer (95) | NIL | council |
| section 12(3) | Undertake a review under section 12 of the Local Government Act | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|------------------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 12(4) | Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations | Chief Executive Officer (95) | <u>NIL</u> | 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 | Chief Executive Officer (95) | <u>NIL</u> | council |
| Section 12(7) | Undertake public consultation | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 12(11) | Finalise the council report | Chief Executive Officer (95) | Subject to the approval of Council | council |
| section 12(11a) | Refer the report to Electoral Commissioner | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 12(11e)(a) | Take such action as is necessary (including by altering report) | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 12(11e)(b) | Comply with requirements of section 12(7) | Chief Executive Officer (95) | NIL | council |
| section 12(11e)(c) | Refer the report to the Electoral Commissioner under section 12(12) | Chief Executive Officer (95) | NIL | council |
| section 12(12) | Refer report to the Electoral Commissioner | Chief Executive Officer (95) | NIL | council |
| section 12(12a) | Include with the report copies of any written submissions if received | Chief Executive Officer (95) | NIL | council |
| section 12(15)(b) | Provide for the operation of any proposal recommended in the council's report by notice in the Gazette | Chief Executive Officer (95) | NIL | council |
| section 12(16)(a) | Take action on a report referred back to the council by the Electoral Commissioner | Chief Executive Officer (95) | NIL | 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 (95) | Subject to the approval of Council | 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 (95) | NIL | council |
| section 12(24) | Undertake a review within period specified by the Electoral Commissioner | Chief Executive Officer (95) | NIL | council |
| section 13(1) | Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward | Chief Executive Officer (95) | NIL | council |
| section 13(2)(a) | Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 13(2)(b) | Invite written submissions | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 13(2)(ba) | Publish a copy of the public notice in a newspaper circulating within the council area | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 13(2)(c) | Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 28(1)(c) | Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 31(2)(b) | Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 31(10)(c) | Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed | Chief Executive Officer (95) | <u>NIL</u> | council |

| 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 | Chief Executive Officer (95) | <p>The CEO sub-delegates subject to the following conditions and limitations:</p> <p>(a) the sub-delegate must exercise a sub-delegated function or power in accordance with:</p> <ul style="list-style-type: none"> (i) applicable legislative and other legal requirements; and (ii) due regard to relevant policies and guidelines adopted by the Council; and (iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and (iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and (v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO. | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 36(1)(c) | Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives | Chief Executive Officer (95) | <p>The CEO sub-delegates subject to the following conditions and limitations:</p> <p>(a) the sub-delegate must exercise a sub-delegated function or power in accordance with:</p> <p>(i) applicable legislative and other legal requirements; and</p> <p>(ii) due regard to relevant policies and guidelines adopted by the Council; and</p> <p>(iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and</p> <p>(iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and</p> <p>(v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.</p> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 36(2) | Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State | Chief Executive Officer (95) | <p>The CEO sub-delegates subject to the following conditions and limitations:</p> <p>(a) the sub-delegate must exercise a sub-delegated function or power in accordance with:</p> <p>(i) applicable legislative and other legal requirements; and</p> <p>(ii) due regard to relevant policies and guidelines adopted by the Council; and</p> <p>(iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and</p> <p>(iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and</p> <p>(v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.</p> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 37(b) | Authorise an officer, employee or agent to enter into a contract on behalf of the council | Chief Executive Officer (95) | <p>The CEO sub-delegates subject to the following conditions and limitations:</p> <p>(a) the sub-delegate must exercise a sub-delegated function or power in accordance with:</p> <p>(i) applicable legislative and other legal requirements; and</p> <p>(ii) due regard to relevant policies and guidelines adopted by the Council; and</p> <p>(iii) due regard to sub-delegates employment terms and conditions, position requirements and or contractual arrangements; and</p> <p>(iv) the power to receive or expend funds in the performance or discharge of the council's powers, functions or duties; and</p> <p>(v) expenditure is limited to funds allocated as part of a budget adopted by the council and to the limits prescribed in the Financial Delegation Register approved by the CEO.</p> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|--|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 42(3) | Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 43(3) | Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 44(6) | Cause a separate record to be kept of all delegations under section 44 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 44(6a) | Review the delegation in force under section 44 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 45(2) | Determine the hours during which the principal office of the council will be open for the transaction of business | Chief Executive Officer (95) | The Director Community and Development is limited to altering opening hours for once-off planned or unplanned occasions. | 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 (95) | The Director Community and Development is limited to altering opening hours for once-off planned or unplanned occasions. | council |
| section 46(1) | Engage in a commercial enterprise or activity in the performance of the council's functions | Chief Executive Officer (95) | Subject to the approval of Council. | council |
| section 46(2)(a) | Establish a business in connection with a commercial project | Chief Executive Officer (95) | Subject to the approval of Council. | council |
| section 46(2)(b) | Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project | Chief Executive Officer (95) | NIL | council |
| section 48(aa1) | Develop and maintain prudential management policies, practices and procedures for the assessment of projects | Chief Executive Officer (95) | Policy subject to the approval of Council upon recommendation from Audit and Risk Committee. | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|--|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 48(1) | Obtain a report addressing the prudential issues set out in section 48(2) | Chief Executive Officer (95) | <hr/> NIL | 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 (95) | <hr/> NIL | 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 and transparency in procurement operations | Chief Executive Officer (95) | <hr/> Policy subject to the approval of Council upon recommendation from Audit and Risk Committee. | council |
| section 49(1) | Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services; (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; | Chief Executive Officer (95) | <hr/> Policy subject to the approval of Council upon recommendation from Audit and Risk Committee. | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|--|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | (c) the use of local goods and services; and (d) the sale or disposal of land or other assets. | | | |
| section 49(3) | Alter or substitute a policy under section 49 of the Local Government Act | Chief Executive Officer (95) | Policy subject to the approval of Council upon recommendation from Audit and Risk Committee. | council |
| section 50(1) | Prepare and adopt a public consultation policy | Chief Executive Officer (95) | Policy subject to the approval of Council. | council |
| section 50(5) | Alter or substitute the public consultation policy | Chief Executive Officer (95) | Policy subject to the approval of Council. | council |
| section 50(6)(c) | Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy | Chief Executive Officer (95) | NIL | council |
| section 50(6)(d) | Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 50(6)(e) | Consider submissions | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 50(8) | Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 50(9) | Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 70(a1) | Publish prescribed details contained in the Register | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 75F(1) | Prepare and adopt behavioural support policies | Chief Executive Officer (95) | Policy subject to the approval of Council. | council |
| section 75F(5) | Alter or substitute a behavioural support policy | Chief Executive Officer (95) | Policy subject to the approval of Council. | council |
| section 75F(6) | Undertake public consultation before adopting, altering or substituting a behavioural support policy | Chief Executive Officer (95) | Consultation to be approved by Council. | 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 (95) | Council to determine whether to adopt policies. | council |
| section 75F(7)(b) | Consider whether to adopt behavioural support policies | Chief Executive Officer (95) | Council to determine whether to adopt policies. | council |
| section 77(1) | Provide reimbursement of prescribed expenses of a member of council | Chief Executive Officer (95) | NIL | 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 (95) | NIL | council |
| section 80A(1) | Prepare a training and development policy for members | Chief Executive Officer (95) | Policy subject to the approval of Council. | council |
| section 80A(3) | Alter or substitute a training and development policy for members | Chief Executive Officer (95) | Policy subject to the approval of Council. | council |
| section 80B(3) | Revoke a suspension | Chief Executive Officer (95) | Delegation only for s80B(3)(a) - interim intervention order is revoked. | council |
| section 80B(9) | Apply to SACAT for an order disqualifying the member from the office of member of the council | Chief Executive Officer (95) | Subject to the approval of Council. | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|--|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of 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 (95) | <hr/> NIL | council |
| section 88(3) | Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting | Chief Executive Officer (95) | <hr/> NIL | council |
| section 89(1)(b) | Determine procedures to apply to a meeting of a council committee | Chief Executive Officer (95) | <hr/> Policy subject to the approval of Council. | 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 (95) | <hr/> NIL | council |
| section 90A(4) | Order that an information or briefing session be closed to the public | Chief Executive Officer (95) | <hr/> NIL | council |
| section 90A(5) | If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5) | Chief Executive Officer (95) | <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|--|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 90A(7) | Comply with the requirements of the regulations regarding the publication of prescribed information | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 91(3) | Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 91(9)(c) | Revoke an order made under section 91(7) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 92(1) | Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act | Chief Executive Officer (95) | Code subject to the approval of Council. | council |
| section 92(2) | Review code of practice | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 92(3) | Alter or substitute a new code of practice | Chief Executive Officer (95) | Code subject to the approval of Council. | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 92(5) | Undertake public consultation on proposed code, alterations or substitute code | Chief Executive Officer (95) | Consultation to be approved by Council. | council |
| section 93(1) | Convene a meeting of electors of the council area or part of the council area | Chief Executive Officer (95) | NIL | council |
| section 93(11) | Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors | Chief Executive Officer (95) | NIL | council |
| section 93(14) | Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 94(6) | Make submissions to the Minister | Chief Executive Officer (95) | NIL | council |
| section 94(7) | Comply with a direction of the Minister under section 94(5) of the Local Government Act | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 106(2) | Pay contribution to another council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 106(3) | Recover a contribution from another council as a debt | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 106(4) | Provide details of the service of an employee or former employee to another council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 106(5) | Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 120A(1) | Prepare and adopt employee behavioural standards | Chief Executive Officer (95) | To be provided to Council post-adoption | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 120A(4) | Alter or substitute employee behavioural standards | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 120A(6)(a) | Review the operation of the employee behavioural standards | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 120A(6)(b) | Consider whether to adopt employee behavioural standards | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 122(1) | Develop a strategic management plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 122(1a)(a) | Develop a long-term financial plan | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 122(1a)(b) | Develop an infrastructure and asset management plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 122(1c) | Provide information relating to long-term financial plan and infrastructure and asset management plan to designated authority | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 122(1e) | Provide to the designated authority all relevant information on the matters specified in this section in accordance with guidelines determined by designated authority | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 122(1h) | Ensure advice provided by designated authority and any response of the Council is published in the Council's annual business plan (draft and adopted) in the relevant financial year and subsequent financial year (until next relevant financial year) | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 122(4) | Review strategic management plans | Chief Executive Officer (95) | <hr/> NIL | council |
| section 122(6) | Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans | Chief Executive Officer (95) | <hr/> Subject to Policy observance and if silent, Council approval. | council |
| section 123(3)(a) | Prepare a draft annual business plan | Chief Executive Officer (95) | <hr/> NIL | council |
| section 123(3)(b) | Follow relevant steps in the public consultation policy in regard to the draft annual business plan | Chief Executive Officer (95) | <hr/> NIL | council |
| section 123(5) | Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website | Chief Executive Officer (95) | <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of 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 (95) | <u>NIL</u> | council |
| section 123(9)(a)(i) | Prepare a summary of the annual business plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 123(9)(a)(ii) | Provide a copy of the summary of the annual business plan to ratepayers | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 124(1)(a) | Keep accounting records | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 125 | Implement and maintain appropriate policies, practices and procedures of internal control | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 125(3) | Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained | Chief Executive Officer (95) | <u>Nil</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 126(9) | Ensure annual report of audit and risk committee is included in annual report | Chief Executive Officer (95) | Nil | council |
| section 126A(9) | Ensure annual report of regional audit and risk committee is included in annual report | Chief Executive Officer (95) | | Council |
| section 127(1) | Prepare financial statements, notes and other statement or documents as required by the regulations | Chief Executive Officer (95) | NIL | council |
| section 127(3) | Provide statements to auditor | Chief Executive Officer (95) | NIL | council |
| section 127(4) | Submit a copy of audited statements to persons or bodies prescribed by the regulations | Chief Executive Officer (95) | NIL | council |
| section 128(9) | Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 130A(1) | Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 131(1) | Prepare annual report | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 131(4) | Provide a copy of the annual report to each council member | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 131(5) | Submit a copy of the annual report to the persons or bodies prescribed by regulation | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 131(7) | Provide an abridged or summary version of the annual report to electors in the council area. | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 131A(1) | Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 132(1)(b) | Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 132(3a) | Publish a document or part of a document on a website determined by the chief executive officer where an order under section 91(7) of the Local Government Act expires or ceases to apply | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 133 | Obtain funds as permitted by the Local Government Act or other Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 135(1) | Provide security | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 135(2)(a) | Assign a distinguishing classification to a debenture | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 135(2)(b) | Appoint a trustee for the debenture holders | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 137 | Expend funds in the performance or discharge of the council's powers, functions or duties under the Local Government Act or other Acts | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 139(1) | Invest money under the council's control | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 139(5) | Obtain and consider independent and impartial advice regarding the investment of funds | Chief Executive Officer (95) | NIL | council |
| section 140 | Review performance of investments at least annually | Chief Executive Officer (95) | NIL | council |
| section 141(1) | Accept a gift | Chief Executive Officer (95) | NIL | council |
| section 141(2) | Carry out the terms of a trust applying to a gift | Chief Executive Officer (95) | NIL | council |
| section 141(3) | Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee | Chief Executive Officer (95) | NIL | council |
| section 141(4) | Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 141(6) | Publish an order of the made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette | Chief Executive Officer (95) | <hr/> NIL | council |
| section 142(1) | Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations | Chief Executive Officer (95) | <hr/> NIL | council |
| section 142(3) | Take out membership of the Local Government Association Mutual Liability Scheme | Chief Executive Officer (95) | <hr/> NIL | council |
| section 143(1) | Write off bad debts | Chief Executive Officer (95) | <hr/> Amounts less than \$5000 are sub-delegated and amounts above \$5,000 are to be submitted to the Audit and Risk Committee prior to consideration by Council. | council |
| section 144(1) | Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction | Chief Executive Officer (95) | <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 144(2) | Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 144(2) | Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 151(5)(d) | Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 151(8) | Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 156(10) | Extend the time period for lodging an objection | Chief Executive Officer (95) | NIL | council |
| section 156(11) | Decide an objection to attribution of a particular use to land | Chief Executive Officer (95) | NIL | council |
| section 156(12) | Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal | Chief Executive Officer (95) | NIL | council |
| section 156(14a)(a) | Prepare a report on a proposed change to the differentiating factor in relation to land | Chief Executive Officer (95) | NIL | council |
| section 156(14a)(b) | Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land | Chief Executive Officer (95) | NIL | council |
| section 156(14e) | Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 159(1) | Determine the manner and form of an application for a rebate of rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 159(3) | Grant a rebate of rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 159(4) | Increase a rebate of rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 159(10) | Determine that proper cause for a rebate of rates no longer applies | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 159(11) | Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 161(1) | Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 165(1) | Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 165(2) | Grant a rebate of rates greater than 75% on land being used by a university or university college to provide accommodation and other forms of support on a not-for-profit basis | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 166(1) | Grant a rebate of rates or service charges in prescribed circumstances | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 166(2) | Attach conditions to the granting of a rebate of rates or service charges under section 166(1) of the Local Government Act | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 167(1) | Adopt valuations | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 167(6) | Publish a notice of the adoption of valuations in the Gazette | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 168(1) | Request the Valuer-General to value land in the council area | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 168(2) | Furnish information to the Valuer-General requested information | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 168(3)(b) | Enter valuation into the assessment record | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 168(3)(c) | Provide notice to the principal ratepayer in respect of land of the valuation of that land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 169(3)(b) | Allow an extension of time in which to object to the valuation of land | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 169(7) | Provide written notice to an objector of the outcome of the objection | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 169(10) | Refer request for a review of the valuation of land to the Valuer-General | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 169(11) | Make representations to the valuer in regard to the valuation of land which is the subject of the objection | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 169(15) | Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 169(16) | Pay the prescribed fee to the Valuer-General | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 173(5) | Determine a review of the outcome of a request to alter the assessment record | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 173(6) | Provide written notice of decision on review | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 173(7) | Participate in a review of decision of council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 174(1) | Provide the assessment record for inspection at the principal offices of the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 174(2) | Provide for the purchase of an entry in the assessment record | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 178(3) | Recover rates as a debt | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 178(4) | Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 178(6) | Remit a charge payable under section 178(5) of the Local Government Act in whole or in part | Chief Executive Officer (95) | <u>NIL</u> | council |
| Section178(7)(b) | By written notice to the owner of the land, inform the owner of the imposition of the requirement under section 178 (4) | Chief Executive Officer (95) | <u>Nil</u> | council |
| section 179(2) | Adopt a valuation of land | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 179(5) | Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land | Chief Executive Officer (95) | | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | | | Subject to Policy observance and if silent, Council approval. | |
| section 180(1) | Provide a rates notice to the principal ratepayer | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 181(2) | Determine the day on which an instalment of rates falls due | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 181(3) | Adjust the months in which instalments of rates are payable | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 181(4)(b) | Agree with a principal ratepayer the dates on which instalments of rates are payable | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 181(5) | Provide rates notice to principal ratepayer | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 181(7a) | Agree with a principal ratepayer to vary the period for the provision of a rates notice | Chief Executive Officer (95) | NIL | 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 (95) | NIL | council |
| section 181(11) | Grant discounts or other incentives in relation to the payment of rates | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | 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 (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 181(13) | Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 181(15) | Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 182(1)(a) | Postpone payment of rates | Chief Executive Officer (95) | NIL | council |
| section 182(1)(b) | Remit the whole or part payment of rates | Chief Executive Officer (95) | NIL | council |
| section 182(2)(a) | Impose a condition that the ratepayer pay interest on postponed rates | Chief Executive Officer (95) | NIL | council |
| section 182(2)(b) | Impose other conditions on the postponement of rates | Chief Executive Officer (95) | NIL | council |
| section 182(2)(c) | Revoke a postponement of rates | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 182(3) | Postpone the payment of rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 182(4) | Grant a remission of rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 182(5) | Require a ratepayer to verify an entitlement to the remission of rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 182(6) | Revoke a determination under section 182(4) of the Local Government Act to remit rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 182A(1) | Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 182A(2) | Determine the manner and form of an application under section 182A(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---------------------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of 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 (95) | <u>NIL</u> | council |
| section 182A(3)(b) | Impose conditions on the postponement of rates in accordance with the regulations | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 183 | Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 184(1) | Sell land where an amount of rates in respect of the land has been in arrears for more than three years | Chief Executive Officer (95) | Must provide notification to council. | council |
| section 184(2) | Send a notice to the principal ratepayer | Chief Executive Officer (95) | <u>NIL</u> | 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 | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929. | | | |
| section 184(4)(c) | Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 184(4)(d) | Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 184(6) | Set a reserve price for the auction | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 184(7) | Seek the consent of the Minister who is responsible for the administration of the Crown Lands Act 1929 to have the land sold by public auction | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 184(8) | Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 184(9) | Call off an auction | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 184(10) | Sell land by private contract | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 184(12) | Deal with money under the Unclaimed Money Act 2021 | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 186(2)(a) | Repay an amount of overpaid rates | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 186(2)(a) | Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 186(2)(b) | Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 186(2)(b) | Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 186(5) | Refund an amount to a person ceasing to be a ratepayer | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 187A(5)(b) | Receive a report from the Ombudsman | Chief Executive Officer (95) | | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | | | Where the CEO considers it appropriate, report the matter to Council. | |
| section 187B(5) | Receive a report from the Ombudsman | Chief Executive Officer (95) | Where the CEO considers it appropriate, report the matter to Council. | council |
| section 187B(6) | Provide a written response to the Ombudsman and complainant | Chief Executive Officer (95) | Where the CEO considers it appropriate, report the matter to Council. | council |
| section 187B(7) | Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest | Chief Executive Officer (95) | NIL | council |
| section 188(1)(a) | Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council | Chief Executive Officer (95) | Subject to the Fees and Charges Register observance, Policy observance and if silent, Council approval. | council |
| section 188(1)(b) | Impose fees and charges for services supplied to a person at his or her request | Chief Executive Officer (95) | | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | | | Subject to the Fees and Charges Register observance, Policy observance and if silent, Council approval. | |
| section 188(1)(c) | Impose fees and charges for carrying out work at a person's request | Chief Executive Officer (95) | Subject to the Fees and Charges Register observance, Policy observance and if silent, Council approval. | council |
| section 188(3) | Provide for: (a) specific fees and charges; (b) maximum fees and charges and minimum fees and charges; (c) annual fees and charges; (d) the imposition of fees or charges according to specified conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges. | Chief Executive Officer (95) | Subject to the Fees and Charges Register observance, Policy observance and if silent, Council approval. | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 188(5)(b) | Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act | Chief Executive Officer (95) | Subject to the Fees and Charges Register observance, Policy observance and if silent, Council approval. | 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 (95) | Subject to the Fees and Charges Register observance, Policy observance and if silent, Council approval. | council |
| section 190 | Agree to acquire land | Chief Executive Officer (95) | Subject to Council approval. | council |
| section 191(1) | Seek the Minister's consent to acquire land compulsorily | Chief Executive Officer (95) | Subject to Council approval. | council |
| section 191(1) | Acquire land compulsorily | Chief Executive Officer (95) | Subject to Council approval. | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|------------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 191(2) | Acquire land compulsorily | Chief Executive Officer (95) | Subject to Council approval. | council |
| section 192(4) | Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette | Chief Executive Officer (95) | NIL | council |
| section 193(2) | Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land | Chief Executive Officer (95) | NIL | council |
| section 193(3) | Obtain approval of owner of land to exclude land from classification as community land | Chief Executive Officer (95) | NIL | council |
| section 193(6) | Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land | Chief Executive Officer (95) | NIL | council |
| section 194(2)(a) | Prepare and make publicly available a report on a proposal to revoke the classification of community land | Chief Executive Officer (95) | NIL | 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 (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 194(4) | Participate in consultation with the Minister | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 195(2) | Giver notice of the revocation of the classification of land as community land to the Registrar-General | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 196(1) | Prepare and adopt a management plan for community land | Chief Executive Officer (95) | Subject to Council adopting. | council |
| section 196(4) | Consult with the owner of land at an appropriate stage in the preparation of a management plan | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 197(1)(a) | Make copies of a proposed management plan available or inspection of purchase at the council's principal office | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 197(1)(b) | Follow the relevant steps in the council's public consultation policy | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 197(3) | Give public notice of the adoption of the management plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 198(2) | Undertake public consultation of a proposal to amend or revoke a management plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 198(4) | Give public notice of the adoption of a proposal to amend or revoke a management plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 199 | Manage community land in accordance with any relevant management plan | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 200(1) | Approve the use of community land for a business purpose | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 200(3) | Impose conditions on an approval to use community land for a business purpose | Chief Executive Officer (95) | NIL | council |
| section 201(1) | Sell or otherwise dispose of an interest in land | Chief Executive Officer (95) | Subject to Council approval. | council |
| section 202(1) | Grant a lease or licence over community land | Chief Executive Officer (95) | Subject to Policy observance and if silent, Council approval. | council |
| section 202(2) | Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land | Chief Executive Officer (95) | NIL | council |
| section 207(1) | Keep a register of community land in the council area | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|------------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 207(2)(c) | Determine that the register of community land in the council area will consist of a computer record | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 208(4) | Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 209(3) | Enter an agreement in regard to the ownership of fixture and equipment installed on a public road | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 210(1) | Declare a private road to be a public road | Chief Executive Officer (95) | Subject to Council approval. | council |
| section 210(2)(a) | Give written notice to the owner of the private road of a proposed declaration | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 210(2)(ab) | Give written notice to the holder of a registered interest over the private road of a proposed declaration | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 210(2)(b) | Give public notice of a proposed declaration | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 210(5) | Publish a declaration under section 210 of the Local Government Act in the Gazette | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 210(7) | Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 211(1)(a) | Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 211(1)(b) | Act in accordance with a notice issued by the Commissioner of Highways | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 212(1) | Carry out roadwork in the council area | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 212(1) | Enter an agreement with another council to carry out roadwork in that other council's area | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 212(2) | Do anything reasonably necessary for, or incidental to, roadwork | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 212(3)(b) | Consult with the Commissioner of Highways | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 212(3)(c)(i) | Obtain the agreement of the owner of a private road | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 212(3)(c)(ii) | Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 212(3)(c)(ii) | Consider any representations by the owner of a private road on proposed roadwork | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 212(3)(d) | Obtain the agreement of the owner of private land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 213(1) | Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 213(2) | Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| section 214(2)(a) | Agree the amount of contribution to roadwork with another council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 214(2)(b) | Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 214(3) | Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 215(2) | Carry out roadwork to allow water from a road to drain into adjoining property | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 215(4) | Give notice to the owner of land in regard to the proposed action to drain water into the land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 216(1) | Issue an order requiring the owner of private land to carry out specified road work or improve the road | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 217(1) | Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 217(2)(a) | Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 217(2)(a) | Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 218(1) | Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(1) | Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(1a) | Assign a name to a public road created by land division | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(2)(a) | Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of 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 (95) | <u>NIL</u> | council |
| section 219(3)(a) | Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(3)(b) | Provide information to the Registrar-General, the Surveyor-General and the Valuer-General about the name of roads and public places in the council area | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(4) | Provide public notice on the assigning or changing of a road name | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(5) | Prepare and adopt a policy on the assigning of road names | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 219(6) | Alter or substitute a policy on the assigning of road names | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 219(7) | Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 220(1) | Adopt a numbering system for buildings and allotments adjoining the road | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 220(1a) | Assign a number to all buildings and allotments adjoining a public road | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 220(2) | Alter or substitute a new numbering system | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 220(3) | Give public notice of the adoption, alteration or substitution of a numbering system for a particular road | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 220(4) | Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 220(6) | Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 221(1) | Grant an authorisation to alter a public road | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 222(1) | Grant a permit authorising the use of a public road for business purposes | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 223(1) | Follow the relevant steps in the council's public consultation policy | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 223(2) | Give written notice of the proposal to agencies prescribe by regulation | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 224(1) | Attach conditions to an authorisation or permit | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of 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 | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 225(1) | Cancel an authorisation or permit | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 225(2)(a) | Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 225(2)(b) | Consider any representation by the holder of an authorisation or permit | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 225(3) | Determine a shorter period than one month for a response from the holder of an authorisation or permit | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 231(1) | Keep a register of public roads in the council area | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 232 | Plant vegetation on a road | Chief Executive Officer (95) | NIL | council |
| section 232 | Authorise the planting of vegetation on a road | Chief Executive Officer (95) | NIL | council |
| section 233(2) | Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road or structure belonging to the councils associated with a road | Chief Executive Officer (95) | NIL | council |
| section 234(1) | Remove and dispose of any structure, object or substance from a road | Chief Executive Officer (95) | NIL | council |
| section 234(2) | Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road | Chief Executive Officer (95) | NIL | council |
| section 234(3) | Clear a road of wreckage, objects or material on the road as a result of a vehicle accident | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 234(3) | Recover the cost of clearing the road from a driver of a vehicle involved in the accident | Chief Executive Officer (95) | NIL | 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 (95) | NIL | council |
| section 234A(6) | Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 236(2) | Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle | Chief Executive Officer (95) | NIL | council |
| section 237(4)(a) | Notify the owner of a vehicle of the removal of the vehicle by written notice | Chief Executive Officer (95) | NIL | 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 (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 237(5) | Sell a vehicle by public auction or public tender | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 237(6) | Dispose of a vehicle | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 237(7) | Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 238(3) | Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 242(3) | Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 242(4) | Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 243(1) | Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 245(2) | Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree | Chief Executive Officer (95) | NIL | 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 (95) | NIL | 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 (95) | NIL | council |
| section 246(4a) | Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 249(1) | Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available to the public in accordance with section 132(1) | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 249(2) | Consider submissions made on a proposed by-law | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 249(4) | Obtain a certificate signed by a legal practitioner | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 249(5) | Publish a by-law in the Gazette | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 249(7) | Publish a notice of making a by-law | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 250(5) | Publish a resolution adopting a model by-law in the Gazette | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 250(7) | Publish a resolution adopting a model by-law in a newspaper circulating in the council area | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 252(1) | Maintain a register of the by-laws made or adopted by the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 252(5) | Provide for purchase a certified copy of a by-law | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 254(1) | Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 255(1) | Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 255(3) | Consider any representations made in response to a notice under section 255(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 255(3)(a) | Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 255(3)(b) | Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 255(3)(c) | Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 255(7) | Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 255(11) | Vary an order | Chief Executive Officer (95) | NIL | council |
| section 255(12) | Make an order | Chief Executive Officer (95) | NIL | council |
| section 256(3) | Participate in a review of an order by the South Australian Civil and Administrative Tribunal | Chief Executive Officer (95) | NIL | council |
| section 257(1) | Take action required by an order made under section 255 of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 257(2) | Authorise a person to take action under section 257(1) of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 257(3) | Recover the costs of taking action under section 257(1) of the Local Government Act | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 257(5) | Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act | Chief Executive Officer (95) | <hr/> NIL | council |
| section 257(5)(b) | Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act | Chief Executive Officer (95) | <hr/> NIL | council |
| section 259(1) | Prepare and adopt policies concerning the operation of Part 2, Chapter 12 of the Local Government Act | Chief Executive Officer (95) | <hr/> Policy subject to Council approval. | council |
| section 259(2)(a) | Prepare a draft policy | Chief Executive Officer (95) | <hr/> NIL | 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 (95) | <hr/> NIL | council |
| section 259(3) | Consider submissions | Chief Executive Officer (95) | <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 259(4) | Amend a policy | Chief Executive Officer (95) | NIL | council |
| section 259(5) | Take steps in section 259(2) and 259(3) prior to amending a policy | Chief Executive Officer (95) | NIL | council |
| section 260(1) | Appoint an authorised person | Chief Executive Officer (95) | NIL | council |
| section 260(2) | Impose conditions or limitations on the appointment of an authorised person | Chief Executive Officer (95) | NIL | council |
| section 260(3) | Issue an identity card to an authorised person | Chief Executive Officer (95) | NIL | council |
| section 260(5) | Revoke the appointment of an authorised person | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|--|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 262A(3) | Deal with a complaint in accordance with the council's behavioural management policy | Chief Executive Officer (95) | <hr/> NIL | council |
| section 262B(1) | Prepare and adopt a behavioural management policy | Chief Executive Officer (95) | <hr/> Policy subject to the approval of Council. | council |
| section 262B(6) | Alter or substitute a behavioural management policy | Chief Executive Officer (95) | <hr/> Policy subject to the approval of Council. | council |
| section 262D | Provide complainant with written reasons for refusal or determination | Chief Executive Officer (95) | <hr/> NIL | council |
| section 262W(3)(b)(ii) | Provide report to the Panel detailing: <ul style="list-style-type: none"> • member's compliance with the Panel's requirement; or • council's compliance with Panel's requirement | Chief Executive Officer (95) | <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of 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 (95) | <hr/> NIL | 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 (95) | <hr/> Policy subject to the approval of Council | council |
| section 270(1) | Establish procedures for the review of decisions | Chief Executive Officer (95) | <hr/> NIL | council |
| section 270(2a)(b) | Allow an application to be made more than 6 months after the reviewable decision | Chief Executive Officer (95) | <hr/> NIL | council |
| section 270(3a) | Reduce, waive or refund a fee | Chief Executive Officer (95) | <hr/> NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 270(4) | Refuse an application for the review of a decision | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 270(6) | Amend policies, practices and procedures applying under section 270 of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 270(8) | Initiate and consider a report for the purpose of section 270(8) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | 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 involving mediation, conciliation or neutral evaluation | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 271(2) | Constitute panels of mediators, conciliators and evaluators | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 271(7) | Pay costs of mediation, conciliation and evaluation | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 271A(1) | Provide requested information to the Minister | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 271B(1)(a) | Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 271B(1)(b) | Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 272(3) | Provide an explanation and make submissions to the Minister | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 272(5) | Make submissions to the Minister in relation to the subject matter of an interim report | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 273(3) | Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 275(2) | Make submissions to the Minister in relation to a report under section 274 of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 276(2)(a) | Bring proceedings under section 276(1) of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 276(5)(b) | Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court | Chief Executive Officer (95) | NIL | council |
| section 276(5)(f) | Produce or deliver books, voting-paper or documents in accordance with an order of the District Court | Chief Executive Officer (95) | NIL | council |
| section 279(1) | Serve a document | Chief Executive Officer (95) | NIL | 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 (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 281(2)(b) | Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act | Chief Executive Officer (95) | NIL | council |
| section 282(1) | Approve an occupier of land undertaking work | Chief Executive Officer (95) | NIL | council |
| section 294(1a) | Provide notice to an owner or occupier of land | Chief Executive Officer (95) | NIL | council |
| section 294(3)(a) | Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court | Chief Executive Officer (95) | NIL | council |
| section 294(3)(b) | Pay to the owner of occupier of land reasonable compensation for damage to any crops on land | Chief Executive Officer (95) | NIL | council |
| section 294(3)(c)(i) | Remedy damage to land caused by the council | Chief Executive Officer (95) | NIL | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 294(3)(c)(ii) | Pay compensation for any other loss or damage caused by the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 294(5) | Erect a fence | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 294(7) | Comply with the relevant requirements of the Mining Act 1971 | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 296(1) | Recover the cost or a portion of the costs of works as a debt | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 296(3) | Give notice of a valuation to the owner of land | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 296(5) | Participate in an objection or review to a valuation | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 297 | Sell or dispose of rubbish collected by the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 298(1) | Order action in response to flooding or imminent flooding | Chief Executive Officer (95) | <u>NIL</u> | council |
| section 300(1) | Pay the cost of advertising | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| clause 17(1), Schedule 1A | Prepare a stormwater management plan | Chief Executive Officer (95) | Notification to Council. | council |
| clause 18(1), Schedule 1A | Prepare a stormwater management plan or revise an existing stormwater management plan | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 18(2), Schedule 1A | Provide a stormwater management plan to the Stormwater Management Authority for approval | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 19(3), Schedule 1A | Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan | Chief Executive Officer (95) | <u>NIL</u> | council |
| 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 (95) | <u>NIL</u> | council |
| clause 20(5), Schedule 1A | Make submissions to the Stormwater Management Authority | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 20(6), Schedule 1A | Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council | Chief Executive Officer (95) | <u>NIL</u> | 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 | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|---------------------------|---|----------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | <p>required by an order under clause 20(a), schedule 1B of the Local Government Act by:</p> <ul style="list-style-type: none"> (a) entering and occupying any land; (b) constructing, maintaining or removing any infrastructure; (c) excavating any land; (d) inspecting, examining or surveying any land and for that purpose: <ul style="list-style-type: none"> (i) fixing posts, stakes or other markers on the land; (ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) removing samples for analysis; and (e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner; (f) holding water in a watercourse or lake or by any other means; (g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner; | | | |

