



City of **West Torrens**

Between the **City** and the **Sea**

City of West Torrens

Delegations and Sub-delegations Framework

DocuSigned by:

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Chief Executive Officer
City of West Torrens

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Positions

Abbreviation	Position
AALCSO	Adelaide Airport Limited Community Safety Officer
AM	Assessment Manager
AMO	Animal Management Officer
ATA	Asset and Taxation Accountant
BLB	Business Lead Building
BLCP	Business Lead Community Partnerships
BLES	Business Lead Engineering Services
BLMAPS	Business Lead Management Accounting, Projects and Systems
BLP	Business Lead Planning
BLPLS	Business Lead Property and Leasing Specialist
CAP	Council Assessment Panel
CCO	Customer Contact Officer
CCWS	Coordinator Civil Works and Services
CEO	Chief Executive Officer
FFFS	Coordinator Fleet and Facility Support
CHS	Coordinator Horticulture Services
COUNCIL	Council
CPS	Coordinator Property Services

Abbreviation	Position
CRDL	Collections and Resource Development Librarian
CSAO	Community Safety Admin Officer
CSO	Community Safety Officer
CW	Civil Workers
DA	Development Assistant
Delegation Not Required	Delegation Not Required
Deputy CEO	Deputy CEO
DO	Debtors Officer
DOB	Development Officer - Building
DOP	Development Officer - Planning
DSO	Development Support Officer
Duty	Duty
ECOMC	Executive Coordinator Office of the Mayor and CEO
EHO	Environmental Health Officer
EO	Events Officer
FC	Finance Coordinator
FOIO	FOI Officer
GMBCS	General Manager Business and Community Services

Abbreviation	Position
GMCC	General Manager Corporate and Compliance
GMUS	General Manager Urban Services
MCA	Manager City Assets
MCD	Manager City Development
MCO	Manager City Operations
MCP	Manager City Property
MCS	Manager Community Services
MCW	Manager Compliance and Waste
MFS	Manager Financial Services
MGR	Manager Governance and Risk
MIS	Manager Information Services
MPS	Manager People and Safety
MSB	Manager Strategy and Business
Not Delegated	Not Delegated
RCO	Rates Coordinator
RO	Rates Officer
RRO	Rates & Recovery Officer
SCCO	Senior Customer Contact Officer

Abbreviation	Position
SCSAO	Senior Community Safety Administration Officer
SCSO	Senior Community Safety Officer
SDOB	Senior Development Officer - Building
SDOP	Senior Development Officer - Planning
SM	Senior Mechanic
SW	Stores Worker
TLAM	Team Leader Asset Management
TLCC	Team Leader Customer Contact
TLCDS	Team Leader Compliance and Development Support
TLCF	Team Leader Community Facilities
TLCOMM	Team Leader Community Connections
TLCREATIVE	Team Leader Creative Services
TLCS	Team Leader Community Safety
TLE	Team Leader Events
TLEH	Team Leader Environmental Health
TLG	Team Leader Governance
TLL	Team Leader Library
TLPRO	Team Leader Procurement

Abbreviation	Position
TLS	Team Leader Sustainability
TLSP	Team Leader Strategic Planning
TLTT	Team Leader Traffic and Transport
TLWRR	Team Leader Waste and Resource Recovery
To be Delegated	To be Delegated
TOCA	Technical Officer - City Assets
TTO	Traffic and Transport Officer
WGLA	WGL Arboriculture
WGLCC	WGL Civil Construction
WGLCCLEAN	WGL City Clean
WGLL	WGL Landscape
WGLM	WGL Maintenance
WGLTI	WGL Turf and Irrigation

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1. By-Law Permits and Penalties 2017

1. By-Law Permits and Penalties 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
1. Title	This By-law may be cited as the Permits and Penalties By-law 2017 and is By-law No. 1 of the City of West Torrens.	Duty	N/A
2. Authorising law	This By-law is made under section 246 of the Local Government Act 1999.	Duty	
3. Purpose	The objects of this By-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by: 3.1. creating a permit system for Council By-laws; 3.2. providing for the enforcement of breaches of Council By-laws and fixing penalties; and 3.3. clarifying the construction of Council By-laws.	Duty	
4. Commencement, revocation and expiry	4.1. The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation ¹ 4.1.1 By-law No. 1 - Permits and Penalties 2010.	Duty	

1. By-Law Permits and Penalties 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>4.2. This By-law will expire on 1 January 2025.</p> <p>Note</p> <p>1. Generally a By-law comes into operation 4 months after the day on which it is gazetted: section 249(5) of the Act.</p> <p>2. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.</p>		
5. Application	5.1. This By-law applies throughout the Council's area.	Duty	
6. Definitions	<p>In this By-law, unless the contrary intention appears:</p> <p>6.1. Act means the Local Government Act 1999;</p> <p>6.1. Authorised person means a person appointed by the Council as an authorised person under section 260 of the Act;</p> <p>6.2. Council means the City of West Torrens;</p> <p>6.3. person includes a natural person, a body corporate or an incorporated association.</p>	Duty	

1. By-Law Permits and Penalties 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Note - Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Act.		
7. Construction of By-laws generally	7.1. Every By-law of the Council is subject to any Act of Parliament and Regulations made thereunder. 7.2. In any By-law of the Council, unless the contrary intention appears, permission means permission of the Council (or such other person as the Council may authorise), granted in writing prior to the act (including by way of the Council adopting a policy for this purpose), event or activity to which it relates.	Duty	
8. Permits	8.1. Where a By-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council. 8.2. The Council (or such other person as the Council may authorise) may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission. 8.3. A person granted permission must comply with every such condition. Failure to do so is an	Duty	

