

DELEGATIONS REGISTER

RESOLUTION

Moved: Cr David Langford
Seconded: Cr Anthony Bennett

That having conducted a review of the Council's Delegations Register R007 in accordance with Section 44(6a) of the Local Government Act 1999, the Council:

1. Revocations

- 1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:
 - 1.1.1 Community Titles Act 1996
 - 1.1.2 Development Act 1993 and Development Regulations 2008
 - 1.1.3 Dog & Cat Management Act 1995
 - 1.1.4 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
 - 1.1.5 Expiation of Offences Act 1996 (with effect from 30 April 2018)
 - 1.1.6 Fences Act 1975
 - 1.1.7 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
 - 1.1.8 Fines Enforcement and Debt Recovery Act 2017
 - 1.1.9 Food Act 2001
 - 1.1.10 Freedom of Information Act 1991
 - 1.1.11 Deliberately left blank
 - 1.1.12 Land & Business (Sale and Conveyancing) Act 1994
 - 1.1.13 Liquor Licensing Act 1997
 - 1.1.14 Local Government Act 1999

- 1.1.15 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005
 - 1.1.16 Roads (Opening & Closing) Act 1991
 - 1.1.17 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
 - 1.1.18 South Australian Public Health Act 2011 the South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013
 - 1.1.19 Supported Residential Facilities Act 1992
 - 1.1.20 Unclaimed Goods Act 1987
 - 1.1.21 Work Health and Safety Act 2012
 - 1.1.22 Safe Drinking Water Act 2011
 - 1.1.23 Water Industry Act 2012 and Water Industry Regulations 2012
 - 1.1.24 Real Property Act 1886
 - 1.1.25 Strata Titles Act 1988
 - 1.1.26 Heavy Vehicle National Law (South Australia) Act 2013
 - 1.1.27 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
 - 1.1.28 Electronic Conveyancing National Law (South Australia) Act 2013
 - 1.1.29 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
 - 1.1.30 Planning, Development and Infrastructure Act 2016
 - 1.1.31 Electricity Act 1996
 - 1.1.32 Gas Act 1997
 - 1.1.33 State Records Act 1997.
- 1.2 Hereby revokes its previous delegations to its Council Assessment Panel under the Development Act 1993 and Development Regulations 2008.

2. Delegations made under Local Government Act 1999

- 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of

Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

- 2.1.1 Community Titles Act 1996
- 2.1.2 Dog & Cat Management Act 1995
- 2.1.3 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
- 2.1.4 Expiation of Offences Act 1996 (with effect from 30 April 2018)
- 2.1.5 Fences Act 1975
- 2.1.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 2.1.7 Freedom of Information Act 1991
- 2.1.8 Deliberately left blank
- 2.1.9 Land & Business (Sale & Conveyancing) Act 1994
- 2.1.10 Liquor Licensing Act 1997
- 2.1.11 Local Government Act 1999
- 2.1.12 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005
- 2.1.13 Roads (Opening and Closing) Act 1991
- 2.1.14 Work Health and Safety Act 2012
- 2.1.15 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- 2.1.16 Unclaimed Goods Act 1987
- 2.1.17 South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013
- 2.1.18 Safe Drinking Water Act 2011
- 2.1.19 Water Industry Act 2012 and Water Industry Regulations 2012
- 2.1.20 Real Property Act 1886
- 2.1.21 Strata Titles Act 1988
- 2.1.22 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
- 2.1.23 Electronic Conveyancing National Law (South Australia) Act 2013

- 2.1.24 Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
- 2.1.25 Planning, Development and Infrastructure Act 2016
- 2.1.26 Fines Enforcement and Debt Recovery Act 2017 (with effect from 30 April 2018)
- 2.1.27 Electricity Act 1996
- 2.1.28 Gas Act 1997
- 2.1.29 State Records Act 1997

2.2 In exercise of the power contained in Section 44 of the Local Government Act 1999 Local Government Act 1999 hereby delegates, on this 8th day of July 2020, to the person occupying the office of Chief Executive Officer of the Council the powers and functions under the Local Government Act 1999, the operation of which has been varied under the Public Access and Public Consultation Notice (No 2) 2020 (Attachment 1), and set out below subject to the conditions and/or limitations, if any, specified herein:

- (a) the power pursuant to Section 45(2) of the Local Government Act 1999 to, if the delegate is satisfied it is reasonably necessary as a result of the public health emergency, to:
 - (i) close the principal office of the Council; or
 - (ii) vary the transaction of business hours at the principal office of the Council;
- (b) the power pursuant to Section 45(3) of the Local Government Act 1999 if the Council closes its principal office or varies the transaction of business hours in accordance with Section 45(2) of the Local Government Act 1999, to, as soon as reasonably practicable, take reasonable steps to:
 - (i) make alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the principal office of the Council;
 - (ii) inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements to access those services;
- (c) the power pursuant to Section 45(4)(b) of the Local Government Act 1999 to satisfy any obligation under the Local Government Act 1999 to make a document available for inspection at the principal office of the Council by making the document available for inspection at an alternative place or by an alternative means as determined by the delegate;
- (d) the power pursuant to Section 45(5) of the Local Government Act 1999, if the Council or Chief Executive Officer makes a document available for inspection in accordance with Section 45(4) of the Local Government Act 1999, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements for inspection of the document;

