INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE SUPPORTED RESIDENTIAL FACILITIES ACT 1992

21 JULY 2026

Delegation Sources

- Supported Residential Facilities Act 1992

Positions

Abbreviation	Position	Name
CEO	Chief Executive Officer	Ross McNeil
DIO	Director Infrastructure & Operations	Geoff Van Mierlo
MDRS	Manager Development & Regulatory Services	Gabby Swearse
Not Sub Delegated	Not Sub-Delegated	

Instrument of Delegation under the Supported Residential Facilities Act 1992

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 9(1)(a)	Administer and enforce the Supported Residential Facilities Act in the council area	CEO, MDRS, DIO		council
section 9(1)(b)	Licence supported residential facilities situated in the council area	CEO, MDRS, DIO		council
section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	CEO, MDRS, DIO		council
section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	CEO, MDRS, DIO		council
section 9(2)	Delegate a power or function under the Supported Residential Facilities Act	CEO, Not Sub Delegated		council
section 9(5)	Participate in consultation with the Minister regarding a perceived failure of council to discharge duties under the Supported Residential Facilities Act	CEO, DIO		council

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 9(8)(a)(ii)	Make submissions to the Minister regarding the vesting of council powers or functions in another person or body	CEO, DIO		council
section 9(8)(b)	Undertake a delegation to discuss with the Minister the vesting of council powers or functions in another person or body	CEO, DIO		council
section 21(1)	Appoint an authorised officer	CEO, DIO		council
section 21(2)	Issue an identity card to an authorised officer	CEO, DIO		council
section 21(4)	Revoke the appointment of an authorised officer	CEO, DIO		council
section 24(1)	Receive an application from a proprietor of a supported residential facility for a licence	CEO, MDRS, DIO		licensing authority
section 24(3)	Issue a notice to the applicant for a licence requiring further information to determine the application for a licence	CEO, MDRS, DIO		licensing authority
section 24(5)	Require information provided by an applicant to be verified by statutory declaration	CEO, MDRS, DIO		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 24(9)	Conditionally approve the issue of a licence	CEO, MDRS, DIO		licensing authority
section 24(9)	Grant a licence	CEO, MDRS, DIO		licensing authority
section 24(10)	Refuse an application for a licence	CEO, MDRS, DIO		licensing authority
section 24(10)	Notify the applicant of a refusal of an application for a licence	CEO, MDRS, DIO		licensing authority
section 25(1)	Determine matters to be taken into account in determining an application for a licence	CEO, MDRS, DIO		licensing authority
section 25(2)	Determine matters to be taken into account in determining whether the applicant is suitable to be granted a licence	CEO, MDRS, DIO		licensing authority
section 25(3)	Determine matters to be taken into account in determining whether the premises are suitable to be used as a supported residential facility	CEO, MDRS, DIO		licensing authority
section 27(3)	Determine to consider a late application for renewal of a licence	CEO, MDRS, DIO		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 27(4)	Notify the applicant of a decision on an application for the renewal of a licence	CEO, MDRS, DIO		licensing authority
section 28	Refuse to renew a licence	CEO, MDRS, DIO		licensing authority
section 29(1)(b)	Impose conditions on a licence	CEO, MDRS, DIO		licensing authority
section 29(3)(b)	Vary or revoke a condition on a licence	CEO, MDRS, DIO		licensing authority
section 30(1)	Receive an application for the transfer of a licence	CEO, MDRS, DIO		licensing authority
section 30(3)	Request further information from an applicant for a transfer of a licence	CEO, MDRS, DIO		licensing authority
section 30(4)	Transfer a licence	CEO, MDRS, DIO		licensing authority
section 30(5)	Receive a surrendered licence	CEO, MDRS, DIO		licensing authority
section	Cancel a licence	CEO, MDRS,		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
31(1)		DIO		
section 31(2)(a)	Notify the holder of a licence of a proposed cancellation of the licence	CEO, MDRS, DIO		licensing authority
section 31(2)(b)	Receive submissions from the holder of a licence regarding a proposed cancellation of the licence	CEO, MDRS, DIO		licensing authority
section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility	CEO, MDRS, DIO		licensing authority
section 31(4)(a)	Appoint an administrator to a facility	CEO, MDRS, DIO		licensing authority
section 31(4)(b)	Take steps to secure the proper care of the residents of a facility	CEO, MDRS, DIO		licensing authority
section 31(6)(a)	Determine whether or not the imposition of conditions pending the cancellation of a licence would adequately protect the interests of residents of the facility	CEO, MDRS, DIO		licensing authority
section 31(6)(g)(ii)	Revoke the appointment of an administrator	CEO, MDRS, DIO		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 32(1)	Participate in the review of a decision of the licensing authority by the South Australian Civil and Administrative Tribunal	CEO, MDRS, DIO		licensing authority
section 32(3)	Order that a licence subject to an application to review decision regarding renewal remain in force until the determination of the review	CEO, MDRS, DIO		licensing authority
section 32(4)(a)	Impose conditions on an order given under section 32(3)	CEO, MDRS, DIO		licensing authority
section 32(4)(b)	Vary or revoke an order given under section 32(3)	CEO, MDRS, DIO		licensing authority
section 33(1)	Grant licence	CEO, MDRS, DIO		licensing authority