1. By-Law Permits and Penalties 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>offence (to the extent that it gives rise to a contravention of a By-law).</p> <p>8.4. The Council (or such other person authorised by the Council) may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.</p>		
9. Offences and penalties	<p>9.1. A person who commits a breach of any By-law of the Council is guilty of an offence and may be liable to pay:</p> <p>9.1.1 the maximum penalty, being the maximum penalty referred to in the Act that may be fixed for any breach of a By-law; or</p> <p>9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against By-laws, being a fee equivalent to 25 percent of the maximum penalty fixed for any breach of a By-law.</p> <p>9.2. A person who commits a breach of a By-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a By-law for a breach of a By-law of a continuing</p>	Duty	

1. By-Law Permits and Penalties 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>nature.</p> <p>Note</p> <p>The maximum penalty for a breach of a By-law is currently \$750.00, and the maximum penalty for every</p> <p>day in which a breach of a continuing nature continues is currently \$50.00 - see section 246(3)(g) of the Act.</p> <p>Pursuant to section 246(5) of the Act expiation fees may be fixed for alleged offences against by-laws</p> <p>either by a by-law or by resolution of the Council. However, an expiation fee fixed by the Council cannot</p> <p>exceed 25 per cent of the maximum penalty prescribed by the Act for a breach of a By-law.</p> <p>This By-law was duly made and passed at a meeting of the City of West Torrens held on the 2 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.</p>		

2. By-Law Local Government Land 2017

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
1. Title	This By-law may be cited as the Local Government Land By-law 2017 and is By-law No. 2 of the City of West Torrens.	Not Delegated	
2. Authorising law	This By-law is made under sections 238 and 246 of the Local Government Act 1999 and section 18A of the Harbors and Navigation Act 1993.	Not Delegated	
3. Purpose	The objects of this By-law are to regulate the access to and use of Local Government land (other than roads), and certain public places: 3.1. to prevent and mitigate nuisances; 3.2. to prevent damage to Local Government land; 3.3. to protect the convenience, comfort and safety of members of the public; 3.4. to enhance the amenity of the Council area; and 3.5. for the good rule and government of the area.	Not Delegated	
4. Commencement, revocation and expiry	4.1. The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation. 1	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>4.1.1 Local Government Land By-law No. 2 of 20102</p> <p>4.2. This By-law will expire on 1 January 2025.3</p> <p>Note</p> <p>1. Generally a By-law comes into operation 4 months after the day on which it is gazetted: section 249(5) of the Act.</p> <p>2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.</p> <p>3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law</p>		
5. Application	5.1. This By-law operates subject to the Council's Permits and Penalties By-law 2017.	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>5.2. Subject to clauses 5.3 & 5.4, this By-law applies throughout the Council area.</p> <p>5.3. Clauses 9.2, 9.8.1, 9.9.2, 9.23.1, 9.23.3-9.23.5, 9.26.2, 9.37, 10.4 and 10.9 of this By-law only apply in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.</p> <p>5.4. Clauses 9.8.3, 9.12.2(b) and 9.33.1 of this By-law apply throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.</p>		
6. Definitions	<p>In this By-law, unless the contrary intention appears:</p> <p>6.1. Act means the Local Government Act 1999;</p> <p>6.2. animal or animals includes birds and insects but does not include a dog;</p> <p>6.3. authorised person is a person appointed by the Council as an authorised person under section 260 of the Act;</p> <p>6.4. boat includes a raft, pontoon or personal watercraft or other similar device;</p> <p>6.5. camp includes setting up a camp, or causing a tent, caravan or motor home to</p>	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;</p> <p>6.6. Council means the City of West Torrens;</p> <p>6.7. effective control means a person exercising effective control of an animal either:</p> <p>6.7.1 by means of a physical restraint; or</p> <p>6.7.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;</p> <p>6.8. electoral matter has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;</p> <p>6.9. emergency vehicle has the same meaning as in the Australian Road Rules and the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations</p>		

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>2014]</p> <p>6.10. emergency worker has the same meaning as in the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014]</p> <p>6.11. foreshore means land extending from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or for a distance of 50 metres from the high water mark (whichever is the lesser);</p> <p>6.12. funeral ceremony means a ceremony only (i.e. a memorial service) and does not include a burial;</p> <p>6.13. liquor has the same meaning as in the Liquor Licensing Act 1997]</p> <p>6.14. Local Government land means all land owned by the Council or under the Council's care, control and management (except roads);</p> <p>6.15. low water mark means the lowest meteorological tide;</p>		

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.16. offensive includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;</p> <p>6.17. open container means a container which, after the contents of the container have been sealed at the time of manufacture:</p> <p>6.17.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);</p> <p>6.17.2 being a can, it has been opened or punctured;</p> <p>6.17.3 being a cask, it has had its tap placed in a position to allow it to be used;</p> <p>6.17.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or</p> <p>6.17.5 is a flask, glass, mug or other container able to contain liquid.</p> <p>6.18. personal watercraft means a device that -</p> <p>6.18.1 is propelled by a motor; and</p> <p>6.18.2 has a fully enclosed hull; and</p> <p>6.18.3 is designed not to retain water if capsized; and</p>		

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.18.4 is designed to be operated by a person who sits astride, stands, or kneels on the device; and includes the device commonly referred to as a jet ski;</p> <p>6.19. special event means an organised gathering of at least 15 persons or more that is for sporting, educational, recreational, political, artistic, cultural, religious or social purposes.</p> <p>6.20. tobacco product has the same meaning as in the Tobacco Products Regulation Act 1997;</p> <p>6.21. vehicle has the same meaning as in the Road Traffic Act 1961;</p> <p>6.22. waters includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council but does not include ocean waters; and</p> <p>6.23. wheeled recreational device has the same meaning as in the Road Traffic Act 1961.</p>		

