

UPDATED STAFF RECOMENDATION

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

1. That Council resolves to grant the delegation of powers and functions of the Council as provided for in the attached Instrument of Delegation (Attachment 1 to the report titled Review of Delegations and dated June 2023) with the following changes:
 - Section 97(6)(b) and section 98(3) of the Local Government Act 1999 are not delegated to the CEO.

Delegations under the *Planning, Development and Infrastructure Act 2016*

2. 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 Instrument of Delegation – PDI Act – Instrument A (Attachment 2 to the report titled Review of Delegations and dated June 2023) are hereby delegated with effect from 3 July 2023 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 within the Instrument of Delegation – PDI Act – Instrument A.
 - 2.1 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 in the Instrument of Delegation.
3. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the Instrument of Delegation – PDI Act – Instrument B (Attachment 3 to the report titled Review of Delegations and dated June 2023) are hereby delegated with effect from 3 July 2023 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified within the Instrument of Delegation.
 - 3.1 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 in the Instrument of Delegation.
4. Previous delegations granted by the Council of the powers and functions delegated under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made there under are revoked with effect from 3 July 2023.

Authorisations and sub-delegation under the *Road Traffic Act 1961*

5. That Council resolves to grant the sub-delegation of powers under the *Road Traffic Act 1961* as provided for in the Instrument of Sub-Delegation – *Road Traffic Act*

Tabled at Ordinary Council Meeting – 27 June 2023
Updated Staff Recommendation to Item 14.1

(Attachment 4 to the report titled Review of Delegations and dated June 2023) and revokes the previous sub delegation of powers under the *Road Traffic Act 1961*.

6. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'General Approval') (Attachment 5) the Council authorises the following persons pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such persons shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:
 - Derek Langman
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Jason Yii
 - Wahidullah Yousafzai
 - Aravinthan Udayak
 - Adithya Joshy
7. In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:
 - Derek Langman
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Jason Yii
 - Wahidullah Yousafzai
 - Aravinthan Udayak
 - Adithya Joshy
8. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:
 - Derek Langman
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Jason Yii
 - Wahidullah Yousafzai
 - Aravinthan Udayak
 - Adithya Joshy
9. Council's previous authorisation to Hye-Young Ghang and Rebecca van der Pennen pursuant to clause A.7 of the General Approval to endorse Traffic Impact Statements for the purpose of clause A of the General Approval is hereby revoked.