| Local Government Act 1999 | | | | |
|------------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | <ul style="list-style-type: none"> (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 (95) | <u>NIL</u> | council |
| clause 24(2)(b), Schedule 1A | Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 24(3), Schedule 1A | Acquire land by agreement for the purposes of constructing any infrastructure or performing any work | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|------------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 25(2), Schedule 1A | Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24 | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| clause 26(3), Schedule 1A | Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council | Chief Executive Officer (95) | <u>NIL</u> | public authority |
| clause 26(4), Schedule 1A | Maintain and repair infrastructure and maintain land vested in the council | Chief Executive Officer (95) | <u>NIL</u> | public authority |
| clause 2(1), Schedule 1B | Enter a building upgrade agreement | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 2(4), Schedule 1B | Agree to other parties entering a building upgrade agreement | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|--------------------------------|--|------------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 4, Schedule 1B | Agree to vary or terminate a building upgrade agreement | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 6(1), Schedule 1B | Declare a building upgrade charge | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 6(2), Schedule 4B | Provide written notice of the declaration of a building upgrade charge | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 6(4), Schedule 1B | Give notice of each payment of a building upgrade charge | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 7(2), Schedule 1B | Deduct and retain any service fee and late payment fee | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 7(3)(a), Schedule 1B | Hold money pending payment to the finance provider | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|------------------------------|--|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 7(3)(b), Schedule 1B | Pay money to the finance provider | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 9(1), Schedule 1B | Sell land if a building upgrade charge remains outstanding for more than 3 years | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 9(2), Schedule 1B | Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act | Chief Executive Officer (95) | <u>Must provide notification to Council</u> | council |
| clause 9(3), Schedule 1B | Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891 | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 10(2)(a), Schedule 1B | Adjust a building upgrade charge | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 10(2)(a), Schedule 1B | Give notice to the building owner of the adjustment of a building upgrade charge | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|------------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 10(3)(d), Schedule 1B | Refund excess payments to the building owner | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 11(1), Schedule 1B | Recover a building upgrade charge in accordance with a building upgrade agreement | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 13(1), Schedule 1B | Keep a register of building upgrade agreements | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 13(3), Schedule 1B | Provide the register of building upgrade agreements for inspection at the principal office of the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 13(4), Schedule 1B | Provide an extract of the register of building upgrade agreements | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 1(4), Schedule 2 | Publish a copy of the charter of a subsidiary in the Gazette | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|-------------------------------|---|------------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 3(1), Schedule 2 | Prepare a charter for a subsidiary | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 3(4), Schedule 2 | Review a charter for a subsidiary | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 3(5)(a), Schedule 2 | Furnish a copy of an amended charter for a subsidiary to the Minister | Chief Executive Officer (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | 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 (95) | <u>NIL</u> | council |
| clause 10(2), Schedule 2 | Make a copy of a direction given to a subsidiary available at the principal office of the council | Chief Executive Officer (95) | <u>NIL</u> | council |

| Local Government Act 1999 | | | | |
|-----------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| clause 11(1), Schedule 2 | Request a subsidiary to furnish information or records in the possession or control of the subsidiary | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 11(2), Schedule 2 | Act on advice of a board of management that information or a record should be treated as confidential | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 12(1), Schedule 2 | Request a subsidiary to report on a matter to the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 12(2), Schedule 2 | Receive a report on the work and operations of the subsidiary | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 12(4), Schedule 2 | Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council | Chief Executive Officer (95) | <u>NIL</u> | council |
| clause 19(5)(b), Schedule 2 | Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a website determined by the chief executive officer | Chief Executive Officer (95) | <u>NIL</u> | council |

| 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 | Chief Executive Officer (95) | NIL | council |
| clause 27(2), Schedule 2 | Act on advice of a board of management that information or a record should be treated as confidential | Chief Executive Officer (95) | NIL | council |
| clause 28(3), Schedule 2 | Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council | Chief Executive Officer (95) | NIL | council |
| clause 2(1), Schedule 6 | Deliver a notice to the Registrar-General for the purpose of registering a charge over land | Chief Executive Officer (95) | NIL | council |
| clause 3(1)(b), Schedule 6 | Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage | Chief Executive Officer (95) | NIL | council |
| clause 4(1), Schedule 6 | Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge | Chief Executive Officer (95) | NIL | council |



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

GRAFFITI CONTROL ACT 2001

04 FEBRUARY 2026

Preamble

Delegation Sources

- Graffiti Control Act 2001

Positions

| Abbreviation | Position | Name |
|------------------------------|------------------------------|-------------------|
| Chief Executive Officer (95) | Chief Executive Officer (95) | Greg Georgopoulos |

Graffiti Control Act 2001

| Graffiti Control Act 2001 | | | | |
|---------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 7(1) | Appoint an authorised person | Chief Executive Officer (95) | Nil | council |
| section 7(2) | Impose conditions | Chief Executive Officer (95) | Nil | council |
| section 9(3) | Issue reasonable directions | Chief Executive Officer (95) | Nil | council |
| section 12(1) | Enter private property and take any action necessary to remove or obliterate graffiti if: <ul style="list-style-type: none"> • notice was served on the owner or occupier; and • the owner or occupier has not objected | Chief Executive Officer (95) | Nil | council |
| section 12(3)(a) | Take reasonable steps to consult with the owner or occupier of the property | Chief Executive Officer (95) | Nil | council |

Graffiti Control Act 2001

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|------------------|---|------------------------------|----------------------------|---------------------|
| section 12(3)(b) | <p>Ensure as far as practicable the work is carried out:</p> <ul style="list-style-type: none"> • expeditiously and in such a way as to avoid unnecessary inconvenience or disruption to the owner or occupier; and • with reasonable care and to a reasonable standard | Chief Executive Officer (95) | Nil | council |
| section 12(4) | Authorise a person to take action on behalf of the council | Chief Executive Officer (95) | Nil | council |



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

EXPIATION OF OFFENCES ACT 1996

04 FEBRUARY 2026

Preamble

Delegation Sources

- Expiation of Offences Act 1996

Positions

| Abbreviation | Position | Name |
|------------------------------|------------------------------|-------------------|
| Chief Executive Officer (95) | Chief Executive Officer (95) | Greg Georgopoulos |