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Note Section 14 of the Acts Interpretation Act 1915 provides that an expression used in a By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.		
7. Access	<p>Note Pursuant to section 238(3) of the Act, if a Council makes a By-law about access to or use of a particular piece of Local Government land (under section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the By-law applies.</p> <p>The Council may:</p> <p>7.1. close or regulate or restrict access to any part of Local Government land to the public for specified times and days; and</p> <p>7.2. fix charges or fees payable for entry onto any part of Local Government land.</p>	CEO, GMBCS, MCP, MSB, TLE, EO	
8. Closed lands	<p>A person must not without permission, enter or remain on any Local Government land:</p> <p>8.1. which has been closed or in respect of which access by the public is regulated or</p>	CEO, GMBCS, Deputy CEO, MCD, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>restricted in accordance with clause 7.1;</p> <p>8.2. where entry fees or charges are payable, without paying those fees or charges; or</p> <p>8.3. where the land has been enclosed by fences and/or walls and gates that have been closed and locked.</p>		
9. Activities requiring permission	<p>Note</p> <p>Pursuant to section 238(3) of the Act, if a Council makes a By-law about access to or use of a particular piece of Local Government land (under section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the By-law applies.</p> <p>A person must not without the permission of the Council, do any of the following on Local Government land or, where indicated, the foreshore</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.1. Advertising	Subject to clause 14.2, display, paint or erect or cause to be displayed, painted or erected, on Local Government land or a structure, building or fixture on Local Government land any sign or hoarding for the purpose of commercial advertising or	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB,	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>any other purpose unless:</p> <p>9.1.1 the sign or hoarding is permitted to be displayed or erected in accordance with the Council Policy Advertising on Council Land and Related Public Infrastructure (as may be amended from time to time); or</p> <p>9.1.2 the sign is a moveable sign that is displayed on a road in accordance with Council's Moveable Signs By-Law 2017.</p>	TLE, TLCS, GMCC, GMUS, EO	
9.2 Alcohol	Consume, carry or be in possession or in charge of any liquor on Local Government land comprising parks or reserves to which the Council has determined this paragraph applies.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.3 Amplification	Use an amplifier or other mechanical or electrical device for the purpose of amplifying or broadcasting sound, or magnifying sound.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
9.4. Animals	<p>9.4.1 On Local Government land other than the foreshore:</p> <p>(a) cause or allow an animal to stray onto, move over, graze or be left unattended; or</p> <p>(b) cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government land; or</p> <p>(c) lead, herd, drive or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control.</p> <p>9.4.2 On Local Government land comprising the foreshore lead, herd or exercise a sheep, cow, goat or horse.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.5 Annoyance	<p>Do anything likely to offend or unreasonably interfere with any other person:</p> <p>9.5.1 using that land; or</p> <p>9.5.2 occupying nearby premises;</p> <p>by making a noise or creating a disturbance.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.6. Attachments	Subject to clause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC,	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GMUS, EO	
9.7. Bees	Place a hive of bees on such land, or allow it to remain thereon.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.8. Boats	<p>Subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law.</p> <p>9.8.1 launch or retrieve a boat from or to any Local Government land to which the Council has determined this subclause applies;</p> <p>9.8.2 launch or retrieve a boat from or to any Local Government land other than from a boat ramp constructed for that purpose;</p> <p>9.8.3 propel, float or otherwise use a boat on or in any waters except:</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(a) in an area to which the Council has resolved (if any); and</p> <p>(b) in accordance with any conditions that the Council may have determined by resolution apply to that use;</p> <p>9.8.4 hire out a boat or otherwise use a boat for commercial purposes;</p> <p>9.8.5 moor a boat on any waters or to a pontoon attached to Local Government land.</p>		
9.9. Boat Ramps	<p>9.9.1 Allow any vehicle or boat to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.</p> <p>9.9.2 Launch or retrieve a boat from or on to any boat ramp on Local Government land to which the Council has determined this sub clause applies other than in accordance with the conditions determined by the Council, including any condition specified on a sign displayed on or in the vicinity of the boat ramp.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.10. Buildings	Use a building, or structure on Local Government land for a purpose other than its intended purpose.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC,	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GMUS, EO	
9.11. Burials and Memorials	<p>9.11.1 Bury, inter or spread the ashes of any human or animal remains.</p> <p>9.11.2 Erect any memorial except for a temporary memorial erected in accordance with the Council Policy Memorials (as may be amended from time to time).</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.12. Camping and Tents	<p>9.12.1 Subject to this subclause 9.12, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.</p> <p>9.12.2 Camp or stay overnight except:</p> <p>(a) where a person is in a caravan park on Local Government land, the proprietor of which has been given permission by Council to operate the caravan park on that land; or</p> <p>(b) in an area to which the Council has resolved this subclause applies (if any) and in accordance with such time limits and other conditions determined by resolution of the Council (if any).</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
9.13. Canvassing	Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.14. Defacing Property	Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.15. Distribution	Subject to clause 14.2 and the Local Nuisance and Litter Control Act 2016, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book, leaflet, or other printed matter to any bystander, passer-by or other person.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.16. Donations	Ask for or receive or indicate that he or she desires a donation of money or any other thing.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC,	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GMUS, EO	
9.17 Entertainment and Busking	<p>9.17.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.</p> <p>9.17.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.18 Equipment	Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.19. Fires	<p>Subject to the Fire and Emergency Services Act 2005, light any fire except:</p> <p>9.19.1 in a place provided by the Council for that purpose; or</p> <p>9.19.2 in a portable barbeque, as long as the barbeque is used in an area that is</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	clear of flammable material for a distance of at least four (4) metres.		
9.20 Fireworks	Ignite or discharge any fireworks.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.21 Flora and Fauna	<p>Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:</p> <p>9.21.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;</p> <p>9.21.2 cause or allow an animal to stand or walk on any flower bed or garden plot;</p> <p>9.21.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;</p> <p>9.21.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>or the eggs or young of any animal, bird or marine creature;</p> <p>9.21.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;</p> <p>9.21.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;</p> <p>9.21.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or</p> <p>9.21.8 burn any timber or dead wood.</p>		
9.22. Foreshore	<p>On Local Government land comprising the foreshore:</p> <p>9.22.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose;</p>	<p>CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO</p>	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>9.22.2 allow a vehicle to remain stationary on the foreshore;</p> <p>9.22.3 drive or propel a vehicle on the foreshore except on an area that is constructed or set aside by the Council for that purpose;</p> <p>9.22.4 launch or retrieve a boat from or to the foreshore without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;</p> <p>9.22.5 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat.</p>		