section 34(1)	Approve a manager of a facility	CEO, MDRS, DIO		licensing authority
section 34(2)	Determine a time period after which the proprietor of a facility will be guilty of an offence if no approved person is managing the facility	CEO, MDRS, DIO		licensing authority
section 35	Approval of a person to be the	CEO,		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
	licence holder if a licence holder dies	MDRS, DIO		
section 37	Receive a copy of the prospectus and any alterations to the prospectus	CEO, MDRS, DIO		licensing authority
section 39(2)(b)	Approve an alternative to the prescribed means of serving a notice of termination of a resident contract by the proprietor of a facility	CEO, MDRS, DIO		licensing authority
section 43(1)(a)	Receive an application in regard to disputes between a resident of a supported residential facility and the proprietor	CEO, MDRS, DIO		licensing authority
section 43(1)(b)	Receive an application if a resident of a support residential facility objects to a decision of the proprietor of the facility to terminate his or her residential contract	CEO, MDRS, DIO		licensing authority
section 43(1)(c)	Receive an application if a resident of a support residential facility believes that the proprietor has failed to comply with the terms or their resident contract or a provision of the Support Residential facilities Act or the proprietor has acted in any unauthorised manner	CEO, MDRS, DIO		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 43(2)	Explore avenues of conciliation between the resident and the proprietor	CEO, MDRS, DIO		licensing authority
section 43(3)(a)	Make recommendations as to the settlement of a dispute between a resident and the proprietor	CEO, MDRS, DIO		licensing authority
section 43(3)(b)	Order the proprietor to vary or reverse a decision or take such actions necessary to remedy the breach or reverse the effect of any act of the proprietor	CEO, MDRS, DIO		licensing authority
section 43(3)(c)	Order the resident to refrain from any future action of a kind specified in the order or take action appropriate in the circumstances of the case	CEO, MDRS, DIO		licensing authority
section 43(3)(d)	Order the resident or proprietor to take action to remedy any default or to correct any unauthorised act	CEO, MDRS, DIO		licensing authority
section 43(3)(e)	Take any action appropriate in the circumstances	CEO, MDRS, DIO		licensing authority
section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application	CEO, MDRS, DIO		licensing authority
section	Require an applicant to verify any	CEO,		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
43(6)(b)	information by statutory declaration	MDRS, DIO		
section 43(7)	Notify the applicant and respondent of the time and place of any hearing of the application	CEO, MDRS, DIO		licensing authority
section 43(8)	Investigate or determine the subject matter of an application	CEO, MDRS, DIO		licensing authority
section 43(9)	Make an interim order pending final resolution of the matter	CEO, MDRS, DIO		licensing authority
section 43(10)(a)	Determine the time period (not exceeding 2 months) during which the interim order will operate	CEO, MDRS, DIO		licensing authority
section 43(11)	Vary or revoke an order	CEO, MDRS, DIO		licensing authority
section 43(12)(a)	Specify procedures for the resolution of the dispute	CEO, MDRS, DIO		licensing authority
section 43(12)(a)	Decline to proceed with an application until reasonable steps have been taken to resolve the dispute pursuant to procedures specified by the licensing authority	CEO, MDRS, DIO		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law	CEO, MDRS, DIO		licensing authority
section 43(12)(b)	Decline to proceed (or further proceed) with an application if proceedings have been commenced in a court or tribunal constituted by law	CEO, MDRS, DIO		licensing authority
section 44(1)	Participate in proceedings for a review of a decision or order of the licensing authority by the South Australian Civil and Administrative Tribunal	CEO, MDRS, DIO		licensing authority
section 47(1)	Approve a person to enter any premises that comprise a support residential facility, or any residential-only premises, for the purpose of visiting or attending on any person residing at those premises	CEO, MDRS, DIO		licensing authority
section 49(1)(a)	Receive complaints regarding the management of a supported residential facility or any residential-only premises	CEO, MDRS, DIO		licensing authority
section 49(1)(b)	Receive complaints regarding the conduct of a resident of a supported residential facility or any residential-only premises	CEO, MDRS, DIO		licensing authority

Supported Residential Facilities Act 1992				
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**	**Capacity of Council**
section 49(2)	Determine whether a complaint must be reduced to writing	CEO, MDRS, DIO		licensing authority
section 49(3)	Take appropriate action in regard to a complaint	CEO, MDRS, DIO		licensing authority
section 49(4)	Appoint an authorised officer to investigate the circumstances surrounding the complaint and to attempt to resolve the matter as expeditiously as possible	CEO, MDRS, DIO		licensing authority
section 56(4)	Pay prescribed percentage of licence fees into the Supported Residential Facilities Indemnity Fund	CEO, MDRS, DIO		licensing authority
section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility	CEO, MDRS, DIO		licensing authority
section 57(6)	Attach conditions to an exemption granted under section 57(5)	CEO, MDRS, DIO		licensing authority
section 57(7)(a)	Revoke an exemption granted under section 57(5)	CEO, MDRS, DIO		licensing authority
section 57(7)(b)	Vary or revoke condition applying to an exemption granted under section 57(5)	CEO, MDRS, DIO		licensing authority