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 (95) | <hr/> NIL | issuing authority |
| section 8(1) | Receive notice from alleged offender electing to be prosecuted for an offence | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 6(3)(b)(ii) | Authorise a person in writing to give expiation notices | Chief Executive Officer (95) | <hr/> Nil | 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 (95) | <hr/> NIL | issuing authority |
| section 8A(2) | Require applicant to provide further information | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 8A(3) | Require application to be verified by a statutory declaration | Chief Executive Officer (95) | <hr/> NIL | issuing authority |

| Expiation of Offences Act 1996 | | | | |
|--------------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 8A(4) | Determine application | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 8A(5) | Withdraw expiation notice if satisfied that the offence is trifling | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 11(1) | Issue an expiation reminder notice to alleged offender | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 11A(1) | Issue an expiation enforcement warning notice | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 11A(2) | Assess acceptability of nomination, statutory declaration or other document provided by alleged offender | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 12 | Accept a later payment of amount due under an expiation notice | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 16(1) | Withdraw an expiation notice in prescribed circumstances | Chief Executive Officer (95) | <hr/> NIL | issuing authority |

| Expiation of Offences Act 1996 | | | | |
|--------------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 16(2) | Refund expiation fee or instalment paid if expiation notice is withdrawn | Chief Executive Officer (95) | <hr/> NIL | issuing authority |
| section 16(5) | Prosecute offence following withdrawal of expiation notice | Chief Executive Officer (95) | <hr/> NIL | 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 (95) | <hr/> NIL | issuing authority |
| section 16(11) | Inform Chief Recovery Officer of the withdrawal of an expiation notice | Chief Executive Officer (95) | <hr/> NIL | 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 (95) | <hr/> NIL | issuing authority |
| section 18(1) | Enter an agreement with the Chief Recovery Officer in relation to the exchange of information | Chief Executive Officer (95) | <hr/> NIL | issuing authority |



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

DOG AND CAT MANAGEMENT ACT 1995

04 FEBRUARY 2026

Preamble

Delegation Sources

- Dog and Cat Management Act 1995

Positions

| Abbreviation | Position | Name |
|------------------------------|------------------------------|-------------------|
| Chief Executive Officer (95) | Chief Executive Officer (95) | Greg Georgopoulos |

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 (95) | <hr/> NIL | |
| section 25A(2) | Impose conditions on appointment of an authorised person | Chief Executive Officer (95) | <hr/> NIL | |
| section 25A(3) | Revoke appointment or revoke or vary conditions of an authorised person | Chief Executive Officer (95) | <hr/> NIL | |
| section 25B(1) | Issue identity card to an authorised person | Chief Executive Officer (95) | <hr/> NIL | |
| section 25C(c) | Enter into an arrangement with another council in relation to the exercise of authorised officer powers | Chief Executive Officer (95) | <hr/> NIL | |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|-------------------|---|------------------------------|-----------------------------------|----------------------------|
| section 26(1)(a) | Maintain a register of dogs | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(ab) | Provide information to the Dog and Cat Management Board | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(ac) | Maintain other registers | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(ad) | Make registers publicly available | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(ae) | Limit inspection of register | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(b) | Appoint a Registrar | Chief Executive Officer (95) | <hr/> NIL | |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|------------------|---|------------------------------|-----------------------------------|----------------------------|
| section 26(1)(c) | Make arrangements for the issue and replace certificates of registration and registration discs | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(d) | Make arrangements for the exercise of functions and powers of an authorised person | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(e) | Make arrangements for the detention of dogs and cats | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(1)(f) | Make arrangements for fulfilling other obligations under the Dog and Cat Management Act | Chief Executive Officer (95) | <hr/> NIL | council |
| section 26(3) | Expend money in the administration or enforcement of the Dog and Cat Management Act | Chief Executive Officer (95) | <hr/> NIL | |
| section 26(4) | Keep separate account of moneys received and expended under the Dog and Cat Management Act | Chief Executive Officer (95) | <hr/> NIL | |

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 (95) | <hr/> NIL | |
| section 26(6)(a) | Charge fees for the provision of register extracts | Chief Executive Officer (95) | <hr/> In accordance with the Fees and Charges Register approved by Council. | council |
| section 26(6)(ab) | Charge fees for receipt and management of information | Chief Executive Officer (95) | <hr/> In accordance with the Fees and Charges Register approved by Council | council |
| section 26(6)(b)(i) | Charge fees for registration of dogs or businesses | Chief Executive Officer (95) | <hr/> In accordance with the Fees and Charges Register approved by Council | council |
| section 26(6)(b)(ii) | Charge fees for late payment of registration | Chief Executive Officer (95) | | council |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|-----------------------|---|------------------------------|--|----------------------------|
| | | | In accordance with the Fees and Charges Register approved by Council | |
| section 26(6)(b)(iii) | Charge fees for meeting requirements under the Dog and Cat Management Act | Chief Executive Officer (95) | In accordance with the Fees and Charges Register approved by Council | council |
| section 26(7) | Provide a percentage rebate as provided for by the Dog and Cat Management Act | Chief Executive Officer (95) | NIL | council |
| section 26A(1) | Prepare a dog and cat management plan | Chief Executive Officer (95) | Subject to the approval of Council | council |
| section 26A(3) | Present dog and cat management plan to Dog and Cat Management Board | Chief Executive Officer (95) | NIL | |
| section 26A(5) | Amend dog and cat management plan | Chief Executive Officer (95) | Subject to the approval of Council | council |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|------------------|---|------------------------------|---|----------------------------|
| section 33(4)(c) | Approve boarding kennel | Chief Executive Officer (95) | <hr/> NIL | |
| section 39 | Rectify the register | Chief Executive Officer (95) | <hr/> NIL | |
| section 41(1)(c) | Fix fee for application under Part 4, Dog and Cat Management Act | Chief Executive Officer (95) | <hr/> In accordance with the Fees and Charges Register approved by Council. | 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 (95) | <hr/> NIL | |
| section 50(1)(a) | Make a Destruction Order | Chief Executive Officer (95) | <hr/> NIL | |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|------------------|--|------------------------------|-----------------------------------|----------------------------|
| section 50(1)(b) | Make a Control (Dangerous Dog) Order | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 50(1)(c) | Make a Control (Menacing Dog) Order | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 50(1)(d) | Make a Control (Nuisance Dog) Order | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 50(1)(e) | Make a Control (Barking Dog) Order | Chief Executive Officer (95) | <hr/> <hr/> NIL | |
| section 50(2)(b) | Approve a place to detain dogs | Chief Executive Officer (95) | <hr/> <hr/> NIL | |
| 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 (95) | <hr/> <hr/> NIL | |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|------------------|--|------------------------------|-----------------------------------|----------------------------|
| section 52(1)(a) | Ascertain owners or persons responsible for a dog | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 52(1)(b) | Provide notice of proposed order to each owner or person responsible for a dog | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 52(2)(b) | Note order in register | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 52(3) | Provide notice of order to each owner or person responsible for a dog | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 52(4) | Revoke order | Chief Executive Officer (95) | <hr/> <hr/> NIL | council |
| section 52(5) | Note revocation of order in register | Chief Executive Officer (95) | <hr/> <hr/> NIL | 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 (95) | <hr/> NIL | council |
| section 53(1) | Issue directions to each owner or person responsible for a dog regarding complying with order | Chief Executive Officer (95) | <hr/> NIL | council |
| section 56(1) | Receive prescribed information from an owner or person responsible for a dog subject to an order | Chief Executive Officer (95) | <hr/> NIL | 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 (95) | <hr/> NIL | council |
| section 59A(1) | Make a Prohibition Order | Chief Executive Officer (95) | <hr/> NIL | |
| section 59A(2) | Approve place to detain dog | Chief Executive Officer (95) | <hr/> NIL | |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|-------------------|--|------------------------------|-----------------------------------|----------------------------|
| section 59A(5)(b) | Record a Prohibition Order | Chief Executive Officer (95) | <hr/> NIL | |
| section 59A(6) | Revoke a Prohibition Order | Chief Executive Officer (95) | <hr/> NIL | |
| section 59A(7) | Note revocation of a Prohibition Order in register | Chief Executive Officer (95) | <hr/> NIL | |
| section 59A(8)(c) | Note order made by Dog and Cat Management Board in register | Chief Executive Officer (95) | <hr/> NIL | |
| 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 (95) | <hr/> NIL | 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 (95) | <hr/> NIL | |

Dog and Cat Management Act 1995

| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
|-----------------------|---|------------------------------|-----------------------------------|----------------------------|
| section 61(6) | Recover cost of microchipping or desexing dog | Chief Executive Officer (95) | <hr/> NIL | |
| section 64(2)(c) | Nominate facility for the detention of cats | Chief Executive Officer (95) | <hr/> NIL | |
| section 64B(1) | Cause a detained dog or cat to be microchipped or desexed | Chief Executive Officer (95) | <hr/> NIL | |
| section 64B(2) | Recover cost of microchipping or desexing a dog or cat | Chief Executive Officer (95) | <hr/> NIL | |
| section 64D(1)(b)(ii) | Receive notice of destruction, injury, seizure or detention of dog or identified cat | Chief Executive Officer (95) | <hr/> NIL | |
| section 72 | Responding to South Australian Civil and Administrative Tribunal review of council decision | Chief Executive Officer (95) | <hr/> NIL | |

| Dog and Cat Management Act 1995 | | | | |
|---------------------------------|--|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 88A(4) | Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiation of Offences Act 1996 | Chief Executive Officer (95) | <hr/> NIL | council |
| section 89 | Lay a complaint regarding offence under Dog and Cat Management Act | Chief Executive Officer (95) | <hr/> NIL | council |



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

DISABILITY INCLUSION ACT 2018

04 FEBRUARY 2026

Preamble

Delegation Sources

- Disability Inclusion Act 2018

Positions

| Abbreviation | Position | Name |
|------------------------------|------------------------------|-------------------|
| Chief Executive Officer (95) | Chief Executive Officer (95) | Greg Georgopoulos |

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(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 (95) | <hr/> NIL | |
| 16(4)(c) | Call for submissions from members of the public | Chief Executive Officer (95) | <hr/> NIL | |
| section 16(6) | Vary a disability access and inclusion plan | Chief Executive Officer (95) | <hr/> Only variations in accordance with section 11(2) of the Disability Inclusion Regulations 2019 are delegated to CEO, all other variations to be approved by Council. | State authority |
| section 16(7) | Publish a disability access and inclusion plan, and any variation to a plan, on a website | Chief Executive Officer (95) | <hr/> NIL | |

| Disability Inclusion Act 2018 | | | | |
|-------------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 17(1) | Report annually to the Chief Executive Officer on the operation of the disability access and inclusion plan | Chief Executive Officer (95) | Report to CEO of the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of this Act. Final report to be provided to Council Members for information. | 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 (95) | NIL | State authority |
| section 18(3)(a) | Review disability access and inclusion plan to ensure it is consistent with the State Disability Inclusion Plan | Chief Executive Officer (95) | Nil | State authority |
| section 18(3)(b)(i) | Vary the disability access and inclusion plan as necessary to ensure consistency with the State Disability Inclusion Plan | Chief Executive Officer (95) | Nil | State authority |

| Disability Inclusion Act 2018 | | | | |
|-------------------------------|---|------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| section 18(3)(b)(ii) | Publish the varied disability access and inclusion plan | Chief Executive Officer (95) | Nil | 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 (95) | Nil | 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 (95) | Nil | 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 (95) | Nil | 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 (95) | NIL | State authority |
| section 26(2) | Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that | Chief Executive Officer (95) | | State authority |

| Disability Inclusion Act 2018 | | | | |
|-------------------------------|---|------------------------------|---|---------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations | Capacity of Council |
| | is responsible for assisting a Minister in the administration of this Act | | A copy of the report to be provided to Council Members for information. | |
| section 27(2) | Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body | Chief Executive Officer (95) | <u>NIL</u> | State authority |

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM**

Item: **12.3**

Responsible Officer: **Jade Ballantine**
Director
Environment and Infrastructure

Subject: **Community Land Management Plan Amendment – Federation Park**

For: **Decision**

SUMMARY

The purpose of this report is to seek approval for an amendment to the Council's Community Land Management Plan (CLMP) in order to make minor updates to the plan for Gumeracha Federation Park.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. That the proposed amendment to the Community Land Management Plan for Gumeracha Federation Park has no significant impact on the interests of the community and therefore the provisions of section 198(3) of the *Local Government Act 1999* requiring community consultation do not apply.**
- 3. To adopt the proposed minor amendments to the Community Land Management Plan for Gumeracha Federation Park as detailed in *Appendix 1*.**

1. BACKGROUND

Council adopted new Community Land Management Plans and an amended Community Land Register on 24 September 2019 following public consultation.

12.4 Community Land Management Plan Review

Mayor Wisdom advised Council that Richard Fox, Senior Property Project Officer, is leaving Council to take up a role with the State Government. Council Members expressed their thanks for his work over the past three years and wish him all the best for the future.

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

251/19

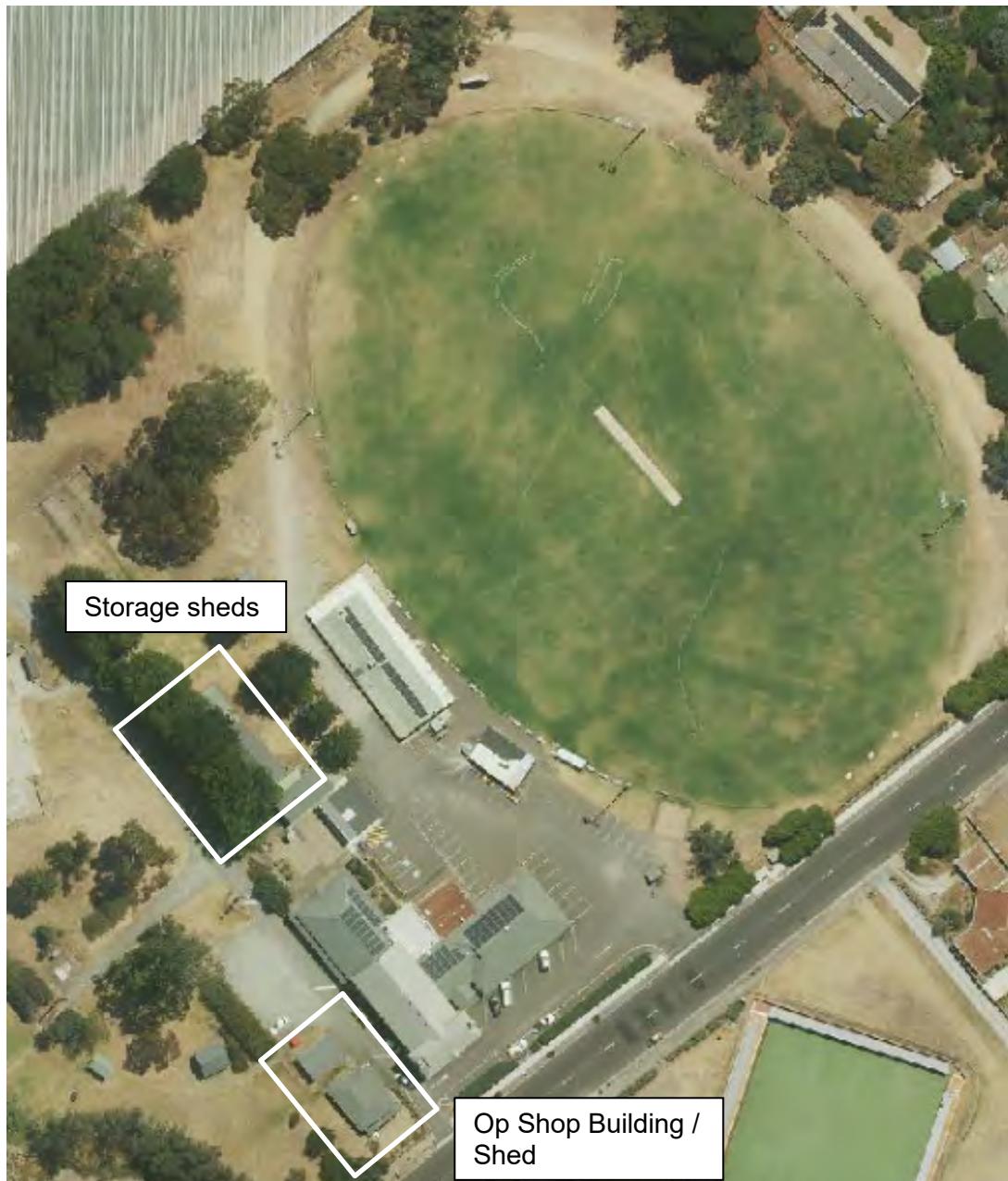
Council resolves:

- 1. That the report be received and noted.**
- 2. That the current community land management plans be revoked in accordance with section 198 of the *Local Government Act 1999*.**
- 3. That the draft community land management plans as presented in *Appendix 1* and draft register presented as *Appendix 2* be adopted in accordance with section 196 of the *Local Government Act 1999*.**

| |
|----------------------------|
| Carried Unanimously |
|----------------------------|

The Administration has recently identified that several built structures in Gumeracha Federation Park are not accurately identified to reflect their previous or current use in line with a categorisation of ‘Community Use’. The sites in question are the Op Shop Building and shed behind and several sheds to the west of the Oval. These are detailed in Figure 1 below.

Figure 1: Close up of portion of Gumeracha Federation Park



The CLMP includes plans for a number of 'multi-purpose' sites which have a wide range of activities occurring on the same land. These sites do not fit comfortably into any of the categories of community land because of the diverse uses of the site so each of the multi-purpose sites has a plan delineating which part of the site has the characteristics of which category of land. Federation Park is one of these multi-purpose sites with categories of land including Recreation and Sport, Informal Recreation and Halls and Institutes, as detailed in the current Community Land Management Plan in **Appendix 2**.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

| | |
|---------------|---|
| Goal 4 | Organisation |
| Objective O2 | Operate with integrity using best practice governance processes |
| Priority O2.1 | Demonstrate accountable and transparent decision making |

Endorsing the minor amendments to the Community Land Management Plan for Federation Park will ensure that current practice and any future agreements are consistent with legislative obligations.

➤ **Legal Implications**

Sections 196 – 199 of the *Local Government Act 1999* (the Act) establish the framework for preparing, amending and applying Community Land Management Plans (CLMPs).

Section 196 sets out when a management plan is required and what it must contain. A council must prepare and adopt a CLMP where community land is, or is intended to be, occupied under a lease or licence, or has been modified or adapted for community benefit. Plans must identify the land, state the purpose for which it is held, outline the council's objectives, policies and proposals, and include performance targets and measures. Plans must also, as far as practicable, align with relevant official strategies and policies.

Section 197 requires a council to undertake public consultation before adopting a new CLMP, and to give public notice once a plan is adopted.

Section 198 permits a council to amend or revoke a management plan by adopting a proposal to that effect. Ordinarily, the consultation requirements of section 197 apply; however, section 198(3) expressly allows a council to forgo consultation where an amendment has no impact or no significant impact on the interests of the community. This provision is intended to ensure that only meaningful or substantive changes to community-land governance require consultation, and that minor administrative corrections may proceed efficiently. A council must still give public notice after adopting any amendment.

Section 199 provides that community land must be managed in accordance with its management plan, giving legal effect to the plan once adopted. Ensuring the CLMP is accurate and reflective of actual site use is therefore essential to reduce compliance risks and maintain consistency with Council's operational practices.

➤ **Risk Management Implications**

Correcting the Community Land Management Plan for Federation Park is needed to ensure that current and future uses of the land are consistent with the purpose and objectives in the CLMP. Resolving to endorse the amendments will assist in mitigating the risk of:

Non-compliance with legislative requirements which could lead to leases, licences or other agreements being invalid.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| Extreme (3A) | Low (1E) | Low (1E) |

This is an existing control.

➤ **Financial and Resource Implications**

The amendment is administrative and can be completed within existing staff resources.

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

Accurate classification of the relevant buildings in the CLMP for Federation Park supports transparency for community groups, park users, and lease/permit applicants.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

| | |
|----------------------------|----------------|
| <i>Council Committees:</i> | Not applicable |
| <i>Council Workshops:</i> | Not applicable |
| <i>Advisory Groups:</i> | Not applicable |
| <i>External Agencies:</i> | Not applicable |
| <i>Community:</i> | Not applicable |

Under section 198(3) of the Act, amendments to a Community Land Management Plan require public consultation unless they do not result in a significant impact on the community. The intention of this provision is to ensure that consultation is focused on material changes to the use, access or management of community land, rather than minor administrative corrections.