9.23. Games & Sport	<p>9.23.1 Participate in, promote or organise any organised competition or sport as distinct from organised social play except on Local Government land to which the Council has resolved this subclause applies.</p> <p>9.23.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>9.23.3 Play or practise the game of golf on Local Government land to which the Council has resolved this subclause applies.</p> <p>9.23.4 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.</p> <p>9.23.5 Play or practise any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on any sign on or in the vicinity of the land.</p>		
9.24. Interference with Local Government land	<p>Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:</p> <p>9.24.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;</p> <p>9.24.2 erecting or installing a structure in, on, across, under or over the land;</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>9.24.3 changing or interfering with the construction, arrangement or materials of the land;</p> <p>9.24.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or</p> <p>9.24.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.</p>		
9.25 Marine Life	Introduce any aquatic flora and fauna to any waters located on Local Government land.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.26 Model Aircraft, Boats and Cars	<p>Subject to the Civil Aviation Safety Regulations 1998:</p> <p>9.26.1 fly or operate a model or drone aircraft, boat or model or remote control car in a manner which may cause or be likely to cause injury or discomfort to a person</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC,	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>being on or in the vicinity of the land, or detract from or be likely to detract from another person's lawful use of and enjoyment of the land; or</p> <p>9.26.2 fly or operate a model or drone aircraft, boat or model or remote control car on any Local Government land to which the Council has resolved this subclause applies.</p>	GMUS, EO	
9.27 Overhanging Articles or Displaying Personal Items	Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.28 Playing Area	<p>Use or occupy a playing area:</p> <p>9.28.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);</p> <p>9.28.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	9.28.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.		
9.29 Pontons	Install or maintain a pontoon or jetty in any waters.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.30. Preaching	Preach, harangue or solicit for religious purposes.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.31. Ropes	Place a buoy, cable, chain, hawser, rope or net in or across any waters.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
9.32 Rubbish and Rubbish Dumps	<p>9.32.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government land.</p> <p>9.32.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.33 Swimming	<p>Subject to the provisions of the Harbors and Navigation Act 1993, enter, swim in, bathe or engage in any aquatic activity in any waters except:</p> <p>9.33.1 in an area which the Council has determined may be used for such purposes; and</p> <p>9.33.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.34 Trading	9.34.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB,	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	9.34.2 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.	TLE, TLCS, GMCC, GMUS, EO	
9.35 Vehicles	<p>9.35.1 Drive or propel a vehicle except on any Local Government land constructed and set aside by the Council for that purpose.</p> <p>9.35.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.</p> <p>9.35.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
9.36 Wedding, Functions and Special Events	<p>9.36.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.</p> <p>9.36.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.</p>	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	9.36.3 Hold or conduct any filming where the filming is for a commercial purpose		
9.37 Wheeled Recreational Devices	Subject to the Road Traffic Act 1961, ride a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.	CEO, GMBCS, Deputy CEO, MCA, MCP, MCW, MSB, TLE, TLCS, GMCC, GMUS, EO	
10. Prohibited activities	A person must not do any of the following on Local Government land.	Not Delegated	
10.1 Animals	<p>10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.</p> <p>10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.</p> <p>10.1.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.</p>	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
10.2 Climbing	Climb on or over any fixture, fitting, plant, object or building other than a playground or similar area that the Council has set aside for the purpose	Not Delegated	
10.3 Equipment	Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.	Not Delegated	
10.4. Fishing	Fish in any waters to which the Council has determined this subclause applies.	Not Delegated	
10.5 Glass	Willfully break any glass, china or other brittle material.	Not Delegated	
10.6 Interference with Permitted Use	Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.	Not Delegated	
10.7 Nuisance	Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person.	Not Delegated	
10.8. Playing games	Play or practise a game:	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	10.8.1 which is likely to cause damage to the land or anything on it; or 10.8.2 in any area where a sign indicates that the game is prohibited.		
10.9 Smoking	Subject to the Tobacco Products Regulation Act 1997, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined this subclause applies.	Not Delegated	
10.10 Solicitation	Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.	Not Delegated	
10.11. Throwing objects	Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.	Not Delegated	
10.12. Toilets	In any public convenience on Local Government land: 10.12.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>10.12.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;</p> <p>10.12.3 use it for a purpose for which it was not designed or constructed;</p> <p>10.12.4 enter a toilet that is set aside for use of the opposite gender except:</p> <p>(a) where a parent or adult guardian accompanies a child under the age of ten years;</p> <p>or</p> <p>(b) to provide assistance to a person with a disability; or</p> <p>(c) in the case of a genuine emergency</p>		
10.1.3 Waste	<p>10.13.1 Deposit or leave thereon:</p> <p>(a) anything obnoxious or offensive;</p> <p>10.13.2 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.</p>	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
11. Directions	<p>11.1. A person on Local Government land must comply with a reasonable direction from an authorised person relating to:</p> <p>11.1.1 that person's use of the land;</p> <p>11.1.2 that person's conduct and behaviour on the land;</p> <p>11.1.3 that person's safety on the land; or</p> <p>11.1.4 the safety and enjoyment of other persons on the land.</p> <p>11.2. A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this By-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.</p>	Duty	
12. Orders	<p>If a person fails to comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under section 262(3) of the Act from the person to whom the order was directed.</p> <p>Note Section 262(1) of the Act states:</p> <p>1) If a person (the offender) engages in conduct that is a contravention of this Act or</p>	CEO	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>a By-law</p> <p>under this Act, an authorised person may order the offender a) if the conduct is still continuing - to stop the conduct; and</p> <p>b) whether or not the conduct is still continuing - to take specified action to remedy the contravention.</p> <p>Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order</p> <p>and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:</p> <ul style="list-style-type: none"> • cease smoking on Local Government land; • remove an object or structure encroaching on Local Government land; • dismantle and remove a structure erected on Local Government land without permission. 		
13. Removal of animals and objects	An authorised person may remove an animal or object that is on Local Government and in breach of a By-law if no person is in charge of, or apparently in charge of, the animal or object.	Duty	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
14. Exemptions	<p>14.1. The restrictions in this By-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.</p> <p>14.2. The restrictions in clauses 9.1, 9.13 and 9.15 of this By-law do not apply to electoral matter authorised by a candidate and which is:</p> <p>14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or</p> <p>14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or</p> <p>14.2.3 related to, and occurs during the course of and for the purpose of a referendum.</p>	Not Delegated	