- (e) the power pursuant to Section 45(10) of the Local Government Act 1999 if the Council makes copies of a document available in accordance with Sections 45(8) or (9) of the Local Government Act 1999, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements for provision of copies of the document;
- (f) the power pursuant to Section 50(5a) of the Local Government Act 1999 to alter the Council's Public Consultation Policy or substitute a new policy without undertaking public consultation, even if the Council's existing Public Consultation Policy requires the Council to conduct public consultation;
- (g) the power pursuant to Section 123(5) of the Local Government Act 1999 to ensure that copies of the draft annual business plan are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the Local Government Act 1999) and on the website at least 21 days before the end of the period for providing written submissions;
- (h) the power pursuant to Section 151(8) of the Local Government Act 1999 to ensure that copies of the report (which relates to proposed rating changes) required under Section 151(5)(d) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the Local Government Act 1999) at least 21 days before the end of the period for public consultation;
- (i) the power pursuant to Section 156(14e) of the Local Government Act 1999 to ensure that copies of the report required under section 156(14a)(a) (which relates to changes about declaring differential rates) of the Local Government Act 1999 are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the Local Government Act 1999) at least 21 days before the end of the period for public consultation;

These delegations specified in paragraph 2.2:

- (a) operate and have effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect (Attachment 1);
- (b) for the period the Public Access and Public Consultation Notice (No 2) 2020 (Attachment 1) has effect, take precedence in the event of any inconsistency between these delegations and any other delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations;

2.3 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

3. Delegations made under Development Act 1993

3.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (attaching to this

report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
- 3.3 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

4. Delegations made under Food Act 2001

- 4.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer ('the head of the enforcement agency' for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
- 4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

5. Delegations under Supported Residential Facilities Act 1992

- 5.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
- 5.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

6. Authorisations and Sub-delegations under the Road Traffic Act 1961

- 6.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument

provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

Trevor Graham - Director Assets & Infrastructure Services

Roy Dick - Works Manager

Stephen Goldsworthy - Operations Manager

Nicholas Hoskin - Operations Coordinator

Michael McCauley – Asset Manager

Phillip Herrmann – Senior Compliance Officer

- 6.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

Trevor Graham - Director Assets & Infrastructure Services

Roy Dick - Works Manager

Stephen Goldsworthy - Operations Manager

Nicholas Hoskin - Operations Coordinator

Michael McCauley – Asset Manager

- 6.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Sub-delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer of the Council subject to:

(i) the conditions contained in the Instrument; and

(ii) any conditions contained in this Resolution or in the Instrument of Sub-delegation; and

(iii) the creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

- 6.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans:

Trevor Graham (Director Assets & Infrastructure Services)

Roy Dick (Works Manager)

Stephen Goldsworthy (Operations Manager)

Nicholas Hoskin (Operations Coordinator)

Dwayne Werfel (Works Supervisor North)

Guido Varricchio (Works Supervisor South)

Jason Coe (Leading Worker Central)

Michael Wuttke (Leading Worker North)

Stuart Heinrich-Smith (Leading Worker South)

Phillip Herrmann (Senior Compliance Officer)

Michael McCauley – Asset Manager

7. Delegations under Safe Drinking Water Act 2011 (of enforcement agency)

7.1 In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

7.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

8. Delegations under Fire and Emergency Services Act 2005 to a Fire Prevention Officer

8.1 In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act 2005 contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person appointed Fire Prevention Officer of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

8.2 Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

9. Delegations under the Heavy Vehicle National Law (South Australia) Act 2013

9.1 In exercise of the powers contained in Section 44 of the Local Government Act 1999 and Section 22B of the Heavy Vehicle National Law (South Australia) Act 2013 (as relevant) the powers and functions under the Heavy Vehicle National Law (South Australia) Act 2013 contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.

9.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.

10. Delegations under Council By-Laws

10.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following By-Laws and specified in the proposed Instruments of Delegation for By-Laws (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instruments of Delegation for the By-Laws:

10.1.1 By-law No 1 - Permits and Penalties By-Law 2013

10.1.2 By-law No 2 - Local Government Land By-Law 2013

10.1.3 By-law No 3 – Roads By-Law 2013

10.1.4 By-law No 4 - Moveable Signs By-Law 2013

10.1.5 By-law No 5 - Dogs and Cats By-Law 2013

10.1.6 By-law No 6 - Nuisances Caused By Building Sites By-Law 2013

10.1.7 By-law No 7 – Port Vincent Marina By-Law 2013

10.2 The Chief Executive Officer is authorised to sub-delegate these powers to other employees of the Council as the Chief Executive Officer considers fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation for the By-Laws.