In this case, the Administration does not consider the proposed amendments to be significant, as they align the CLMP with existing community expectation and understanding. The shed buildings have been subject to use by community groups for many years, often through informal lease arrangements. It should be noted that there are currently two community groups expressing competing interest in the use of one of the sheds, with one group claiming ownership of the shed. Council's position is that the community group enjoyed an informal lease or licence arrangement for the shed. Amending the CLMP will render it in line with Council's historical and current practices. It will also allow Council to consult on the future use of the sheds, including the one subject to the dispute, within the correct legislative framework. It is expected that Council will receive a report shortly regarding the lease or licence of the relevant shed.

The community purpose of the Op Shop building is well established. The Op Shop has been run by the Council with the support of volunteers for many years, consistent with the objectives of Community Use Reserves in the CLMP as 'facilities that meet the needs of not for profit non-sporting community organisations requiring long term occupancy of land or buildings for activities that result in a community benefit'. Further, there have been two recent consultations in relation to the Op Shop building, one regarding future operations and another through an Expression of Interest process for a community group to operate the site.

Given this established history of community use and prior engagement, the proposed updates constitute administrative clarifications rather than substantive changes to land use or community access.

➤ **Additional Analysis**

Appendix 2 is the CLMP for Federation Park and is an extract from the full CLMP.

Appendix 1 is a draft updated plan for Federation Park with the only change being the categorisation of a number of buildings as Community Use.

The Community Use category of community land is detailed in “Plan 4 – Community Land Management Plan for Community Use Reserves”. This Plan describes the objectives as being to provide locations and facilities that meet the needs of not for profit non-sporting community organisations requiring long term occupancy of land or buildings for activities that result in a community benefit. It states that buildings and other infrastructure on Community Use Reserves may be owned by Council, or that Council may make the land available for organisations to construct their own premises.

While a broader strategic review of the Community Land Management Plans is anticipated, in conjunction with a strategic review of assets, it is prudent to progress these minor amendments now to correct existing anomalies and ensure the current plan accurately reflects operational practice.

3. OPTIONS

Council has the following options:

- I. Resolve to make an amendment to the Community Land Management Plan and adopt **Appendix 1** as the Community Land Management Plan for Federation Park. This will make Council’s plans consistent with the requirements of community land management plans and reduce the risk of the plans being open to legal challenge.
- II. Resolve to consult on the proposed amendments to the CLMP
- III. Do not amend the Community Land Management Plan. This option has implications for the Administration implementing Council’s decision regarding the Gumeracha Op Shop as the CLMP for Federation Park does not contemplate the Op Shop building being leased. This risks non-compliance with the Act, which requires that all leased community land is consistent with the CLMP for that land.

4. APPENDICES

- (1) Draft Proposed Community Land Management Plan for Federation Park
- (2) Current Community Land Management Plan for Federation Park (Full community land management plan available on Council’s [website](#))

Appendix 1

*Draft Proposed Community Land Management Plan for
Federation Park*

Federation Park

CT 6085/90



- Boundary of Federation Park
- Recreation and Sport
- Informal Recreation
- Halls and Institutes
- Community Use
- Excluded from Community Land
- Joint Management – Gumeracha Sports Club Inc & Gumeracha and District Town Hall Committee

Appendix 2

*Current Community Land Management Plan for
Federation Park (Full community land
management plan available on Council's
[website](#))*

Federation Park

CT 6085/90



- Boundary of Federation Park
- Recreation and Sport
- Informal Recreation
- Halls and Institutes
- Excluded from Community Land
- Joint Management – Gumeracha Sports Club Inc & Gumeracha and District Town Hall Committee

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM**

Item: **12.4**

Responsible Officer: **Jess Charlton**
Director Community and Development
Community and Development

Subject: **Update on Gumeracha Op Shop EOI**

For: **Decision**

SUMMARY

The purpose of this report is to present the outcome of the Expression of Interest (EOI) process undertaken by the Administration in relation to the Gumeracha Opportunity Shop.

The EOI process was undertaken in December to identify a community-based group to assume the operations of the Opportunity Shop or establish another community offering via a property lease agreement with Council. The Administration received one expression of interest from the Torrens Valley Lions, who are considered well suited to assume the operations of the Op Shop and a draft lease has been prepared.

The Administration has become aware that minor amendments to the Community Land Management Plan for Federation Park will be needed so that the Op Shop building has the correct Community Land categorisation. This is the subject of a separate report on the Council Agenda for the meeting on 10 February 2026.

It is recommended that Council progress with a lease to the Torrens Valley Lions Club in order that they assume operations of the Op Shop.

RECOMMENDATION

Council resolves:

- 1. That the Update on Gumeracha Op Shop Expression of Interest report be received and noted.**
- 2. To note the outcome of the Gumeracha Op Shop Expression of Interest process and that the Torrens Valley Lions Club are well placed to take over operations of the Op Shop from Council.**
- 3. To progress a lease with the Torrens Valley Lions Club, for a two-year period, on a peppercorn basis, with the tenant responsible for all outgoings, day-to-day upkeep and maintenance.**
- 4. That the Chief Executive Officer be authorised to finalise and execute the lease documentation.**

5. **That the Administration progress the transition of Op Shop operations to the Torrens Valley Lions Club, including any actions required by Council's previous resolutions, such as the installation of a plaque thanking volunteers for their contribution.**

1. BACKGROUND

The Gumeracha Opportunity Shop (Op Shop) is owned and operated by the Adelaide Hills Council (AHC) in a small standalone building originally built with funds raised by the local Country Women's Association.

The Administration completed a Service Review of the Gumeracha Op Shop in June 2025, with a report presented to Council in August 2025. The Service Review identified several strategic, operational, and financial challenges associated with Council operating the service and a number of key findings, including that operating an opportunity shop is not aligned with Council's strategic priorities, does not reflect a core function of local government, the shop operates at a net financial loss, and the limited ability of the Op Shop to provide a unique or essential community benefit.

Following consideration of the report on 26 August 2025, Council resolved to undertake a community engagement process, to consult with volunteers and key stakeholders regarding the ongoing operation or cessation of the service and the proposed transition plan.

Moved Cr Adrian Cheater
S/- Cr Malcolm Herrmann

278/25

Council resolves:

- 1. Receive and note the *Gumeracha Opportunity Shop Review Report Appendix 1*.**
- 2. Request the CEO bring recommendations in relation to the *Gumeracha Opportunity Shop Review Report Appendix 1* back to Council at the 28 October 2025 meeting, incorporating any feedback received through stakeholder engagement.**
- 3. Request the CEO prepare and deliver a community engagement process, guided by the IAP2 Community Engagement Framework, to directly involve volunteers and key stakeholders in the ongoing operation or cessation of the service and inform redevelopment of the *Gumeracha Opportunity Shop Transition Plan 2025 Appendix 2*, should it be required.**
- 4. Note that, in light of the absence of direct stakeholder engagement in the service review process, no decision will be made on closure of the Gumeracha Opportunity Shop until outcomes of stakeholder engagement have been reported to Council before the 28th of October 2025 meeting.**

Carried Unanimously

A community engagement process was undertaken in September 2025, including online and hardcopy feedback forms and hosted drop-in sessions and stakeholder meetings. While views were mixed, approximately two-thirds of the 31 respondents supported the continued

operation of an Op Shop, citing its social value. Many felt it would be better operated by a not-for-profit, community-based group. Others proposed alternative uses for the building, with a general sentiment that maintaining the vibrancy of the main street was important. A report detailing the engagement process, outcome and recommendations was presented to Council at its meeting on 11 November 2025, with the Council resolving to progress with an EOI process.

Moved Cr Mark Osterstock
S/-Cr Leith Mudge

Council resolves: **388/25**

1. **That the Gumeracha Opportunity Shop Service Review Consultation report be received and noted.**
2. **To acknowledge and sincerely thank the volunteers and broader community for their valuable contribution to the Opportunity Shop over many years, including the installation of a commemorative plaque in a suitable location.**
3. **To cease operating the Gumeracha Opportunity Shop as a Council-run program, noting the findings and recommendations in the Service Review in Appendix 1, including that there are strategic, operational and financial challenges in continuing to provide this service.**
4. **That Council requests Administration to undertake an Expression of Interest (EOI) process by 31 December 2025 with a focus on identifying a community-based group to assume the operations of the Opportunity Shop or establish another community offering via a property lease agreement with Council.**
5. **That following the EOI process, the Administration will provide a report to Council by 10 February 2026 recommending a community-based group to assume operations at the site.**
6. **To note that the Opportunity Shop will continue to be run by Council until an alternative group has been identified to take over the operations of the Opportunity Shop or deliver an alternative offering.**
7. **To note that current volunteers and stakeholders will be promptly notified of this resolution, and that volunteers will be appropriately recognised and supported throughout any transition period.**

 Carried

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

| | |
|---------------|--|
| Goal 4 | Organisation |
| Objective 05 | Evolve Councils functions and services to meet the current and future needs and aspirations of our community. |
| Priority 05.1 | Undertake a high-level review which considers the effectiveness, efficiency and opportunities of all council services. |

Strategic Plan 2024 – Your Place, Your Space

| | |
|----------------|--|
| Goal 3 | Built Form and Economy |
| Objective BFE4 | Improve the utilisation of Council and community facilities. |

Priority BFE4.2 Encourage greater utilisation and enhancement of community halls and facilities and foster multi-use spaces to maximise community benefit.

Undertaking service reviews, like the one that has been undertaken for the Gumeracha Op Shop, is one of the ways that Council delivers on its commitment in the Strategic Plan to evolve Council services to meet community needs.

➤ **Legal Implications**

There are a number of legal considerations associated with leasing the Op Shop building to a community group.

Community Land Management Plan

Section 202 of the *Local Government Act 1999* sets out the requirements for the granting of leases or licences over community land. Public consultation must be undertaken unless the granting of the lease or licence is authorised in an approved management plan for the land and the term of the lease or licence is five years or less (section 202(3)). Any lease or licence – whether public consultation is required or not – must also be consistent with any relevant management plan (section 202(6)).

The Administration has recently identified that several built structures in Federation Park, including the Op Shop building, are not accurately identified to reflect their previous or current use in line with a categorisation of 'Community Use'. As detailed in Item 12.4 of the Council Agenda for 10 February 2026, the Administration has recommended that this administrative correction is made by the Council by adopting an amendment to the CLMP pursuant to section 198 of the *Local Government Act 1999*.

If Council makes the proposed amendments in item 12.4 of this Council Agenda, a lease of the Op Shop building would be consistent with the CLMP for Federation Park, thus community consultation on a lease (provided it is five years or less) would not be required.

Lease Implications

As the landlord and a Person Conducting a Business or Undertaking (PCBU) under the *Work Health and Safety Act 2012*, Council has a duty to ensure, so far as is reasonably practicable, that the premises it provides are safe and without risks to health for tenants, visitors, and others. The statutory obligations of landlords relating to maintenance, upgrades, and the condition of the premises under the *Retail and Commercial Leases Act 1995* will not apply to the lease. Pursuant to Regulation 5 of the *Retail and Commercial Leases Regulations 2025*, the lessor is a Council, the annual rent will not exceed \$50,000, and the lessee is an entity not carried on for the purpose of profit or gain to its individual members. While Council will retain some ongoing WHS obligations in relation to the structural safety of the building, the lease will clearly place responsibility on the lessee for day-to-day maintenance, repairs, and general upkeep of the premises. WHS obligations in relation to operating an Op Shop (eg. relating to storage and management of goods) will transfer to the tenant as the PCBU responsibly for Op Shop operations.

➤ **Risk Management Implications**

Resolving to progress a lease with the Torrens Valley Lions Club will formalise cessation of Council's operation of the Op Shop which will assist in mitigating the risk of:

Using Community Centre resources to undertake activities that are not a strategic priority leading to diversion of resources away from key activities.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| High 3B | Low 3E | Low 3E |

Further, progressing a lease as recommended – a two-year period, rather than a five-year lease as originally envisaged – will enable the Administration to consider its management of the building following a strategic review of building assets.

This will assist in mitigating the risk of:

A lack of effective strategic planning impacting on effective resource management.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| High 3B | Low 3E | Low 3E |

➤ **Financial and Resource Implications**

The lease to the Torrens Valley Lions will be offered on a 'peppercorn' basis, meaning no rent will be charged. However, the tenant will be responsible for all operating costs, including utilities, day to day upkeep and maintenance.

There may be financial implications for addressing the building condition. These are not yet known and would be considered through the usual building renewal/upgrade program and budget process.

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

There is continued interest in the Op Shop review, and progressing a lease with the Torrens Valley Lions will enable them to take over the Op Shop operations.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

| | |
|-----------------|----------------|
| <i>Council</i> | Not Applicable |
| <i>Council</i> | Not Applicable |
| <i>Advisory</i> | Not Applicable |
| <i>External</i> | Not Applicable |

Community An Expression of Interest (EOI) process was undertaken in November - December and is detailed further below.

Expressions of Interest were sought from community-based groups via the Engagement Hub from 28th November to 9th December. **Appendix 1** is the *Expression of Interest EOI Pack* that was made available, outlining the opportunity, the conditions of lease and instructions for applicants. It also includes the application form which was also made available online.

➤ **Additional Analysis**

EOI Process Outcome

The Administration received one expression of interest from the Torrens Valley Lions Club who propose to take over the operations of the Op Shop. In their application, they anticipate running the Op Shop along similar lines, aiming to open as many days as possible and enhance the range of goods available. The application was assessed against the EOI criteria (level of connection to the local community, the proposal's community impact and benefit, the group's operational capability and financial sustainability, and alignment with Council's strategic priorities of wellbeing, sustainability and inclusion) and assessed as being highly suitable. The Torrens Valley Lions Club have a longstanding connection to the community and demonstrated experience managing volunteers. Their proposal aligns with the feedback received through community feedback and they provided evidence of their financial sustainability and insurance coverage. Accordingly, the Administration has concluded that the Torrens Valley Lions Club are well placed to take over the operations of the Op Shop.

The lease to the Club will be offered on a peppercorn basis, meaning no rent will be charged; however, they will be responsible for all operating costs, including utilities, day-to-day upkeep and maintenance, and must hold appropriate public liability and contents insurance. An initial two-year lease is anticipated.

As outlined above in the legal implications, progressing a lease to the Torrens Valley Lions Club is contingent on the Council resolving to make minor amendments to the Community Land Management Plan for Federation Park.

Building Condition

Since the initial service review report was presented to Council in August 2025, a more detailed condition assessment has been undertaken of the Op Shop building, as part of an assessment of a number of building assets. This inspection identified some concerns about structural and internal walls related to possible water leakage. This condition assessment was followed by two additional inspections. Council's Building Services team undertook a site inspection to investigate any potential building matters that would prohibit or limit the building being occupied. An external hydraulic consultant also inspected the site.

Regarding the general condition of the building, both inspections reported that the building appeared structurally sound, with the building appearing in reasonable condition for its age, both internally and externally. While a detailed report from the external consultant has not yet been received, a number of recommendations were identified including reviewing all window frames and replacing where appropriate, as well as improvements to stormwater infrastructure. As the building is on the asbestos register, it is also recommended that all people occupying/managing the building should undergo awareness training regarding the asbestos register and the requirements on what actions can and can't be done to any items listed.

Any repair or upgrade works have not been costed and would need to be considered through the usual building renewal/upgrade program and budget process. The lease for the building will be framed to ensure it does not commit Council to undertaking improvements or upgrades beyond those already contemplated in the building maintenance program.

3. OPTIONS

Council has the following options:

- I. Receive and note the outcome of the EOI process and resolve to progress a lease with the Torrens Valley Lions Club to assume operations of the Op Shop. The Administration will progress a lease and facilitate the transition of operations to the Torrens Valley Lions. Other implementation actions will also occur, including the installation of a plaque in a suitable location, as outlined in Council's previous resolution 388/25. This option is recommended as it will conclude the Op Shop Service Review and provide certainty for the community and staff.
- II. Resolve not to progress a lease with the Torrens Valley Lions Club. Should this option be preferred, it will require further consideration, given Council's previous resolutions on the matter.

4. APPENDICES

- (1) Expression of Interest (EOI) Pack

Appendix 1

Expression of Interest (EOI) Pack

Expression of Interest (EOI) Pack

Community Use of Gumeracha Opportunity Shop located at 45 Albert Street, Gumeracha.

Adelaide Hills Council

Advertisement

Adelaide Hills Council is inviting Expressions of Interest from community-based groups to take over the operations of the Gumeracha Opportunity Shop or propose a new community-focused use for the site.

This is a unique opportunity to contribute to the vibrancy of Gumeracha's main street. We're seeking proposals that:

- Deliver strong community benefit
- Demonstrate a clear connection to the local and surrounding community
- Are financially sustainable
- Align with Council's strategic priorities (wellbeing, sustainability, inclusion)

Lease Conditions Summary:

The successful proposal will need to enter into a lease agreement with Council. We are proposing a five (5) year lease term, subject to community consultation.

The lease will be offered on a peppercorn basis, meaning no rent will be charged; however, the tenant will be responsible for all operating costs, including utilities, day-to-day upkeep and maintenance, and must hold appropriate public liability and contents insurance.

Key Dates:

- EOI Opens: Friday November 28 2025
- EOI Closes: 9am Monday 15 December 2025
- New operations expected to commence: March 2026

To view the premises please contact Karli Hull on 8408 0473 to make an appointment

Interested? Visit www.engage.ahc.sa.gov.au/gumeracha-opportunity-shop or contact Karli Hull on 8408 0473. for more information and to access the EOI pack. Hard copies of the EOI pack to be collected from Gumeracha Library.

Conditions of Lease

The successful applicant will be required to enter into a formal lease agreement with Adelaide Hills Council. The following conditions will apply:

1. Lease Term: Up to Five (5) Years
2. Rent: "Peppercorn" lease meaning no rent will be charged.
3. Utilities: The tenant will be responsible for utilities, including electricity, and water consumption. These costs will be detailed in the lease agreement and are expected to total approximately \$50 per month.
4. Insurance: Tenant must maintain Public Liability, and any other relevant insurance. Council will provide building insurance
5. Maintenance: Tenant responsible for day-to-day upkeep and cleanliness of the premises.
6. Compliance: Tenant must comply with all relevant legislation, WHS requirements, and Council policies.
7. Fit-Out and Signage: Any alterations to the premises or signage require prior Council approval.
8. Termination: Council reserves the right to terminate the lease for breach of conditions or non-performance.

Instructions for Applicants

Please read the advertisement and Conditions of Lease carefully before completing the application form. Ensure all sections are completed and supporting documents are attached. Submit your application by the closing date. We are able to provide a draft lease agreement upon request.

Expression of Interest (EOI) Application Form – Gumeracha Op Shop

Please complete all sections of this form. Attach additional documents as required.

Applications can be made online by 9am Monday 15 December. Hard copy submissions can be left at any of our service centres by 9am Monday 15 December.

1. Applicant Details

Organisation Name: _____

Contact Person: _____

Phone: _____ Email: _____

Postal Address: _____

ABN (if applicable): _____

2. Community Group Details

Briefly describe your community group and your connection to Gumeracha and surrounding areas

3. Proposal Overview

Briefly describe your proposed use of the Gumeracha Opportunity Shop:



How does your proposal contribute to the vibrancy of Gumeracha's main street?

4. Community Impact & Benefit

Describe the social value your proposal will deliver and how it supports local connection:

List any partnerships or collaborations:

5. Operational Capability

Outline your experience managing similar operations:



How will you handle volunteer coordination and WHS compliance?

6. Financial Sustainability

Provide a basic budget and explain how you will cover the costs of operations including utilities and insurance:

List any funding sources or revenue streams:

7. Alignment with Council Values

Explain how your proposal aligns with Council's strategic priorities (wellbeing, sustainability, inclusion):



8. Supporting Documents

Please include any relevant documents (e.g., business plan, letters of support, insurance certificates).

9. Declaration

I declare that the information provided in this application is true and accurate.

I have read and understood the lease conditions outlined in the EOI pack and draft contract.