2. By-Law Local Government Land			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
15. Liability of vehicle owners	<p>15.1. For the purposes of this clause 15, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.</p> <p>15.2. The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.</p> <p>This By-law was duly made and passed at a meeting of the City of West Torrens held on the 2 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.</p>	Not Delegated	

3. By-Law Roads 2017

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
1. Title	This By-law may be cited as the Roads By-law 2017 and is By-law No. 3 of the City of West Torrens.	Not Delegated	
2. Authorising law	This By-law is made under sections 239 and 246 of the Local Government Act 1999 and regulation 28 of the Local Government (General) Regulations 2013.	Not Delegated	
3. Purpose	<p>The objects of this By-law are to manage, control and regulate the prescribed uses of roads in the Council's area:</p> <p>3.1. to protect the convenience, comfort and safety of road users and members of the public;</p> <p>3.2. to prevent damage to buildings and structures on roads;</p> <p>3.3. to prevent certain nuisances occurring on roads; and</p>	Not Delegated	

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.4. for the good rule and government of the Council area.		
4. Commencement, revocation and expiry	<p>4.1. The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation 1</p> <p>4.1.1 Roads By-law No. 3 2010.2</p> <p>4.2. This By-law will expire on 1 January 2025.3</p> <p>Note</p> <p>1. Generally a By-law comes into operation 4 months after the day on which it is gazetted: section 249(5) of the Act.</p> <p>2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.</p> <p>3. Pursuant to section 251 of the Act, a By-law will expire on 1 January</p>	Not Delegated	

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	following the seventh anniversary of the gazettal of the By-law.		
5. Application	<p>5.1. This By-law operates subject to the Council's Permits and Penalties By-law 2017.</p> <p>5.2. Subject to subclause 5.3, this By-law applies throughout the Council's area.</p> <p>5.3. Subclause 7.4.2 of this By-law apply throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.</p>	Not Delegated	
6. Definitions	<p>In this By-law, unless the contrary intention appears:</p> <p>6.1. Act means the Local Government Act 1999;</p> <p>6.2. animal includes birds, insects and poultry but does not include a dog;</p> <p>6.3. authorised person is a person appointed by the Council as an authorised</p>	Not Delegated	

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>person under section 260 of the Act;</p> <p>6.4. camp includes setting up a camp, or causing:</p> <p>6.4.1 a tent or other structure of calico, canvas, plastic or other similar material; or</p> <p>6.4.2 subject to the Road Traffic Act 1961, a caravan or motor home;</p> <p>to remain on a road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;</p> <p>6.5. Council means the City of West Torrens;</p> <p>6.6. display means to put something in a prominent place in order that it may be readily seen;</p> <p>6.7. effective control means a person exercising effective control of an animal either:</p>		

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.7.1 by means of a physical restraint; or</p> <p>6.7.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;</p> <p>6.8. electoral matter has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity</p> <p>6.9. emergency worker has the same meaning as in the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014;</p> <p>6.10. moveable sign has the same meaning as in the Act;</p> <p>6.11. public exhibition means a display of works of art, or items of interest, including a demonstration of a skill held in area which is open to the public;</p> <p>6.12. road has the same meaning as in the Act; and</p>		

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.13. vehicle has the same meaning as in the Road Traffic Act 1961.</p> <p>Note</p> <p>Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.</p>		
	<p>7. Activities requiring permission</p> <p>A person must not do any of the following activities on a road without the permission of the Council.</p> <p>7.1. Advertising</p> <p>Display or cause to be displayed on a road or on a structure on a road, any poster or sign for the purpose of advertising goods or services except for:</p>	<p>CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS</p>	

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>7.1.1 a sign or poster that is permitted to be displayed or erected in accordance with the Council's Advertising on Council Land and Related Public Infrastructure Policy (as may be amended from time to time); or</p> <p>7.1.2 a moveable sign that is displayed on a road in accordance with the City of West Torrens By-law No. 4 Moveable Signs By-law 2017</p> <p>7.2. Amplification</p> <p>Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or magnifying sound including for the broadcasting of announcements or advertisements.</p> <p>7.3. Animals</p> <p>7.3.1 Cause or allow an animal to stray onto, move over, or graze on a road, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided the animal or animals are under effective control.</p>		

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>7.3.2 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.</p> <p>7.4. Camping and Tents</p> <p>7.4.1 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.</p> <p>7.4.2 Camp or remain overnight except for:</p> <p>7.4.2.1 on a road to which the Council has resolved this subclause applies (if any); and</p> <p>7.4.2.2 in accordance with any conditions determined by the Council and displayed on any signage on or near that road.</p> <p>7.5. Obstructions</p> <p>Subject to subclause 11.2, erect, install or place or cause to be erected, installed or placed, any structure, object or material of any kind so as to obstruct a road, footway, water-channel, or watercourse in a road.</p>		