11. Delegations under The Planning, Development and Infrastructure Act 2016 to Delegate Powers of the Council as a Council, Designated Authority and Designated Entity

11.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and regulations made thereunder contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

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

12. Delegations under The Planning, Development and Infrastructure Act 2016 to Delegate Powers of the Council as a Relevant Authority

12.1 In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and regulations made thereunder contained in the proposed Instrument of Delegation (attaching to this report and provided under separate cover) are hereby delegated this 8th day of July 2020 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

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

CARRIED 151/2020 (8/07/2020)

PLANNING DEVELOPMENT AND INFRASTRUCTURE

INSTRUMENTS OF DELEGATION UPDATE

RESOLUTION

Moved: Cr Adam Meyer

Seconded: Cr Roger Johns

That having considered its Planning Development and Infrastructure Instruments of Delegation 40A and 40B in response to legislative change Council:

1. 1. Revocations

1.1 Hereby revokes its previous delegations of those powers and functions under the following:

1.1.1 Planning, Development and Infrastructure Act 2016

1.1.2 Planning, Development and Infrastructure (General) Regulations 2017

1.1.3 Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

2. Delegate Powers of the Council as a Council, Designated Authority and Designated Entity Under the Planning, Development and Infrastructure Act 2016

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation 40A (attached to this report - Attachment 1) are hereby delegated this 29th day of July 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

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

3. Delegate Powers of the Council as a Relevant Authority under the Planning, Development and Infrastructure Act 2016

3.1 In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation 40B (attached to this report - Attachment 2) are hereby delegated this 29th day of July 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

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

CARRIED 001/2020 (29/07/2020)

YORKE PENINSULA COUNCIL BY-LAW DELEGATION UPDATE

RESOLUTION

Moved: Cr Roger Johns

Seconded: Cr Leanne O'Brien

That having considered its Delegations Register in response to legislative change the Council:

1. Revocations

1. Effective from 6 December 2020, revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:
 - 1.1. By-law No 1 - Permits and Penalties By-law 2013
 - 1.2. By-law No 2 - Local Government Land By-law 2013
 - 1.3. By-law No 3 – Roads By-law 2013
 - 1.4. By-law No 4 - Moveable Signs By-law 2013
 - 1.5. By-law No 5 - Dogs and Cats By-law 2013
 - 1.6. By-law No 6 - Nuisances Caused By Building Sites By-law 2013
 - 1.7. By-law No 7 – Port Vincent Marina By-law 2013

2. Delegations under Council By-laws

- 2.1. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following By-laws and specified in the proposed Instruments of Delegation for By-laws (attached to this report) are hereby delegated this 11th day of November 2020 to the person occupying the office of Chief Executive Officer, to take effect from 6 December 2020, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instruments of Delegation for the By-laws:
 - 2.1.1. By-law No. 1 – Permits and Penalties By-law 2020
 - 2.1.2. By-law No. 2 – Local Government Land By-law 2020
 - 2.1.3. By-law No. 3 – Roads By-law 2020
 - 2.1.4. By-law No. 5 – Dogs By-law 2020
 - 2.1.5. By-law No. 6 – Cats By-law 2020
 - 2.1.6. By-law No. 7 – Port Vincent Marina By-law 2020
- 2.2. The Chief Executive Officer is authorised to sub-delegate these powers to other employees of the Council as the Chief Executive Officer considers fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation for the By-laws.

CARRIED 249/2020 (11/11/2020)

PLANNING DEVELOPMENT AND INFRASTRUCTURE INSTRUMENT OF DELEGATION 40A UPDATE

RESOLUTION

Moved: Cr John Rich

Seconded: Cr David Langford

That having considered its Planning Development and Infrastructure Instrument of Delegation 40A in response to a State Government ministerial restructure, Council:

1. **Revocations**

1.1 Hereby revokes its previous delegations of those powers and functions under the following:

1.1.1 Planning, Development and Infrastructure Act 2016

1.1.2 Planning, Development and Infrastructure (General) Regulations 2017

1.1.3 Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

1.1.4 Planning and Design Code And Practice Directions

2. **Delegate Powers of the Council as a Council, Designated Authority and Designated Entity Under the Planning, Development and Infrastructure Act 2016**

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation 40A (attached to this report - Attachment 1) are hereby delegated this 9th day of December 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

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

CARRIED 267/2020 (9/12/2020)