Signature: _____

Name (print): _____

Date: _____

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM**

Item:

12.5

Responsible Officer:

**Jess Charlton
Director Community and Development
Community and Development**

Subject:

Libraries Funding Campaign

For:

Decision

SUMMARY

The purpose of this report is to seek Council's endorsement to support the Local Government Association's advocacy requesting increased funding for libraries.

LGA South Australia (LGA) has been leading an advocacy campaign to elevate the role and value of public libraries, with a focus on strengthening community awareness and understanding of how libraries support people and communities in ways that extend well beyond borrowing books. A central element of this work has been gathering and sharing stories that demonstrate how libraries contribute to learning, connection, inclusion and wellbeing.

The LGA is a formal party to a libraries funding agreement with the Libraries Board of SA which expires in June 2026. The current agreement does not include annual indexation, meaning the real value of funding is gradually eroded as costs and demand for services increase.

LGA is seeking the support of councils to participate in the next stage of its 'Too Good To Lose' campaign to highlight the importance of a new funding agreement that includes ongoing indexation to support sustainable library services across South Australia.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To support the LGA's advocacy position requesting funding for public libraries.**
- 3. To support the LGA's position to seek annual CPI increases on a new funding agreement with the State Government, noting that current state funding for public libraries has not kept pace with rising costs and service demands.**
- 4. To support the LGA campaign through council communication channels.**
- 5. To advise the LGA of its decision so that it may collate signatories.**

1. BACKGROUND

Funding negotiations

Funding for public libraries has long been an important issue for the LGA and its member councils. The current collaboration agreement negotiated with the Libraries Board in 2022 committed the State Government to fund \$20.7M each year for four years but omitted annual consumer price index (CPI) increases.

Annual CPI increases have cost councils around \$11.5M over the term of the agreement.

The LGA is seeking to negotiate a new funding agreement directly with the Minister for the Arts. It has not received any commitment from the Minister that the State Government will include CPI in a new agreement or that funding will be increased. The LGA is maintaining a strong sector position and is advocating for increased funding. One of the 28 key priorities in the LGA's *2026 State Election Priorities*, calls for the State Government to increase funding for public libraries with annual indexation restored to reflect rising costs, increased services and public demand.

Advocacy Campaigns

LGA's 'How Good Are Libraries' campaign was launched in May 2025 to build broader community awareness of the value of public libraries and highlight the need for a sustainable funding model that supports the range of services libraries provide. This builds on earlier campaigns from 2022 – 'Libraries are the Heart of Our Community'.

The campaign has included social media, posters in local libraries and council buildings, media and opinion pieces, case studies and vox pops, merchandise and council resources. In the lead-up to the 2026 State Election, the LGA has commenced the next phase of this work through its 'Too Good To Lose' campaign, which seeks to maintain momentum, share community stories about library use, and underline the importance of a renewed State–Local Government funding agreement that includes annual CPI indexation.

2. ANALYSIS

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

Strategic Plan 2024 – Your Place, Your Space

| | |
|----------------|--|
| Goal 2 | Community Wellbeing |
| Objective CW2 | Enrich, empower and support connected communities |
| Priority CW2.3 | Provide welcoming spaces, programs and services at our libraries and community centres that offer opportunities for connection, lifelong learning, digital inclusion, growth and literacy. |

| | |
|---------------|--|
| Goal 4 | Organisation |
| Objective O4 | Engage and advocate for our communities |
| Priority O4.2 | Advocate on behalf of the community to represent its needs and views with relevant stakeholders and decision makers. |

➤ **Legal Implications**

Not applicable

➤ **Risk Management Implications**

Supporting the LGA's advocacy for library funding will contribute to a strong sector wide advocacy position will assist in mitigating the risk of:

Failure to identify and respond to key community issues, leading to a loss of faith in the Council and community needs being unmet.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| High (3B) | Medium (3D) | Low (2D) |

There are many other existing controls that mitigate this risk.

➤ **Financial and Resource Implications**

The State Government funds the Adelaide Hills Council (through the Libraries Board of South Australia) with a 'Materials Grant' and an 'Operating Subsidy' with a combined total of funding in 2025-26 of \$285,987, calculated according to population size. The Material Grant (\$154,520) provides funds for library materials and includes levies that support state-wide collections services, including a digital resources levy which accounts for 35% of the Materials Grant (\$54,082). In 2025-26, the Materials Grant included an additional levy for calculation and sortation by Public Library Services, as a result of increased costs associated with provision of suppliers supporting the South Australian library network. This additional levy has resulted in a reduction in materials grant monies received of approximately \$8000. The net Materials Grant available for purchasing materials for library collections is \$92,429. The Operating Subsidy is \$131,467, reduced by a deduction of \$15,969 which is Council's contribution to costs of the 'One Card' state-wide Library Management Software. The remaining funds (\$115,498) offset the operating costs of libraries, including staff costs, programs, equipment and materials etc.

As state government funding does not include CPI indexation, it results in an effective reduction in both the Materials Grant and Operating Subsidy over time as materials and operating costs do increase with inflation. In the absence of funding increases that include CPI indexation, ongoing budget constraints and rising costs may result in a reduction in the availability of physical library resources and services.

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

Public libraries are among local government's most valued community assets, supporting literacy, digital inclusion, lifelong learning, social connection and cost-of-living relief for communities across South Australia.

Adelaide Hills council libraries are strongly supported and visited spaces within our community. This is highlighted by the following metrics from the 2024-25 year:

- 208,044 Library Visits
- 440,996 Physical Loans

- On average 87% of visitors to our library services borrow a physical item
- 94% and 91% of library users report having a positive experience and receiving good customer service at the library respectively

Without increased and indexed funding, maintaining current services and a positive community sentiment may be at risk.

➤ **Sustainability Implications**

Not applicable

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

Consultation on the development of this report was as follows:

Council Committees: Not applicable
Council Workshops: Not applicable
Advisory Groups: Not applicable
External Agencies: LGA
Community: Not applicable

➤ **Additional Analysis**

The LGA is seeking to enter into direct negotiations with the Minister for the Arts to establish a new funding arrangement for public libraries. The intent is to reach a revised funding agreement that supports a collaborative approach across the libraries network and includes an annual CPI increase, ensuring library services are sustainably resourced to continue meeting community demand and the needs of all South Australians.

Ahead of the State Election and negotiations with the Minister, the LGA is seeking support from Councils to promote its 'Too Good to Lose' funding campaign. The campaign highlights that every dollar invested in libraries returns nearly \$3 in social and economic value, and that without increased and indexed funding, library services, opening hours and community programs are at risk. The LGA has prepared campaign social media assets and copy to support amplification across communication channels (see examples in Appendix 1).

3. OPTIONS

Council has the following options:

1. Resolve to support the LGA in its advocacy requesting increased funding for libraries
2. Does not resolve to support the LGA in its advocacy requesting increased funding for libraries

4. APPENDICES

- (1) Examples of Social Media Campaign Assets

Appendix 1

Examples of Social Media Campaign Assets

HOW GOOD ARE LIBRARIES.

TOO GOOD TO LOSE

**FUND OUR
LIBRARIES**

FREE PROGRAMS

DIGITAL ACCESS

SAFE SOCIAL SPACES

lga.^{SA}

FUND OUR LIBRARIES

lga.sa.gov.au

HOW GOOD ARE LIBRARIES.

FUND OUR
LIBRARIES

TOO
GOOD
TO LOSE

SAFE SOCIAL SPACES

lga.^{SA}

FUND OUR LIBRARIES

lga.sa.gov.au

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 February 2026
AGENDA BUSINESS ITEM

| | |
|-----------------------------|---|
| Item: | 12.6 |
| Responsible Officer: | Jade Ballantine Director Environment and Infrastructure Environment and Infrastructure |
| Subject: | Updated Documentation for Road Exchange process - 21 Pomona Road, Stirling |
| For: | Decision |

SUMMARY

A road exchange in accordance with the *Roads Opening and Closing Act 1991*, for a portion of the footpath section of Pomona Road, Stirling, was approved by the Council at its meeting on 15 December 2020 (Appendix 1).

At the time, a survey undertaken by the owner of 21 Pomona Road identified that a portion of the footpath area encroached onto 21 Pomona Road in one section, and that the boundary of 21 Pomona Road adjacent to the kerb edge did not allow sufficient width for a footpath in another section.

The road exchange process has progressed slowly. In the meantime, 21 Pomona Road has been sub-divided and the Surveyor General has requested that a new public notification process be undertaken. This report requests that Council reaffirm its decision of 15 December 2020, noting the sub-division of the relevant property.

RECOMMENDATION

Council resolves:

1. **That the report “Updated Documentation for Road Exchange process - 21 Pomona Road, Stirling” be received and noted**
2. **Notes Council resolution (300/25) of 15 December 2020 supporting a road exchange adjacent to 21 Pomona Road, Stirling as outlined in the Original Preliminary Plan 20/0038 - dated 17/9/2020**
3. **Reaffirms Council’s support for the proposed road exchange, noting that there has since been a land division for the adjacent property at 21 Pomona Road, Stirling**
4. **In accordance with the *Roads (Opening and Closing) Act 1991*, to proceed with the exchange of road process with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as “Road opened numbered 1” on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as**

identified on the Preliminary Plan No 20/0038 as “Public Road A” (as identified in Appendix 4), subject to the owner of the land at 21 Pomona Road Stirling continuing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs

5. That the closed road be excluded as Community Land pursuant to the *Local Government Act 1999*.
6. That the Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.

1. BACKGROUND

A road exchange for a portion of Pomona Road, Stirling was presented to Council on 15 December 2020, it was resolved as per the following Council Resolution 300/20:

12.6 Road Exchange – Pomona Road Stirling

Moved Cr John Kemp
S/- Cr Leith Mudge

300/20

Council resolves:

1. That the report be received and noted
2. In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as “Road to be opened 1” on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as “Public Road A”, subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs
3. The closed road be excluded as Community Land pursuant to the Local Government Act 1999.
4. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.

Carried Unanimously

Historically administration and the representative of the owner of 21 Pomona Road agreed to a staged process to undertake this road exchange process. The agreed staged process has taken much longer than expected to finalise this road exchange.

Recently the Surveyor General has requested that given it has been five years and this road exchange is still not complete, that a new public notification process be undertaken.

Administration has identified that the Preliminary Plan 20/0038 has been changed, due to a land division being undertaken over the adjacent property to this piece of Pomona Road, located at 21 Pomona Road, Stirling.

Appendix 3 – Original Preliminary Plan 20/0038 – dated 17/9/2020

Appendix 4 – Updated Preliminary Plan 20/0038

Given these changes to the Preliminary Plan that was presented to Council on 15 December 2020, it is prudent for Council to reaffirm its original decision in relation to the amended land. Noting the intent from this decision for the road exchange remains the same.

2. ANALYSIS

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

Strategic Plan 2024 – Your Place, Your Space

| | |
|-----------------|---|
| Goal 3 | Built Form and Economy |
| Objective BFE3 | Develop and maintain infrastructure to support liability and sustainable economic activity |
| Priority BFE3.5 | Prioritise Planning for new footpath, trail and cycling infrastructure where it will foster better health, wellbeing, economic and transport outcomes |

Whilst the current area available for the public to traverse the side of Pomona Road in this area is not formalised, the current boundary between 21 Pomona Road, Stirling and the edge of the kerb of the made section of the road would not allow for continued informal walking space or a more formalised future footpath to be installed.

➤ **Legal Implications**

The road exchange process is undertaken in accordance with the requirements of the *Road Opening and Closing Act 1991* and ensures Council's infrastructure is located on public road owned by Council.

➤ **Risk Management Implications**

The road exchange process will assist in mitigating the risk of:

Pedestrians traversing across private land in the belief that it is a public road verge and footpath leading to increased risk and liability to the landowner.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| Low (2D) | Low (2E) | Low (2E) |

➤ **Financial and Resource Implications**

The landowner of 21 Pomona Road, Stirling is continuing to pay all costs associated with the road exchange process and the administrative requirements of Council are being managed within existing resources.

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

The road exchange process will ensure that there is the appropriate width of road verge to enable pedestrian traffic to traverse the road verge informally or as a made footpath at some time in the future.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

| | |
|----------------------------|----------------|
| <i>Council Committees:</i> | Not Applicable |
| <i>Council Workshops:</i> | Not Applicable |
| <i>Advisory Groups:</i> | Not Applicable |
| <i>External Agencies:</i> | Not Applicable |
| <i>Community:</i> | Not Applicable |

➤ **Additional Analysis**

The updated changes to the Preliminary Plan 20/0038 do not have any bearing on the proposed road exchange for a portion of Pomona Road, Stirling.

However, as the Surveyor General has requested that a further public notification process be undertaken, the documentation for this notification needs to have the most updated Preliminary Plan 20/0038. Noting the Preliminary Plan is required to have all the accurate and up to date lands title information on it.

Also, when the documentation for the road exchange process is lodged with the Surveyor Generals office for full approval, is also required to be accurate and up to date with the lands title information.

Therefore, the Preliminary Plan 20/0038 needs to reflect the land division that has occurred since the first Preliminary Plan 20/0038 was lodged with the Surveyor Generals office in 2020, so the road exchange process can be finalised.

3. OPTIONS

Council has the following options:

- I. Note this report so the Administration can continue to finalise the subject road exchange for a portion of Pomona Road, Stirling.

4. APPENDICES

- (1) Agenda Report – item 12.6, 12 December 2020
- (2) Aerial photo - portion of Pomona Road, Stirling
- (3) Original Preliminary Plan 20/0038 - dated 17/9/2020

(4) Updated Preliminary Plan 20/0038

Appendix 1

Agenda Report – item 12.6 12 December 2020

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 15 December 2020
AGENDA BUSINESS ITEM

Item:

12.6

Responsible Officer:

Natalie Westover
Manager Property Services
Corporate Services

Subject:

Road Exchange – Pomona Road Stirling

For:

Decision

SUMMARY

The purpose of this report is to seek a resolution of Council to endorse a road exchange for a portion of the footpath section of Pomona Road Stirling, adjacent to 21 Pomona Road Stirling, refer **Appendix 1**.

A recent survey undertaken by the owner of 21 Pomona Road has identified that a portion of the footpath area encroaches onto 21 Pomona Road in one section, and that the boundary of 21 Pomona Road adjacent to the kerb edge does not allow sufficient width for a footpath in another section. The plan attached an **Appendix 2** identifies the area of road in red that encroaches onto 21 Pomona Road and identifies the area in green that is proposed to be opened as road.

The Preliminary Plan lodged with the Surveyor-General is attached as **Appendix 3**.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
- 2. In accordance with sections 12 and 15 of the *Roads (Opening and Closing) Act 1991*, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as “Road to be opened 1” on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as “Public Road A”, subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs**
- 3. The closed road be excluded as Community Land pursuant to the *Local Government Act 1999*.**
- 4. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.**

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

| | |
|---------------|--|
| Goal | A functional built environment |
| Objective B1 | Our district is easily accessible for community, our business and visitors |
| Priority B1.5 | Provide accessibility for the full range of users by ensuring Council's road, footpath and trails network is adequately maintained and service levels for all users are developed and considered |

Whilst the current area available for the public to traverse the side of Pomona Road in this area is not formalised, the current boundary between 21 Pomona Road Stirling and the edge of the kerb of the made section of the road would not allow for continued informal walking space or a more formalised future footpath to be installed.

➤ Legal Implications

The road exchange is undertaken in accordance with the requirements of the *Roads (Opening and Closing) Act 1991* and ensures that Council's infrastructure is located on public road owned by the Council.

➤ Risk Management Implications

The road exchange process will assist in mitigating the risk of:

Pedestrians traversing across private land in the belief that it is a public road verge and footpath leading to increased risk and liability to the landowner.

| Inherent Risk | Residual Risk | Target Risk |
|---------------|---------------|-------------|
| Low (2D) | Low (2E) | Low (2E) |

This is an existing control with associated mitigation action.

➤ Financial and Resource Implications

The land owner has agreed to pay all costs associated with the road exchange process and the administrative requirements of Council will be managed within existing resources.

The land owner has obtained a valuation report which has determined that the value of the land to be exchanged is of equal value and therefore neither party to the road exchange process is required to pay consideration for the land being exchanged.

➤ Customer Service and Community/Cultural Implications

The road exchange process will ensure that there is the appropriate width of road verge to enable pedestrian traffic to traverse the road verge informally or as a made footpath at some time in the future.

➤ **Sustainability Implications**

Not Applicable

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Development & Regulatory Services
Senior Civil Engineer, Civil Services
Senior Statutory Planner, Development & Regulatory Services

External Agencies: Not Applicable

Community: Public notification was undertaken in accordance with the requirements of the *Roads (Opening & Closing) Act 1991*, the Surveyor-General's guidelines and Council's *Public Consultation Policy*

2. BACKGROUND

The owner of 21 Pomona Road Stirling is undertaking a medium density land division and residential dwelling development which has received planning approval. As part of the development process, a survey was undertaken which detailed that the area between the legal boundary of 21 Pomona Road and the kerb of the made public road was not sufficient for the retention of informal pedestrian traffic or would allow the construction of a more formal footpath at some time in the future.

The land owner approached Council with a proposal for an exchange of land that would see a portion of the land owner's land vest in Council as public road to ensure appropriate road verge/footpath width is retained in one section in exchange for the closure of a section of unmade public road verge that would merge with the land owner's land whilst retaining sufficient width for pedestrian traffic.

The road exchange proposal has benefit to both the Council and the land owner.

The owner of 21 Pomona Road Stirling has an approved landscaping plan as part of its planning approval.

At the meeting of 24 November 2020, a report in respect of the proposed road exchange was presented to Council for consideration. Council resolved "That this item be deferred to the December 2020 meeting with a report to be provided on how an agreement can be reached with the applicant for a plan to enhance and preserve the amenity of the Pomona Road streetscape". Note that at the time of writing this report, these minutes had not been confirmed by Council.

3. ANALYSIS

The Council's Roads Officer has consulted with Council's Senior Civil Engineer to confirm that the road exchange results in appropriate width of road verge being obtained and retained by Council to facilitate informal pedestrian traffic (where topography allows) and would enable a more formal footpath in the future if considered appropriate.

Public notification was undertaken in accordance with the requirements of the *Roads (Opening and Closing) Act 1991*, the Surveyor-General's guidelines and Council's *Public Consultation Policy*. The Council did not receive any submissions objecting to the proposal nor seeking an easement over any portion of the road exchange land during the public notification period.

The proposed road exchange provides benefit to the Council in ensuring that there is appropriate width of road verge to facilitate informal pedestrian traffic where suitable and provides benefit to the land owner in increasing the allotment size suitable for development. It is noted that the current planning approval for the land owner's development does not include the proposed road exchange and will require a minor variation.

The land owner has submitted an amended landscaping plan as a variation to the planning approval issued for this site, a copy of which is attached as **Appendix 4**. The landscaping plan highlights the retention of the existing established trees and the new landscape plantings to be undertaken along the street frontage to Pomona Road. Photos of the progress of retention and featuring of the existing trees are attached as **Appendix 5**. It is considered that the landscaping plan provides for additional plantings in this area in order to enhance the streetscape in this location. Note that due to the NBN, water and electricity mains in this location, no deep root vegetation (e.g. trees) could be planted as this would interfere with these underground services over time.

The landscaping to be undertaken on the section of road proposed to be closed is set out in the attached landscaping plan (**Appendix 4**) which is a variation to the existing Development Approval and includes the following species of plants:

| LANDSCAPING | | | | |
|--|------------------------|--------|--------|--|
| TREES: | | | | |
| ACER CAPONICUM | 'FULL MOON MAPLE' | H-5M | W-5M | |
| QUERCUS PALUSTRIS | 'PIN OAK' | H-15M | W-10M | |
| PYRUS CALLYANA | 'CAPITAL GALLERY PEAR' | H-9M | W-3M | |
| PRUNUS CERASIFERA | 'SPIRE PLUM' | H-7M | W-4M | |
| SHRUBS: | | | | |
| PHOTINIA FRASERI | 'RED ROBIN' | H-1.5M | W 1.5M | |
| MAGNOLIA GRANDIFLORA | 'LITTLE GEM' | H-5M | W-2.5M | |
| LIRIOPE MUSCARI | 'EVERGREEN GIANT' | H-0.5M | W-0.5M | |
| VIBURNUM ODORATISSIMUM | 'SWEET VIBURNUM' | H-3M | W-1.5M | |
| ALL PLANTINGS TO BE CONFIRMED BY OWNER. ALL PLANTINGS TO BE IRRIGATED WITH AUTOMATED POLYPIPE DRIPPER SYSTEM OR SIMILAR, INCLUDING THOSE OVER COUNCIL LAND ALL PLANTINGS CONSISTENT WITH SUGGESTED PLANTINGS WITHIN DEVELOPMENT PLAN | | | | |

Note that the wide driveway entrance to lots 6 & 7 is a requirement of the CFS to enable turn areas for CFS appliances if required. This therefore reduces the ability for additional landscaping in these locations.