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>7.6. Preaching Preach, harangue, solicit or canvass for religious or charitable purposes.</p> <p>7.7. Public Exhibitions and Displays</p> <p>7.7.1 Sing, busk, play a recording or use a music instrument, or perform similar activities.</p> <p>7.7.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity.</p> <p>7.7.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity.</p> <p>7.7.4 Cause any public exhibitions or displays.</p> <p>7.8. Soliciting</p> <p>7.8.1 Ask for or receive or do anything to indicate a desire for a donation of money or any other thing.</p> <p>7.9. Vehicles</p>		

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Repair, wash, paint, panel beat or perform other work of a similar nature to a vehicle, except for running repairs in the case of a vehicle breakdown.</p> <p>Note Moveable signs on roads are regulated by sections 226 and 227 of the Act and the Council's Moveable Signs By-law.</p>		
8. Directions	A person who, in the opinion of an authorised person is committing or has committed a breach of this By-law, must immediately comply with a direction of an authorised person to leave that part of the road.	Duty	
9. Orders	If a person does not comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under section 262(3) of the Act from the person to whom the order was directed.	CEO	<p>Note</p> <p>Section 262(1) of the Act states:</p> <p>(1) If a person (the offender) engages in conduct that is a contravention of this Act or a By-law under this Act, an authorised person may order the offender-</p> <p>(a) if the conduct is still continuing - to stop the conduct; and</p> <p>(b) whether or not the conduct is still continuing - to take specified action to remedy the</p>

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>contravention.</p> <p>Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:</p> <ul style="list-style-type: none"> • cease busking on a road; • remove an object or structure blocking a footpath; • dismantle and remove a tent from a road.
10. Removal of animals and objects	<p>10.1. The Council (or its delegate) may, pursuant to section 234 of the Act, remove an animal or object that is on a road in breach of a By-law if no person is in charge, or apparently in charge, of the animal or object.</p> <p>10.2. The Council may recover from the owner or apparent owner of an object</p>	Duty	

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	removed under subclause 10.1, the costs it incurs in removing that object.		
11. Exemptions	<p>11.1. The restrictions in this By-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.</p> <p>11.2. Subclause 7.5 does not apply to any object or structure erected, installed or placed on a road in accordance with the Council's Use of Public Footpaths and Roads for Business Purposes Policy (as may be amended from time to time).</p>	Not Delegated	
12. Liability of vehicle owners	<p>12.1. For the purposes of this clause 12, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.</p> <p>12.2. The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.</p> <p>This By-law was duly made and passed at a meeting of the City of West</p>	Not Delegated	

3. By-Law Roads			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Torrens held on the 2 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.		

4. By-Law Moveable Signs 2017

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
1. Title	This By-law may be cited as the Moveable Signs By-law 2017 and is By-law No. 4 of the City of West Torrens.	Not Delegated	
2. Authorising law	This By-law is made under sections 226, 238, 239 and 246 of the Local Government Act 1999.	Not Delegated	
3. Purpose	<p>The object of this By-law is to set standards for moveable signs on roads:</p> <p>3.1. to protect the comfort and safety of road users and members of the public;</p> <p>3.2. to enhance the amenity of roads and surrounding parts of the Council area;</p> <p>3.3. to prevent nuisances occurring on roads;</p> <p>3.4. to prevent unreasonable interference with the use of a road; and</p>	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.5. for the good rule and government of the Council area.		
4. Commencement, revocation and expiry	<p>4.1. The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation¹</p> <p>4.1.1 Moveable Signs By-law No. 4 of 2010.²</p> <p>4.2. This By-law will expire on 1 January 2025.³</p> <p>Note</p> <p>1. Generally a By-law comes into operation 4 months after the day on which it is gazetted: section 249(5) of the Act.</p> <p>2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.</p> <p>3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the</p>	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	seventh anniversary of the gazettal of the By-law.		
5. Application	<p>5.1. This By-law operates subject to the Council's Permits and Penalties By-law 2017.</p> <p>5.2. This By-law applies throughout the Council area.</p>	Not Delegated	
6. Definitions	<p>In this By-law, unless the contrary intention appears:</p> <p>6.1. Act means the Local Government Act 1999;</p> <p>6.2. authorised person means a person appointed as an authorised person pursuant to section 260 of the Act;</p> <p>6.3. banner means a strip of cloth, plastic or other material that is designed to be slung between two brackets, tied up at either end or hung from a pole, fence or other structure;</p> <p>6.4. business premises means premises from which a business is being conducted;</p>	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.5. Council means the City of West Torrens;</p> <p>6.6. footpath area means:</p> <p>6.6.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;</p> <p>6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;</p> <p>6.7. Local Government land has the same meaning as in the Act;</p> <p>6.8. moveable sign has the same meaning as in the Act;</p> <p>6.9. road has the same meaning as in the Act; and</p> <p>6.10. vehicle has the same meaning as in the Road Traffic Act 1961.</p>		

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.11. for the purposes of this By-law, a reference to sealed part of a footpath' means that part of the footpath that is bituminized, paved or otherwise sealed by cement and/or pavers.</p> <p>Note- Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this By-law has,</p> <p>unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.</p>		
7. Construction and design	<p>A moveable sign must:</p> <p>7.1. be of kind known as an 'A' frame or sandwich board sign, an 'inverted T sign, or a flat sign or, with the permission of the Council (including under a policy adopted by the Council), a sign of some other kind;</p> <p>7.2. be designed, constructed and maintained in good quality and condition so as not to, in the opinion of an authorised person, present a hazard to any member of the</p>	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>public;</p> <p>7.3. be of strong construction and sufficiently stable or securely fixed so as to keep its position in any weather conditions;</p> <p>7.4. have no sharp or jagged edges or corners;</p> <p>7.5. not have balloons, flags, streamers or other things attached to it;</p> <p>7.6. not rotate or contain flashing parts;</p> <p>7.7. not be unsightly or offensive in appearance or content;</p> <p>7.8. be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;</p> <p>7.9. not exceed 1 metre in height, 600mm in width and 600mm in depth;</p>		