4. OPTIONS

Council has the following options:

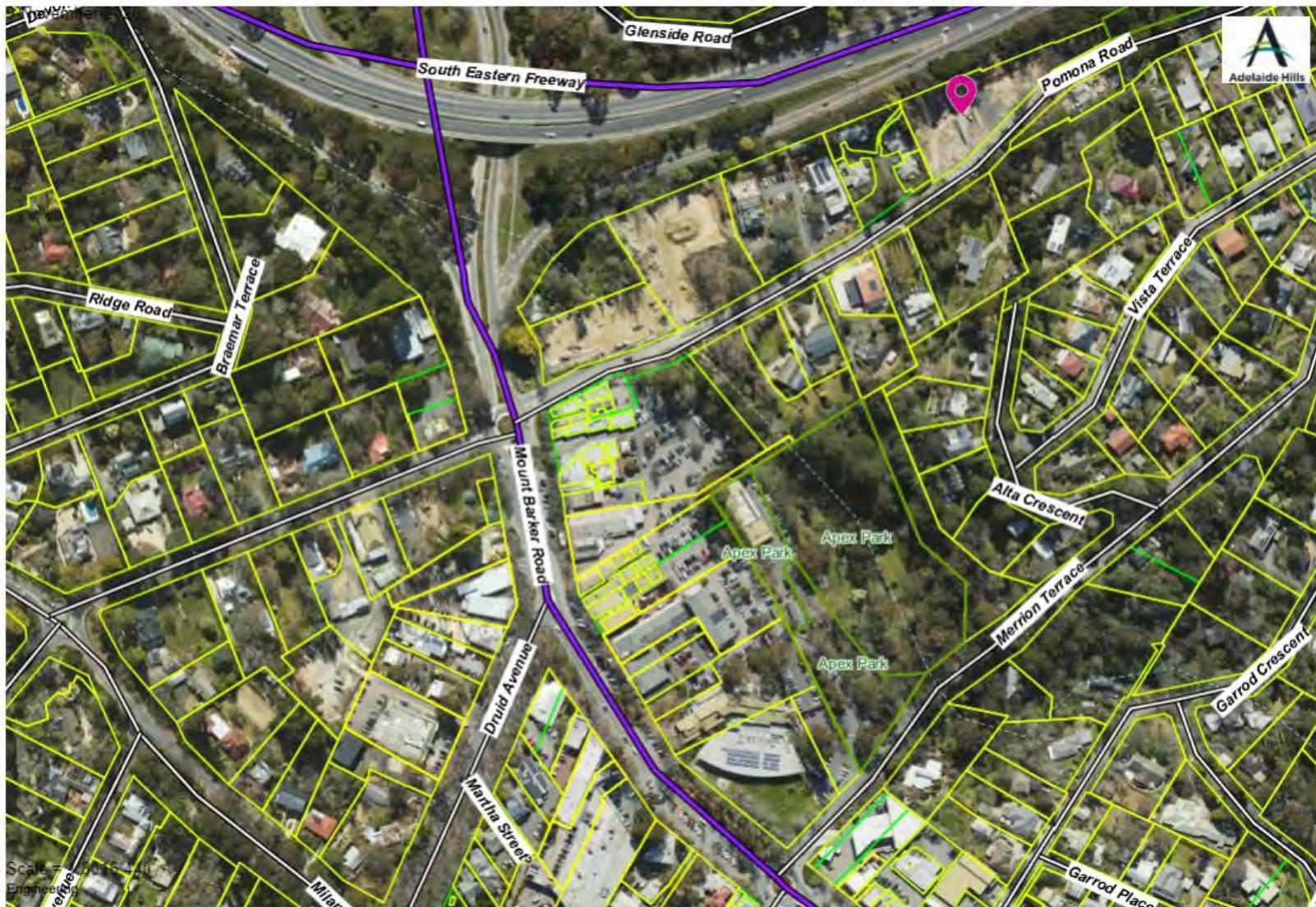
- I. Resolve to issue a Road Process Order for the road exchange (Recommended)
- II. Resolve not to issue the Road Process Order which would result in a section of Pomona Road not retaining an appropriate width of road verge for informal pedestrian traffic (Not Recommended)
- III. Resolve to issue a Road Process Order for the opening of road for the land coloured Green on Appendix 1 which would result in Council needing to purchase this land from the land owner in accordance with an independent valuation (Not Recommended)

5. APPENDICES

- (1) Location of 21 Pomona Road Stirling
- (2) Plan of Proposed Road Exchange
- (3) Preliminary Plan
- (4) Landscaping Plan
- (5) Photos of current tree protection

Appendix 1

Location of 21 Pomona Road Stirling

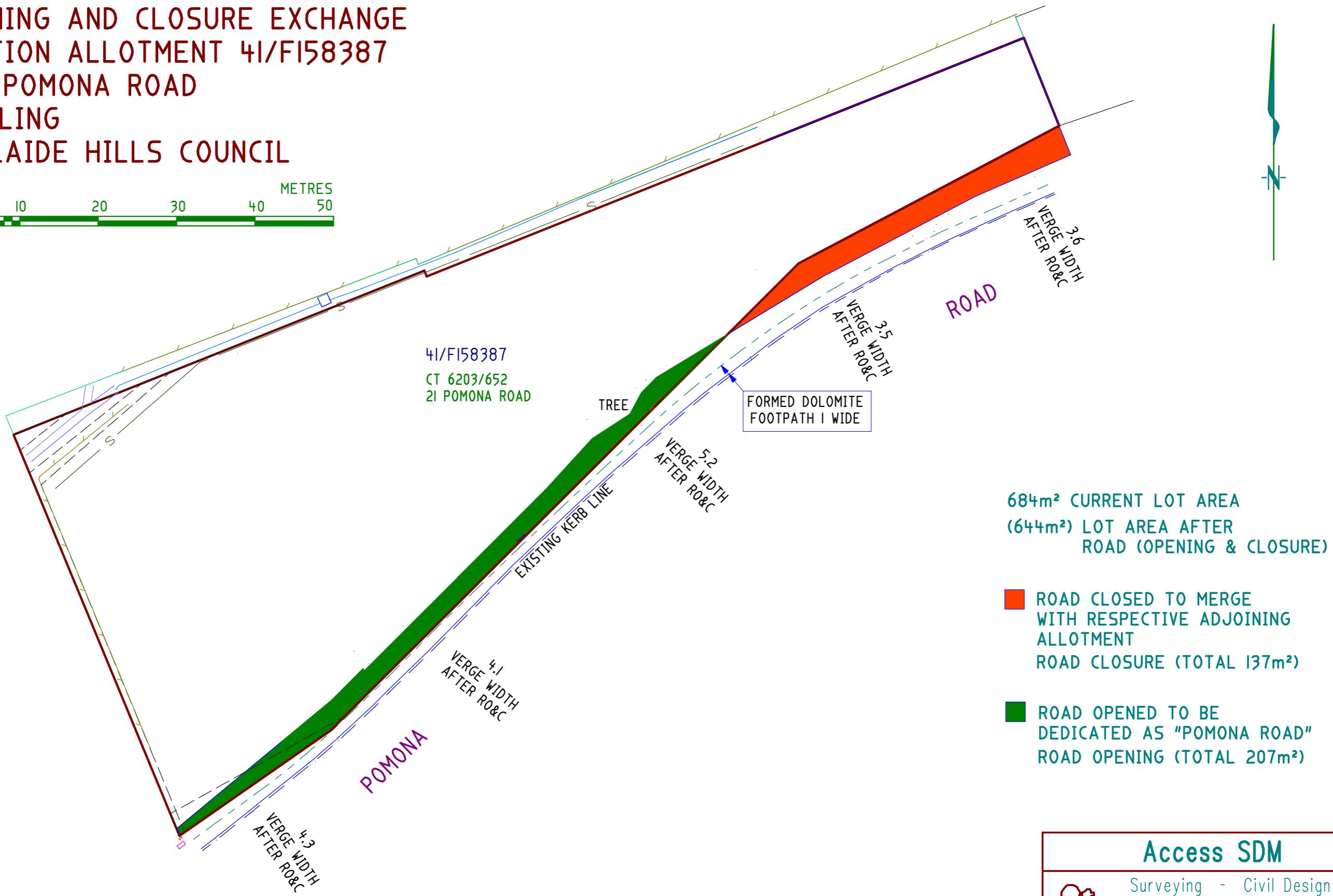


Appendix 2

Plan of Proposed Road Exchange

PLAN OF PROPOSED ROAD
OPENING AND CLOSURE EXCHANGE
PORTION ALLOTMENT 41/F158387
AND POMONA ROAD
STIRLING
ADELAIDE HILLS COUNCIL

SCALE
0 10 20 30 40 50 METRES



Access SDM



Surveying - Civil Design
Development - Management
16A Cameron Street, Mount Barker SA 5251
Ph:(08) 83913000

Appendix 3

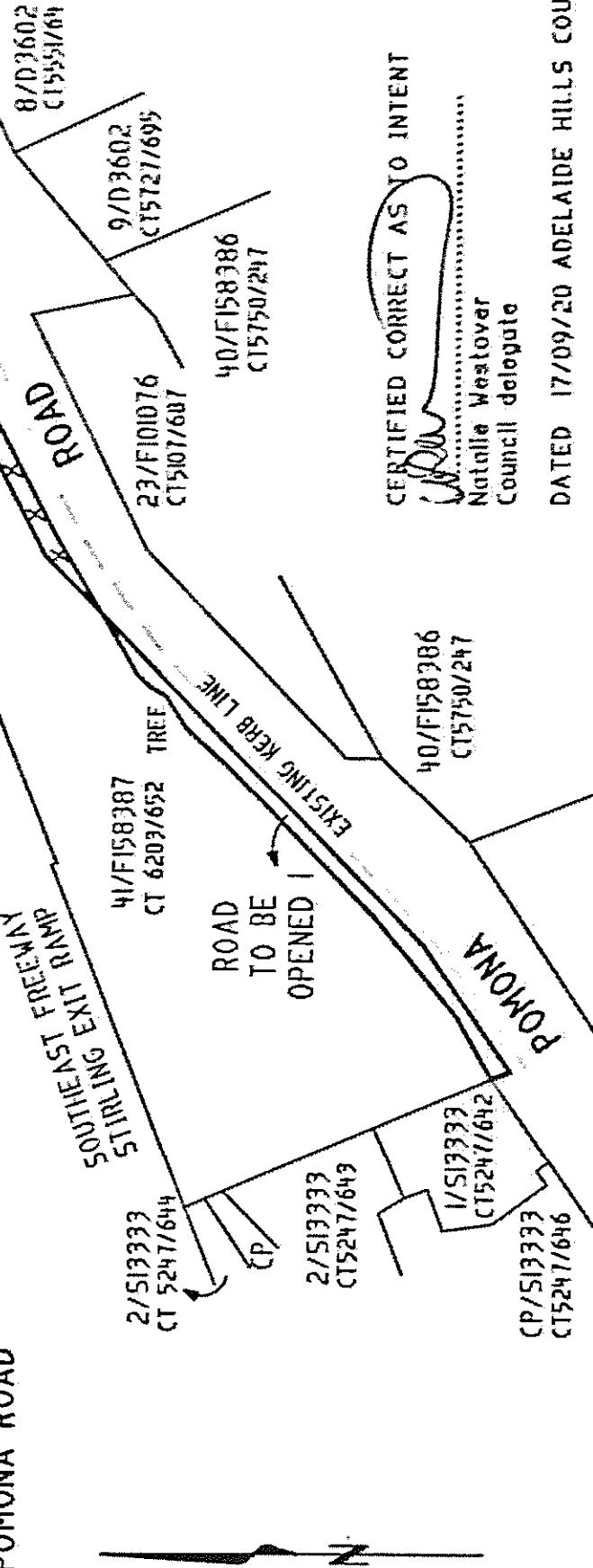
Preliminary Plan

PRELIMINARY PLAN No. 20/0038

ADELAIDE HILLS COUNCIL
IN THE AREA NAMED STIRLING
HUNDRED OF NOARLUNGA

ROAD TO BE CLOSED LETTERED A
TO MERGE WITH CT 6203/652
ROAD TO BE OPENED NUMBERED 1
TO BE POMONA ROAD

SOUTHEAST FREEWAY
STIRLING EXIT RAMP



Natalie Westover
Council delegate

DATED 17/09/20 ADELAIDE HILLS COUNCIL

I HEREBY CERTIFY THAT PORTIONS OF
ROAD TO BE CLOSED LETTERED A HEREON
IS PUBLIC ROAD WITHIN THE MEANING OF
SECTION 9 OF THE ROADS (OPENING
& CLOSING) ACT 1991.
(AUTHORITY PUBLIC MAP)

GREG BURGESS
LICENSED SURVEYOR
DATE 17/09/20
Greg Burgess

Access SDM

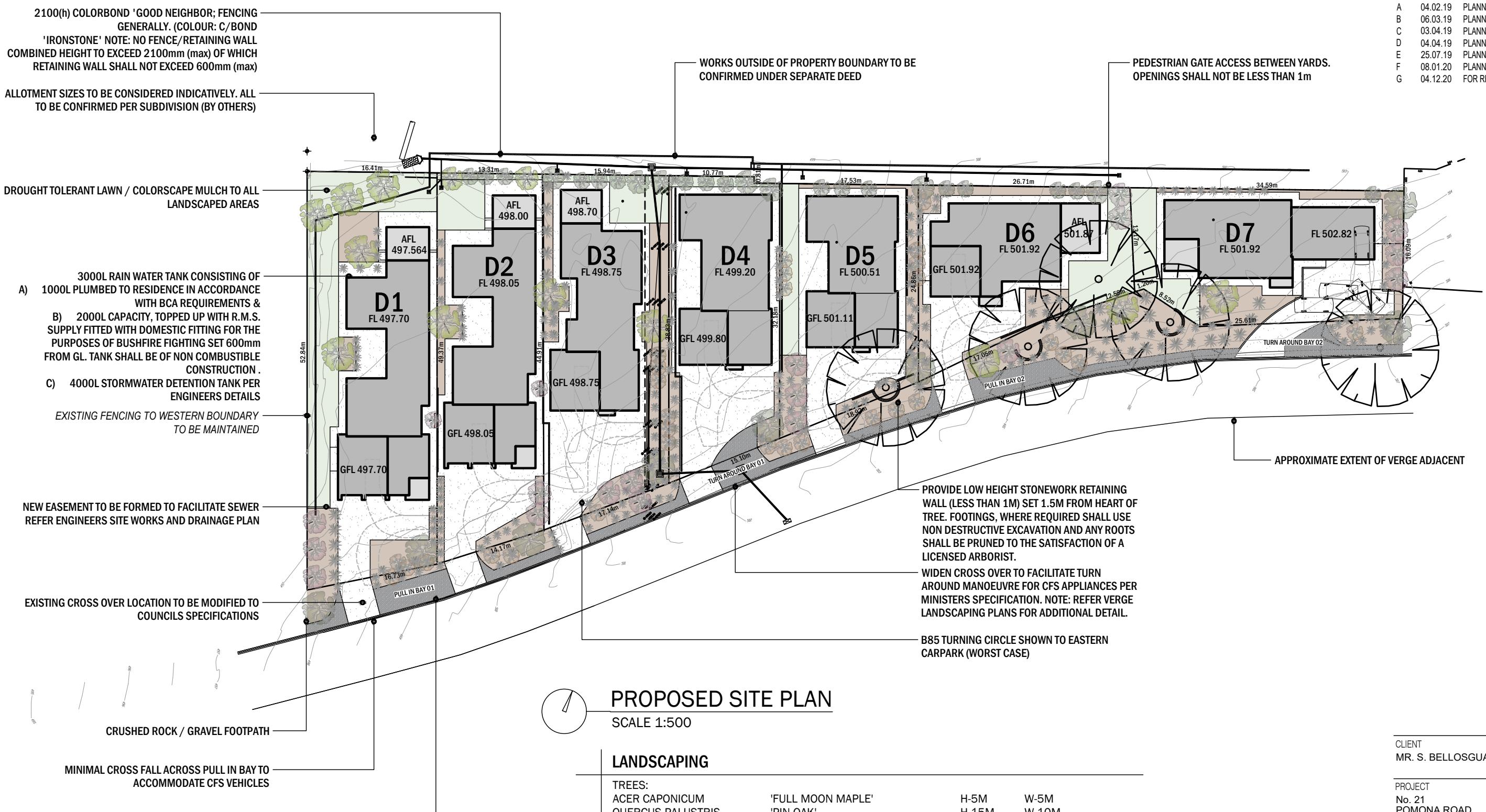
Surveying
18A Curzon Street, Mount Barker SA 5250
Ph: (08) 85913000

Appendix 4

Landscaping Plan

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| REV | DATE | DESCRIPTION | DRN | CHKD |
|-----|----------|-------------|-----|------|
| A | 04.02.19 | PLANNING | LT | TB |
| B | 06.03.19 | PLANNING | LT | TB |
| C | 03.04.19 | PLANNING | LT | TB |
| D | 04.04.19 | PLANNING | LT | TB |
| E | 25.07.19 | PLANNING | LT | TB |
| F | 08.01.20 | PLANNING | LT | TB |
| G | 04.12.20 | FOR REVIEW | LT | TB |



CLIENT
MR. S. BELLOGUARDO

PROJECT
No. 21
POMONA ROAD
STIRLING S.A.

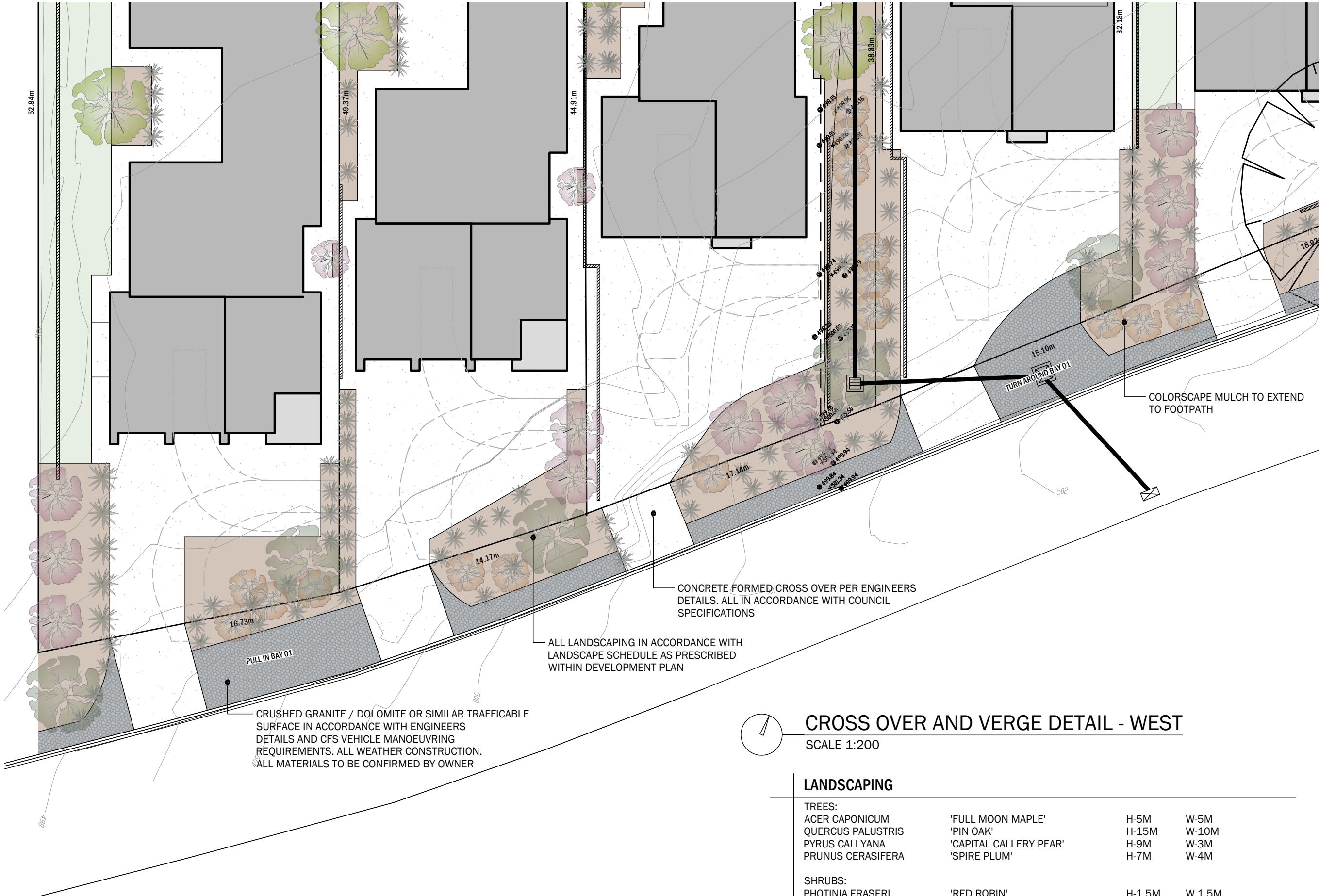
DRAWING
PROPOSED SITE PLAN

108 Mt Barker Road Stirling
South Australia 5152
p: 08 8339 8008
f: 08 8339 2004
P.O. Box 691 Stirling SA 5152
admin@nielsenarchitects.com.au
www.nielsenarchitects.com.au

NIELSEN ARCHITECTS

SCALE DATE DRAWN CHECKED
1:500 DEC 2020 LT TB

PROJECT No DRAWING No STATUS REV
2322 03 PL G



LANDSCAPING

TREES:

| | | | |
|-------------------|------------------------|-------|-------|
| ACER CAPONICUM | 'FULL MOON MAPLE' | H-5M | W-5M |
| QUERCUS PALUSTRIS | 'PIN OAK' | H-15M | W-10M |
| PYRUS CALLYANA | 'CAPITAL CALLERY PEAR' | H-9M | W-3M |
| PRUNUS CERASIFERA | 'SPIRE PLUM' | H-7M | W-4M |

SHRUBS:

| | | | |
|------------------------|-------------------|--------|--------|
| PHOTINIA FRASERI | 'RED ROBIN' | H-1.5M | W 1.5M |
| MAGNOLIA GRANDIFLORA | 'LITTLE GEM' | H-5M | W-2.5M |
| LIRIOPE MUSCARI | 'EVERGREEN GIANT' | H-0.5M | W-0.5M |
| VIBURNUM ODORATISSIMUM | 'SWEET VIBURNUM' | H-3M | W-1.5M |

ALL PLANTINGS TO BE CONFIRMED BY OWNER. ALL PLANTINGS TO BE IRRIGATED WITH AUTOMATED POLYPIPE DRIPPER SYSTEM OR SIMILAR, INCLUDING THOSE OVER COUNCIL LAND
ALL PLANTINGS CONSISTENT WITH SUGGESTED PLANTINGS WITHIN DEVELOPMENT PLAN

NOTES

ORIGINAL A3

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| REV | DATE | DESCRIPTION | DRN | CHKD |
|-----|----------|-------------|-----|------|
| - | 03.04.19 | PLANNING | LT | TB |
| - | 04.12.20 | PLANNING | LT | TB |

SCALE 1:200 DATE NOV 2020 DRAWN LT CHECKED TB

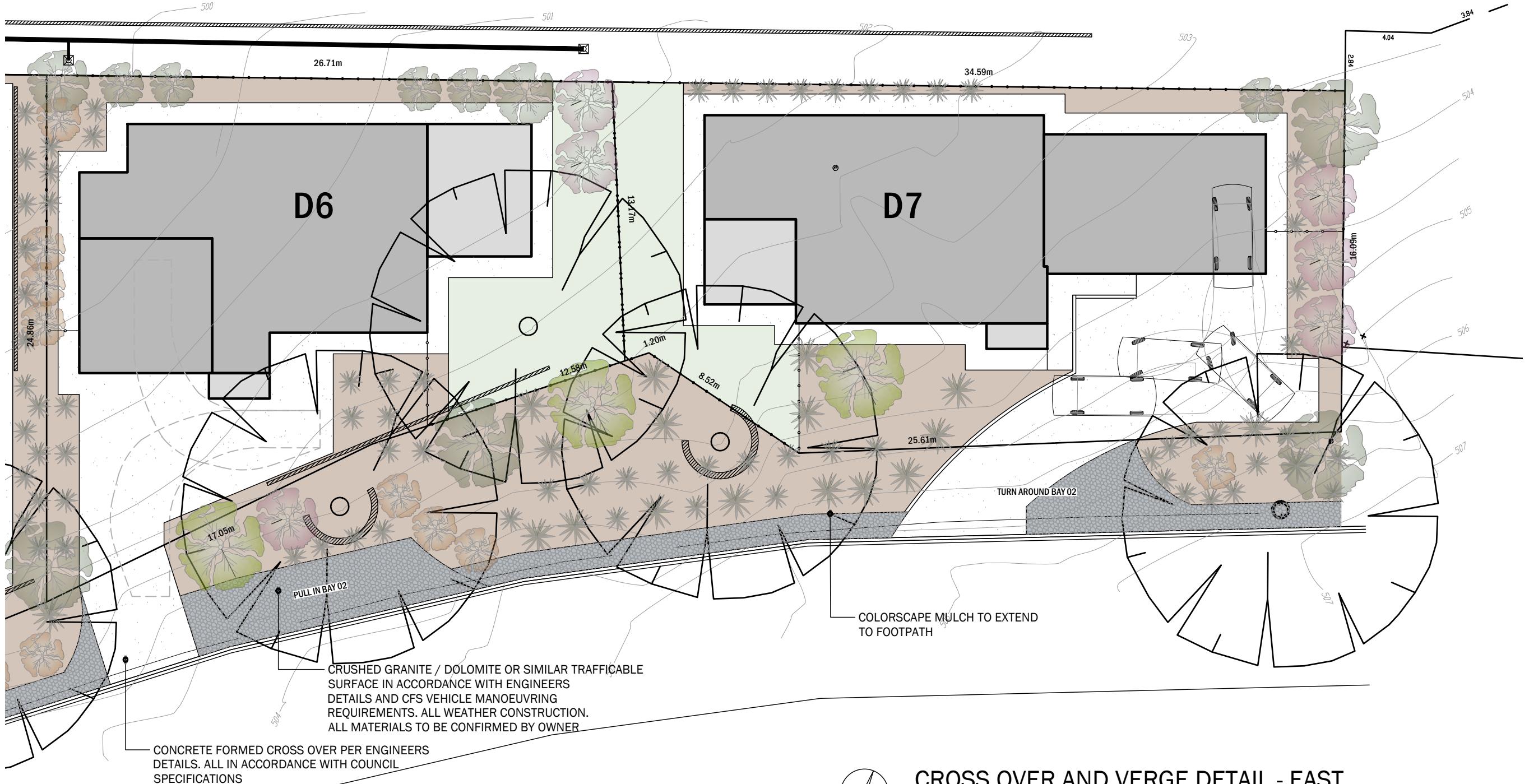
PROJECT No. 21 DRAWING No 29 STATUS PL REV -

NOTES

ORIGINAL A3

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| REV | DATE | DESCRIPTION | DRN | CHKD |
|-----|----------|-------------|-----|------|
| - | 03.04.19 | PLANNING | LT | TB |
| - | 04.12.20 | PLANNING | LT | TB |



CROSS OVER AND VERGE DETAIL - EAST

SCALE 1:200

LANDSCAPING

TREES:

ACER CAPONICUM
QUERCUS PALUSTRIS
PYRUS CALLYANA
PRUNUS CERASIFERA

'FULL MOON MAPLE'
'PIN OAK'
'CAPITAL CALLERY PEAR'
'SPIRE PLUM'

H-5M
H-15M
H-9M
H-7M

W-5M
W-10M
W-3M
W-4M

SHRUBS:

PHOTINIA FRASERI
MAGNOLIA GRANDIFLORA
LIRIOPE MUSCARI
VIBURNUM ODORATISSIMUM

'RED ROBIN'
'LITTLE GEM'
'EVERGREEN GIANT'
'SWEET VIBURNUM'

H-1.5M
H-5M
H-0.5M
H-3M

W 1.5M
W-2.5M
W-0.5M
W-1.5M

ALL PLANTINGS TO BE CONFIRMED BY OWNER. ALL PLANTINGS TO BE IRRIGATED WITH AUTOMATED POLYPipe DRIPPER SYSTEM OR SIMILAR, INCLUDING THOSE OVER COUNCIL LAND
ALL PLANTINGS CONSISTENT WITH SUGGESTED PLANTINGS WITHIN DEVELOPMENT PLAN

CLIENT
MR. S. BELLOGUARDO

PROJECT
No. 21
POMONA ROAD
STIRLING S.A.

DRAWING
PART VERGE LANDSCAPING PLAN
EAST

108 Mt Barker Road Stirling
South Australia 5152
p: 08 8339 8008
f: 08 8339 2004
P.O. Box 691 Stirling SA 5152
admin@nielsenarchitects.com.au
www.nielsenarchitects.com.au

NIELSEN ARCHITECTS

SCALE 1:200 DATE NOV 2020 DRAWN LT CHECKED TB

PROJECT No 2322 DRAWING No 30 STATUS PL REV -

Appendix 5

Photos of current tree protection







Appendix 2

Aerial photo – portion of Pomona Road, Stirling



Appendix 3

Original Preliminary Plan 20/0038 – dated 17/9/2020

PRELIMINARY PLAN No. 20/0038

ADELAIDE HILLS COUNCIL
IN THE AREA NAMED STIRLING
HUNDRED OF NOARLUNGA

ROAD TO BE CLOSED LETTERED A
TO MERGE WITH CT 6203/652
ROAD TO BE OPENED NUMBERED 1
TO BE POMONA ROAD

SCALE
0 20 40 60 80 METRES
100

5/CT63/4
CR 5753/728

PUBLIC

ROAD A

8/03602
CT553/69

9/03602
CT572/769

23/F101076
CT5107/687

40/F158386
CT5750/247

41/F158387
CT 6203/652

TREE

ROAD
TO BE
OPENED 1

EXISTING KERB LINE

CERTIFIED CORRECT AS TO INTENT

[Signature]
Natalie Westover
Council delegate

DATED 17/09/20 ADELAIDE HILLS COUNCIL

I HEREBY CERTIFY THAT PORTIONS OF
ROAD TO BE CLOSED LETTERED A HEREON
IS PUBLIC ROAD WITHIN THE MEANING OF
SECTION 3 OF THE ROADS OPENING
& CLOSING ACT 1991.
(AUTHORITY PUBLIC MAP)

ACCESS SDM

Surveying
10A Camelon Street, Bent Brook SA 5351
Ph: (08) 8593 3000

GREG BURGESS
LICENSED SURVEYOR
DATE 17/09/2020

[Signature]

Appendix 4

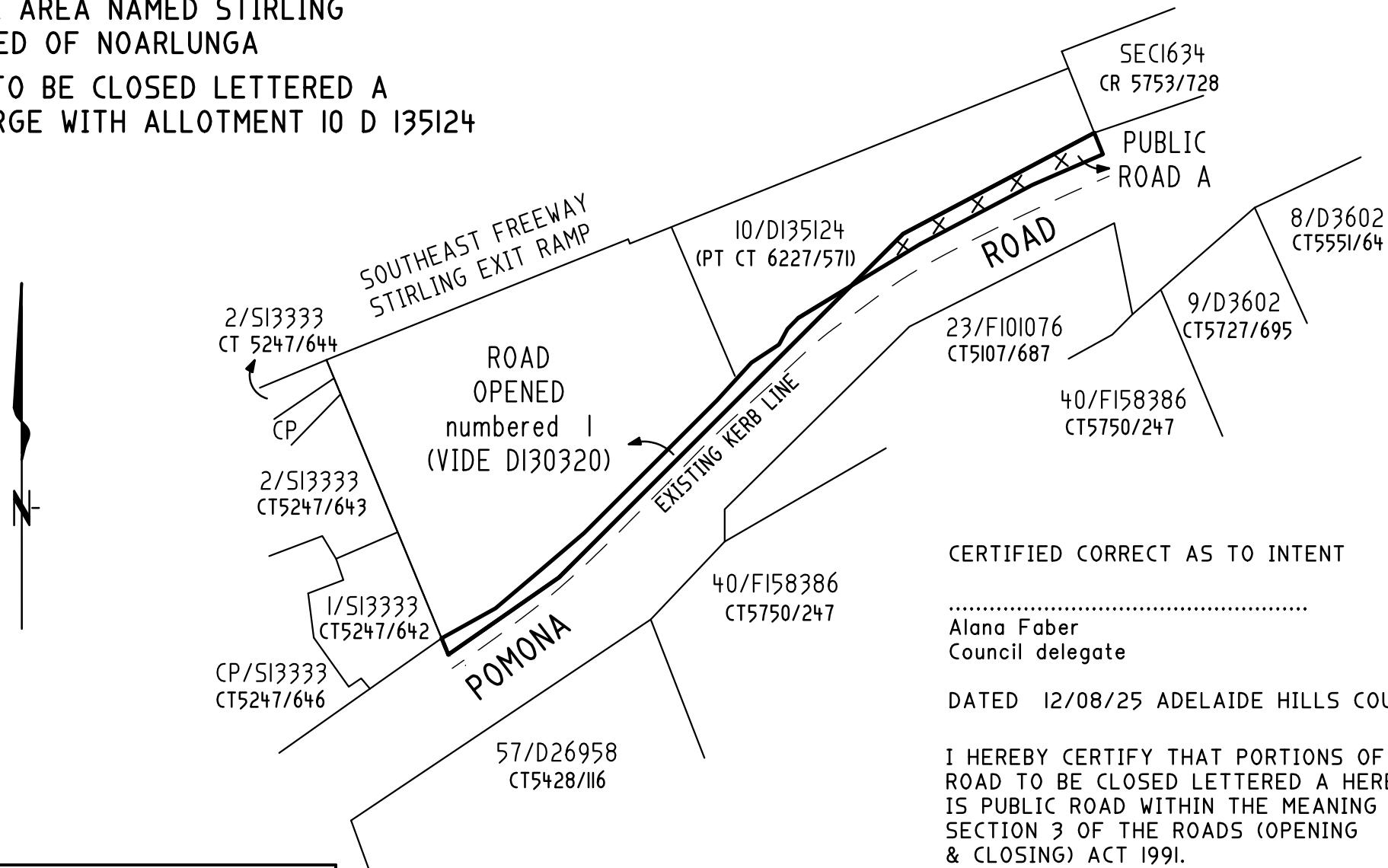
Updated Preliminary Plan 20/0038

PRELIMINARY PLAN No. 20/0038

ADELAIDE HILLS COUNCIL
IN THE AREA NAMED STIRLING
HUNDRED OF NOARLUNGA

ROAD TO BE CLOSED LETTERED A
TO MERGE WITH ALLOTMENT 10 D 135124

SCALE
0 20 40 60 80 100 METRES



Access SDM

Surveying

18A Cameron Street, Mount Barker SA 5251
Ph:(08) 83913000

GREG BURGESS
LICENSED SURVEYOR
DATE 12/08/25

I HEREBY CERTIFY THAT PORTIONS OF
ROAD TO BE CLOSED LETTERED A HEREON
IS PUBLIC ROAD WITHIN THE MEANING OF
SECTION 3 OF THE ROADS (OPENING
& CLOSING) ACT 1991.
(AUTHORITY: PUBLIC MAP)

Correspondence for Noting



LG25/00777

Minister for Trade and
Investment

Minister for Industry,
Innovation and Science

Minister for Local
Government

Minister for Veterans' Affairs

GPO Box 1533
ADELAIDE SA 5001

T: (08) 7133 2070

E: minister.szakacs@sa.gov.au

A/Mayor Nathan Daniell
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

By email: ndaniell@ahc.sa.gov.au

Dear A/Mayor Daniell

I am pleased to advise that the *Statutes Amendment (Local Government Elections Review) Act 2025* (LG Review Act) commenced on 1 January 2026.

The Bill was the culmination of a significant amount of public consultation, both with the local government sector and the broader South Australian community. It includes a range of measures to improve the integrity of local government elections, and to encourage greater participation in local democracy by both candidates and voters.

I thank you for your contributions to the development of these reforms and the support provided during its passage through the Parliament of South Australia.

Perhaps the most significant measure to ensure the integrity of local government elections is the requirement for all voters to be enrolled to vote in South Australian State elections. This change emphasises the appropriate commitment to our State that should be necessary to participate in our local elections. Importantly, it also provides greater assurance of the integrity of council election results, reducing the risk of fraudulent activity that we saw in the last periodic elections, as well as reducing the number of supplementary elections and associated expenses for councils.

Other reforms to improve the integrity of council elections include the introduction of standards of conduct for people near election places, and a clear penalty for misleading electors on how they should complete their vote.

The Bill as passed also included a requirement for the Electoral Commissioner to disclose the number and names of nominations received as soon as possible, a measure that I recognise has been of high importance to many in the sector. This reverses changes that were made by the former Liberal government. I trust that it will restore the clarity and efficiency of election processes that is desired.

Now that the change has been made, I look forward to seeing well-contested elections across all council areas in the 2026 periodic elections.



OFFICIAL

I also trust that as a local leader, you will be actively encouraging capable, community-minded people to consider putting their hand up to serve on their councils well before the election period starts. Local promotion and advocacy of the benefits of strong engagement by councils is critical to attracting capable, enthusiastic, and public-spirited candidates for council elections. This is vital to the dynamism of local government and strong futures for councils and the communities they serve.

Given the interest in supporting quality nominations that was displayed by the sector, I trust councils will also be actively engaged in holding public meetings to allow candidates to speak directly to voters directly, in line with the new provisions, unless councils decide otherwise in their caretaker policies.

Another important step in ensuring that our local elected members represent the highest standard of conduct and integrity will be powers to make regulations to require all candidates to disclose if they have been the subject of an adverse finding from an independent body, including the Behavioural Standards Panel, the Ombudsman and the Independent Commission Against Corruption.

I want to restate my commitment that any regulation made ahead of the 2026 periodic local government elections would be the subject of significant further consultation to ensure that it is practical, workable and delivers the desired outcome of better informing the community on their votes.

We are in an environment that is undeniably difficult - across South Australia, the rest of the nation and the world - where democracy feels tenuous. We see disinformation and misinformation prevailing, at times, over truth and science. That's why it's so important for each and every one of us to be putting our best foot forward when it comes to earning the trust of those people who put us in office.

I am confident that these and the other improvements to council elections contained in the *Statutes Amendment (Local Government Elections Review) Act 2025* will support the local government sector to hold well-run elections that have both the highest level of integrity and result in the election of outstanding local leaders for the next term of council.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Joe Szakacs".