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>7.10. in the case of an TV frame or sandwich board sign:</p> <p>7.10.1 in the case of an TV frame or sandwich board sign:</p> <p>7.10.2 be of such construction that its sides are securely fixed or locked in position when erected; and</p> <p>7.11. not have a base area in excess of 0.6 square metres in the case of an inverted T sign, not contain struts or members that run between the display area and the base of the sign.</p>		
8. Placement	<p>A moveable sign must not be:</p> <p>8.1. placed on any part of a road other than the footpath area;</p> <p>8.2. placed on a footpath that is less than 2.5 metres wide;</p> <p>8.3. tied, fixed or attached to or placed closer than 2 metres from another structure,</p>	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>fixed object, tree, bush or plant (including another moveable sign);</p> <p>8.4. placed within 1 metre of an entrance to any business premises;</p> <p>8.5. placed on the sealed part of a footpath if there is an unsealed part on which the sign can be placed in accordance with this By-law;</p> <p>8.6. placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;</p> <p>8.7. placed closer than 0.5 metres to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, which ever is the greater);</p> <p>8.8. placed on a landscaped area, other than landscaping that comprises only lawn;</p> <p>8.9. placed within 10 metres of an intersection;</p> <p>8.10. placed on a footpath area with a minimum height clearance from a structure</p>		

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>above it of less than 2 metres;</p> <p>8.11. placed on a designated parking area, a median strip, traffic island, roundabout or, within 1 metre of an entrance to premises;</p> <p>8.12. displayed during the hours of darkness unless it is clearly lit; or</p> <p>8.13. be placed in such a position or in such circumstances so that, in the opinion of an authorised person, the safety of a user of the footpath area or road is at risk.</p>		
9. Appearance	<p>A moveable sign placed on the footpath area must, in the opinion of an authorised person:</p> <p>9.1. be painted or otherwise detailed at a competent and professional manner;</p> <p>9.2. be attractive, legible and simply worded to convey a precise message;</p> <p>9.3. be of such design and contain such colours which are compatible with the</p>	Duty	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>architectural design of the premises adjacent to the sign, and which relate well to the town scope and overall amenity of the locality in which it is situated; and</p> <p>9.4. contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.</p>		
10. Banners	<p>A person must not erect or display a banner on a building or structure on a road without the Council's permission.</p> <p>Note</p> <p>A person must not erect or display a banner on a public road for a business purpose without a permit from the Council issued under section 222 of the Local Government Act 1999.</p>	CEO, Deputy CEO, MCA, MCD, MCW, TLCS, GMCC, GMUS	
11. Restrictions	<p>11.1. The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area at any time.</p> <p>11.2. A person must not, without the Council's permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land or a</p>	CEO, Deputy CEO, MCA, MCD, MCW, TLCS, GMCC, GMUS	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.</p> <p>11.3. A person must not cause or allow a moveable sign to be placed on a footpath area unless:</p> <p>11.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and</p> <p>11.3.2 the business premises to which it relates is open to the public;</p> <p>11.4. If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council (or its delegate) may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.</p>		
12. Exemptions	<p>12.1. Subclauses 11.1 and 11.3 of this By-law do not apply to a moveable sign which:</p> <p>12.1.1 advertises a garage sale taking place from residential premises;</p> <p>12.1.2 is a directional sign to an event run by a community organisation or charitable</p>	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>body;</p> <p>12.2. Subclauses 11.1 and 11.3 of this By-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.</p> <p>12.3. A requirement of this By-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.</p> <p>Note - This By-law does not apply to moveable signs placed and maintained on a road in accordance with section 226(3) of the Act, which includes any sign:</p> <ul style="list-style-type: none"> • placed there pursuant to an authorisation under another Act; • designed to direct people to the open inspection of any land or building that is available for purchase or lease; • related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; 		

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<ul style="list-style-type: none"> • related to an election held under this Act or the Local Government (Elections) Act 1999 and is displayed during the period commencing four (4) weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or • the sign is of a prescribed class. 		
13. Removal of moveable signs	<p>13.1. A person must immediately comply with the order of an authorised person to remove a moveable sign made pursuant to section 227(1) of the Act.</p> <p>Note - pursuant to section 227(1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:</p> <ul style="list-style-type: none"> • the design, construction or positioning of a Moveable Sign does not comply with a requirement of this By-law; or • any other requirement of this By-law is not complied with; or • the Moveable Sign unreasonably restricts the use of the Road, or endangers the safety of other persons. 	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>13.2. The owner of, or other person entitled to recover, a moveable sign removed by an authorised person pursuant to section 227(2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.</p> <p>13.3. The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person:</p> <p>13.3.1 if, in the opinion of an authorised person, and not withstanding compliance with this By-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or</p> <p>13.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.</p>		
14. Liability	14.1 For the purposes of this clause 14, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.	Not Delegated	

4. By-Law Moveable Signs			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>14.2. The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.</p> <p>This By-law was duly made and passed at a meeting of the City of West Torrens held on 2 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.</p>		