Hon Joe Szakacs MP
Minister for Trade and Investment
Minister for Industry, Innovation and Science
Minister for Local Government
Minister for Veterans' Affairs

27 / 01 / 2026

Southern and Hills Local Government Association

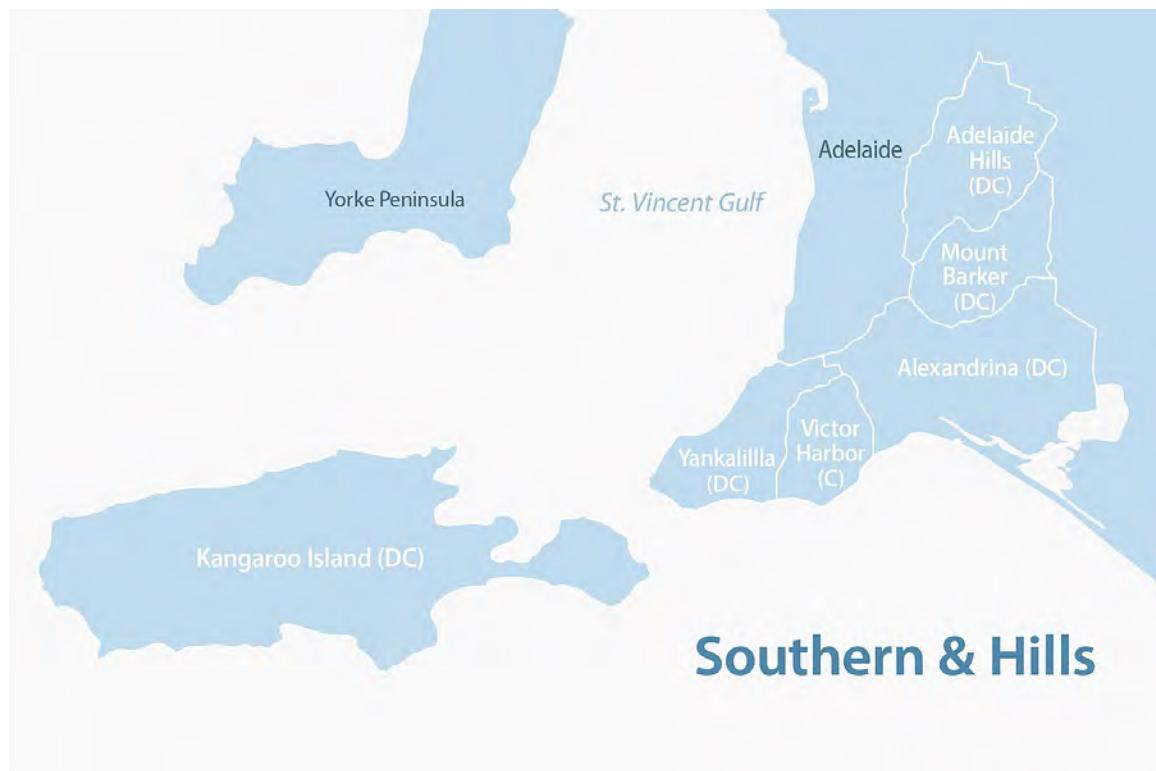
2026-27 Federal Budget Submission

January 2026



Executive Summary

The Southern and Hills Local Government Association (SHLGA) represents six councils across one of South Australia's fastest-growing and most economically productive regions. The region contributes more than \$7 billion in Gross Regional Product, supports over 42,000 local jobs, and is projected to grow by more than 87,000 residents by 2051.



This Federal Budget submission seeks targeted Commonwealth investment aligned with SHLGA's Advocacy Plan 2025–2029. The submission is structured around six priority themes that reflect national priorities for housing supply, productivity, infrastructure efficiency, climate resilience, workforce participation, and community wellbeing. Investment in these areas will deliver strong national returns while supporting regional communities to grow sustainably.

The Southern and Hills Region is located within the Federal electorates of Mayo and Sturt.

Summary of Priority Budget Asks

1. Community-ready growth infrastructure funding
2. Expanded wastewater infrastructure funding to unlock housing
3. Fairer and increased Commonwealth local roads funding
4. Regional freight, transport and digital connectivity investment
5. Long-term climate resilience, coastal protection and environmental response funding
6. Investment in regional jobs, health, ageing, arts and local government sustainability

1. Managing Growth, Housing and Liveability

The Southern and Hills region is experiencing rapid population growth driven by its proximity to Adelaide, strong economic base and high quality of life. Without timely enabling infrastructure, this growth risks placing pressure on housing affordability, transport networks, community facilities and essential services.

SHLGA seeks Commonwealth support for a Community-Ready Growth Infrastructure Fund targeted at high-growth regional areas. This fund would support local roads, utilities, public transport connections, community facilities and active transport infrastructure delivered upfront, ensuring new communities are liveable from the day residents move in.

In addition, increased Commonwealth co-investment in Community Wastewater Management Schemes is critical to unlocking housing supply in regional towns where traditional sewer infrastructure is not viable. These investments directly support national housing supply objectives while protecting environmental and public health outcomes.

How our communities can be supported by the Australian Government:

- Commit to the Australian Local Government Association's (ALGA) ask for a \$1.1 billion per annum funding for local government to support the National Housing Accord targets.
- Commit to ALGA's ask for \$500 million per year for councils to build, maintain and revitalise community infrastructure.
- Distribute funding to all councils on an equitable formula basis, taking into account the acute infrastructure needs of high growth regions.
- Work with local government to design and implement long-term infrastructure funding solutions that address reliance on short-term subsidies and competitive grants, to give communities greater confidence about local infrastructure funding.

Local priorities these commitments would support:

These funding commitments would enable councils in the Southern and Hills region to support housing outcomes by delivering local priorities such as:

- Laratinga water recovery plant upgrade and trunk infrastructure to support the rapid growth of Mount Barker.
- Community Wastewater Management Scheme (CWMS) expansion across Alexandrina Council's townships.
- Regional recreation, sport, and community wellbeing precincts to support growth in the Mount Barker, Strathalbyn, Victor Harbor.
- Township and Mainstreet upgrades across Adelaide Hills townships, including Stirling, Lobethal, Lenswood, and Woodside.
- Concept planning for the redevelopment of Yankalilla Memorial Park.

2. Infrastructure, Integrated Transport and Connectivity

Efficient transport and infrastructure networks underpin regional productivity, safety and liveability. The Southern and Hills region manages more than 5,500 kilometres of local roads that support agriculture, tourism, freight and daily commuting.

Supplementary Road Funding for SA

SHLGA calls for reform of Commonwealth local roads funding arrangements to address long-standing inequity for South Australia, which receives significantly less funding per kilometre than the national average.

In a Southern and Hills context, our six constituent councils gratefully received \$4.106 million in Identified Local Roads Grants in 2024/2025. If funding was received at the national average, Southern and Hills 5,539km road network would attract around \$7.984 million. South Australia's \$20 million annual Supplementary Road Funding goes some way to addressing this inequity, but this funding is uncertain beyond the current budget.

Nationally Significant Transport and Freight Projects

SHLGA strongly supports the Greater Adelaide Freight Bypass as a critical component of the High Productivity Vehicle Network and acknowledges the Commonwealth Government's commitment of \$525 million over ten years in the 2025–26 Federal Budget, together with the South Australian Government's recognition of the project as a priority. The Bypass will divert an estimated 420,000 heavy vehicles each year from metropolitan Adelaide roads to a purpose-built freight corridor, improving national freight productivity, enhancing road safety, reducing emissions, and delivering significant public health and amenity benefits for communities along existing freight routes. For the Southern and Hills region, the project is essential to reducing freight pressure through townships, supporting primary producers, exporters and tourism operators, and strengthening supply chains linking the Adelaide Hills, Fleurieu Peninsula and Kangaroo Island to national markets. To accelerate delivery and fully realise these benefits, SHLGA is seeking an 80:20 funding split between the Commonwealth and South Australian governments, reflecting the project's national freight function and productivity benefits. A greater Commonwealth funding share will provide certainty, reduce cost escalation risks, and enable earlier construction, delivering tangible safety, economic and liveability outcomes for communities across the region and beyond.

The Commonwealth is also urged to co-invest in a South Coast Freight Corridor, to improve freight efficiency, reduce congestion and strengthen export supply chains. The South Coast Freight Corridor (SCFC) is a proposed east–west route linking Cape Jervis to the South-Eastern Freeway at Callington. The SCFC would create a direct, reliable route from Kangaroo Island and Fleurieu Peninsula producers to the national freight network, reducing delays and costs. The proposal includes a new Victor Harbor - Goolwa Bypass and targeted upgrades to move freight around, rather than through, the Fleurieu's busy coastal tourism towns.

The Ferry between Cape Jervis and Penneshaw (Kangaroo Island) is another vital transport connection in the Southern and Hills region supporting tourism, freight and daily transport. The South Australian Department for Infrastructure and Transport has released final Master Plans for the Cape Jervis and Penneshaw Harbour Precincts, setting out long-term improvements to support safer

access, better traffic flow and upgraded public spaces. However, delivery of these Masterplans is currently unfunded. Federal investment in this precinct of state and national significance would accelerate the delivery of these important upgrades.

Mobile Blackspots

Finally, targeted investment is required to eliminate persistent digital connectivity blackspots that constrain economic participation, remote work, education, telehealth and emergency response. Despite multiple rounds of Commonwealth investment, significant mobile coverage gaps persist across the Southern and Hills region, including in growth corridors, tourist destinations, agricultural areas and along key transport routes. For a region with natural hazard risks, rapid population growth, major tourism flows and critical freight and commuter movements, unreliable coverage is no longer acceptable.

How our communities can be supported by the Australian Government:

- Continue and make permanent the South Australian Supplementary Local Road Funding program beyond 2025–26.
- Increase and index Federal road funding, including Supplementary Road Funding, to reflect the real and escalating cost of road and bridge construction and maintenance.
- Commit to an 80:20 funding split with the South Australian Government to accelerate delivery of a Greater Adelaide Freight Bypass as a priority component of the High Productivity Vehicle Network.
- Commit to co-funding the scoping and delivery of the South Coast Freight Corridor with the South Australian Government.
- Commit to co-funding the Cape Jervis and Penneshaw Harbour Precinct Masterplan builds.
- Expand and accelerate mobile coverage upgrades across the Southern and Hills region, through an enhanced and more flexible Mobile Black Spot Program (or successor program), with a specific focus on regional growth areas, peri-urban communities, transport corridors and emergency-prone locations.

Local priorities these commitments would support:

These funding commitments would enable councils in the Southern and Hills region to support transport and connectivity outcomes by delivering local priorities such as:

- South Coast Freight Corridor from Cape Jervis to South East Freeway at Callington.
- Victor Harbor – Goolwa Bypass Road.
- Cape Jervis and Penneshaw Harbor precinct upgrades.
- Realignment and upgrades to the Encounter Bikeway.
- Key road and intersection upgrades in Mount Barker’s growth and freight corridors including Heysen Boulevard completion, Adelaide Rd, Wellington Rd, Flaxley Rd and Hahndorf bypass.

- Road safety improvements across the Adelaide Hills for motorists, cyclists, and pedestrians.
- Sealing shoulders, overtaking lanes and tourism route safety improvements on Kangaroo Island.
- Telecommunication blackspot remediation across the region.

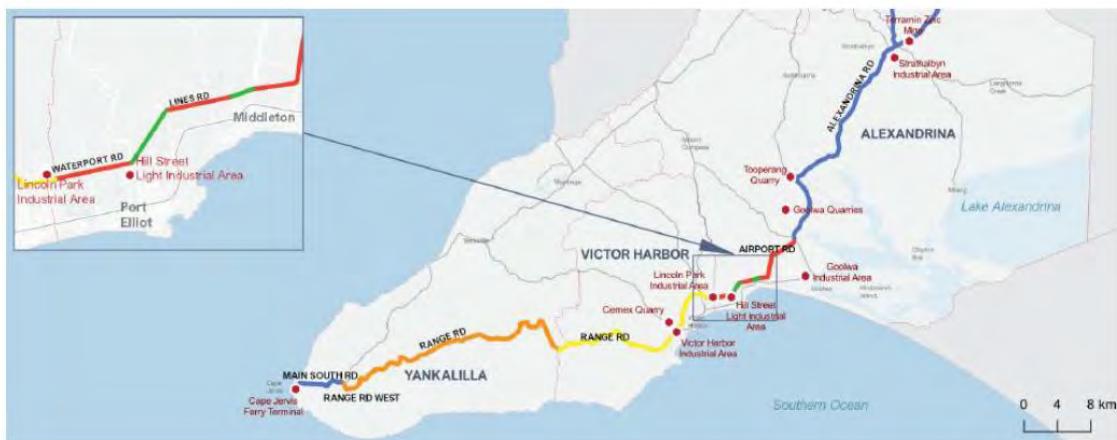


Image: South Coast Freight Corridor proposal (RDA Adelaide Hills, Fleurieu & Kangaroo Island)

3. Environment, Coast and Climate Resilience

Climate-related risks including bushfire, coastal erosion, heatwaves and algal blooms are already impacting Southern and Hills communities and are projected to intensify over coming decades.

SHLGA seeks long-term, place-based Commonwealth funding to support council-led climate adaptation and disaster resilience projects. These investments reduce long-term recovery costs, protect communities and support national resilience objectives.

Increased Commonwealth investment is also needed for coastal protection infrastructure and for algal bloom monitoring, research, response and recovery, recognising the national economic and environmental value of healthy coastlines.

How our communities can be supported by the Australian Government:

- Commit to ALGA's ask for a \$400 million per year climate adaptation fund, provided to all councils, which allows them to implement a place-based approach to climate adaptation.
- Commit to ALGA's ask for \$900 million per year in dedicated funding for councils to improve mitigation and resilience, and build their capacity and capability to undertake their emergency management role.
- Fully fund the recommendations of the Senate's South Australian Algal Bloom Inquiry, including:
 - Research, monitoring and early warning systems
 - Large-scale ecosystem restoration
 - Community and industry economic support
 - Resilience and recovery programs for local governments
 - Infrastructure for marine science and education.

Local priorities these commitments would support:

These funding commitments would enable councils in the Southern and Hills region to support environmental outcomes by delivering local priorities such as:

- Stormwater and hazard mitigation works across the region.
- Coastal protection, erosion management and climate adaptation works protecting tourism assets and community safety.
- An early bushfire detection pilot (AI-enabled cameras / image recognition) in high-risk areas of the Adelaide Hills.
- Water quality monitoring in the Lower Lakes, Murray Mouth and Coorong.

4. Economic Development and Local Jobs

The Southern and Hills region contributes more than \$7 billion annually to the South Australian economy and supports over 42,000 jobs. As population grows, employment opportunities must grow alongside it to reduce commuting pressures and support workforce participation.

Councils in the Southern and Hills region play a central role in supporting local economic development and job creation by creating the conditions that enable businesses, industries and communities to thrive. Councils invest directly in main streets, town centres and tourism precincts to strengthen local economies, attract private investment and support small businesses, particularly in visitor-dependent and regional service centres. These place-based actions help diversify local economies, retain and attract workers, and ensure that growth translates into sustainable jobs and long-term regional prosperity.

SHLGA seeks Commonwealth co-investment in local projects that support the servicing of new or renewed employment land, create local jobs, and enhance tourism outcomes.

How our communities can be supported by the Australian Government:

- Increase the overall quantum of Local Government Financial Assistance Grants and reform distribution formulas to better reflect regional needs and address inequities for communities with highly seasonal populations.
- Shift funding away from fragmented, short-term competitive grants toward more untied funding to councils that can direct to local projects based on local needs.

Local priorities these commitments would support:

These funding commitments would enable councils in the Southern and Hills region to support economic development and jobs by delivering local priorities such as:

- Servicing of new employment land precincts in Mount Barker and Alexandrina
- Mount Barker Summit Sport and Recreation Park Stage 2A
- Victor Harbor Arts and Culture Centre
- Multi-deck car park in Victor Harbor Town Centre to support urban renewal and major projects
- Penneshaw placemaking & visitor infrastructure enhancement
- Tourism access and amenity enhancements in Normanville and Second Valley
- Adelaide Hills Mainstreets public realm upgrades

5. Community Health and Wellbeing

Growing and ageing populations are increasing demand for health, aged care and community services across the Southern and Hills region.

While health reform is necessary, the loss of stable, predictable funding risks undermining councils' ability to maintain services that are preventative, place-based and highly valued by older residents. Without ongoing Commonwealth support, councils face increasing pressure to either subsidise essential services from general rates or withdraw from service delivery altogether, reducing access for older people and increasing demand on higher-cost health and aged-care systems.

SHLGA seeks ongoing Commonwealth block funding for councils delivering aged care services, recognising the critical role councils play in enabling older people to age in place in regional communities where market-based services are limited.

As previously outlined, funding certainty is also required to support local government public health initiatives, libraries, community centres, and regional arts and culture. These social infrastructure assets are fundamental to wellbeing, inclusion, prevention-focused health outcomes and community resilience.

How our communities can be supported by the Australian Government:

- Commit ongoing, stable Commonwealth funding to support councils to continue delivering services to older people, particularly in regional, peri-urban and thin markets, through the transition to the new aged-care system (including the Support at Home program) and beyond.

Local priorities these commitments would support:

These funding commitments would enable councils in the Southern and Hills region to support community health and wellbeing by delivering local priorities such as:

- In-home support services delivered by councils including Alexandrina, Mount Barker and Victor Harbor, providing domestic assistance, personal care and daily living support that enables older people to age safely at home.
- Meals, nutrition and social support programs run by councils such as Alexandrina, Victor Harbor, Kangaroo Island and Yankalilla, supporting health, wellbeing and reducing isolation among older residents.

Conclusion

Targeted Commonwealth investment aligned with these five priorities will deliver strong national returns through increased housing supply, improved productivity, reduced disaster recovery costs and healthier, more resilient communities.

SHLGA looks forward to continuing to work in partnership with the Australian Government to deliver outcomes for the Southern and Hills region, the State of South Australia, and the nation.

OFFICIAL



Government of
South Australia

Ref: GISA2600008

Hon Lucy Hood MP
Minister for Climate,
Environment and Water

Mr Rob Gregory
Chief Executive Officer
Adelaide Hills Region Waste Management Authority
PO Box 519
MURRAY BRIDGE SA 5253
Email: r.gregory@ahrwma.com

Dear Mr Gregory

I am writing to you regarding the South Australian Government's 2025-26 Council Modernisation Grants Program administered by Green Industries SA (GISA).

I am pleased to advise that Adelaide Hills Region Waste Management Authority was successful in its application for grant funding totalling \$100,000 (excluding GST) for the Brinkley Regional Resource Center Detailed Design (project).

In total, \$458,280.71 (excluding GST) in grant funding has been awarded to six projects under this program for 2025-26. I understand that GISA is progressing a grant agreement with you regarding the project.

Congratulations on your successful application. I look forward to making an announcement regarding these funding outcomes in the near future.

Thank you for your organisation's contribution to the development of a circular economy in South Australia.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lucy Hood'.

Hon Lucy Hood MP
Minister for Climate, Environment and Water

25 / 1 / 2026

Cc: Mr Paul Sandercock, Chair, Adelaide Hills Region Waste Management Authority

Minutes of Committees

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
WEDNESDAY 28 JANUARY 2026
63 MT BARKER RD STIRLING

In Attendance

Presiding Member: Cr Chris Grant

Members:

| | |
|---------------------|--|
| Cr Lucy Huxter | |
| Cr Nathan Daniell | |
| Cr Richard Gladigau | |

In Attendance:

| | |
|-----------------|--|
| Zoë Gill | Executive Governance Officer |
| Michael Kelledy | Qualified Independent Person (Telephone) |

1. COMMENCEMENT

The meeting commenced at 6:17pm.

OPENING STATEMENT

- 1.1 Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.
- 1.2 Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Nil

2.3 Absent

Nil

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
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3. MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 15 October 2025

Moved Cr Lucy Huxter
S/- Acting Mayor Nathan Daniell

PRP01/26

That the minutes of the CEO Performance Review Panel meeting held on 15 October 2025 as distributed, be confirmed as an accurate record of the proceedings of that meeting

Carried Unanimously

4. PRESIDING MEMBER'S OPENING COMMENTS

The Presiding Member:

- Welcomed the Panel, noting Cr Gladigau is new to the Panel
- Noted it was a privilege to be the Presiding member
- Introduced the QIP to the new members
- Outlined meeting procedures and his intention to guide the meeting in accordance with the procedures, including reminder members to speak through the chair
- Noted the agenda involves the CEO providing a presentation against his KPIs

5. DELEGATION OF AUTHORITY

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE

Nil

7. OFFICER REPORTS – DECISION ITEMS

7.1 CEO Key Performance Indicators Report

The CEO gave a presentation to the Panel of his progress against the KPIs. The Panel asked questions regarding each KPI during the presentation.

6:50pm – Cr Lucy Huxter left the meeting

6:51pm – Cr Lucy Huxter returned to the meeting

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
WEDNESDAY 28 JANUARY 2026
63 MT BARKER RD STIRLING

Moved Acting Mayor Nathan Daniell
S/- Cr Rick Gladigau

PRP 02/26

- 1. That the report be received and noted.**
- 2. To recommend to Council to note:**
 - a. That the CEO provided a verbal and written progress report against his Key Performance Indicators to the CEO Performance Review Panel**
 - b. The CEO's Key Performance Indicators Report – Quarter 2 (in Appendix 1)**

Carried Unanimously

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Nil

10. CONFIDENTIAL ITEMS

Nil

11. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on Wednesday 22 April 2025 from 6.00pm at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 7.42pm.