5. By-Law Dogs 2017

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
1. Title	This By-law may be cited as the Dogs By-law 2017 and is By-law No. 5 of the City of West Torrens.	Not Delegated	
2. Authorising law	This By-law is made under section 90(5) of the Dog and Cat Management Act 1995, sections 238 and 246 of the Act and section 18A of the Harbors and Navigation Act 1993.	Not Delegated	
3. Purpose	<p>The objects of this By-law are to control and manage dogs in the Council area:</p> <p>3.1. to reduce the incidence of environmental nuisance caused by dogs; and</p> <p>3.2. to promote responsible dog ownership; and</p> <p>3.3. to protect the convenience, comfort and safety of members of the public; and</p> <p>3.4. for the good rule and government of the Council area.</p>	Not Delegated	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
4. Commencement, revocation and expiry	<p>4.1. The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation.¹</p> <p>4.1.1 Dogs By-law No. 5 20102</p> <p>4.2. This By-law will expire on 1 January 2025.³</p> <p>Note</p> <p>1. Generally a By-law comes into operation 4 months after the day on which it is gazetted: section 249(5) of the Act.</p> <p>2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.</p> <p>3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.</p>	Not Delegated	
5. Application	<p>5.1. This By-law operates subject to the Council's Permits and Penalties By-law 2017.</p> <p>5.2. Subject to subclause 5.3, this By-law applies throughout the Council area.</p>	Not Delegated	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	5.3. Subclauses 9.1 and 10, of this By-law only apply in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.		
6. Definitions	<p>In this By-law, unless the contrary intention appears:</p> <p>6.1. Act means the Local Government Act 1999;</p> <p>6.2. approved kennel establishment means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993 for the keeping of dogs on a temporary or permanent basis;</p> <p>6.3. assistance dog means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;</p> <p>6.4. children's playground means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 metres of such devices if there is no enclosed area);</p>	Not Delegated	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.5. Council means the City of West Torrens;</p> <p>6.6. dog (except for in subclause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;</p> <p>6.7. effective control means a person exercising effective control of a dog either:</p> <p>6.7.1 by means of a physical restraint (as defined under the Dog and Cat Management Act 1995)] or</p> <p>6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;</p> <p>6.8. keep includes the provision of food or shelter;</p> <p>6.9. park has the same meaning as in the Dog and Cat Management Act 1995]</p> <p>6.10. premises includes land, whether used or occupied for domestic or nondomestic</p>		

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>purposes;</p> <p>6.11. small dwelling means a self-contained dwelling that is:</p> <p>6.11.1 a residential flat building; or</p> <p>6.11.2 contained in a separate strata unit or community title; or</p> <p>6.11.3 on an allotment less than 400 square metres in area; or</p> <p>6.11.4 without a secure yard of at least 100 square metres in area;</p> <p>6.12. for the purposes of clauses 9 and 10 of the By-law, a dog is under effective control by means of a leash if the dog is secured to a leash, chain or cord that does not exceed 2 metres in length and:</p> <p>6.12.1 the leash, chain or cord is either tethered securely to a fixed object; or</p> <p>6.12.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.</p> <p>Note</p>		

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-laws was made.		
7. Limits on dog numbers in private premises	<p>7.1. Subject to subclauses 7.3 and 7.5, a person must not, without the Council's permission, keep, or cause, suffer or permit to be kept:</p> <p>7.1.1 more than one dog in a small dwelling; or</p> <p>7.1.2 more than two dogs in premises other than a small dwelling; or</p> <p>7.2. For the purposes of subclause 7.1, 'dog' means a dog that is three (3) months of age or older, or a dog that has lost its juvenile teeth.</p> <p>7.3. Subclause 7.1 does not apply to:</p> <p>7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or</p> <p>7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the Dog and Cat</p>	CEO, Deputy CEO, MCW, TLCS, GMCC, GMUS	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Management Act 1995 and operating in accordance with all required approvals and consents.		
7.4	7.4. The Council may require that premises which are the subject of an application for permission to keep additional dogs must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs.	Duty	
7.5	7.5. No dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.	Duty	
8. Dog exercise areas	<p>Subject to clauses 9 and 10 of this By-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.</p> <p>Note -</p> <p>If a person is exercising a dog in a park as permitted under this clause and the dog is not under effective control as that term is defined in the Dog and Cat Management Act 1995 , this gives rise to a dog wandering at large offence under section 43(1) of the Dog and Cat Management Act 1995, for which the owner of or person responsible for the dog may be liable.</p>	Not Delegated	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
9. Dog on leash areas	<p>A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain offlead in order to fulfil its functions) to be or remain:</p> <p>9.1. on any Local Government land or public place to which the Council has resolved that this subclause applies; and</p> <p>9.2 on any park or reserve during times when organised sport is being played-unless the dog is under effective control by means of a leash.</p>	CEO, Deputy CEO, MCW, TLCS, GMCC, GMUS	
10. Dog prohibited areas	A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain on any Local Government land or public place to which the Council has determined that this subclause applies.	Not Delegated	
11. Dog faeces	No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with their obligation under section 45A(6) of the Dog and Cat Management Act 1995).	Not Delegated	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
12. Orders	<p>12.1. If a person engages in conduct that is in contravention of this By-law, an authorised person may order that person:</p> <p>12.1.1 if the conduct is still continuing - to stop the conduct; and</p> <p>12.1.2 whether or not the conduct is still continuing - to take specified action to remedy the contravention.</p> <p>12.2. A person must comply with an order under this clause.</p> <p>12.3. If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.</p> <p>12.4. However, an authorised person may not use force against a person under this selection.</p> <p>Note</p> <p>For example, an authorised person may order a person to:</p>	Not Delegated	

5. By-Law Dogs 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<ul style="list-style-type: none"> • cease keeping more than the permitted number of dogs on that person's premises; or • remove a dog from a dog prohibited area <p>This By-law was duly made and passed at a meeting of the City of West Torrens held on 2 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two third of the members present.</p>		

Instrument of Delegation under the Community Titles Act 1996

Community Titles Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 3(11)	Endorse scheme description	CEO		relevant development authority
section 15A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	CEO		council (as holder of a statutory encumbrance)
section 27(1)(b)(i)	Consent to encroachment over land vested in, or under the control, of the council	CEO		council
section 30(4)	Require modification to a scheme description prior to endorsing the scheme description	CEO		relevant development authority
section 31(3)	Endorse a certified copy of an amended scheme description	CEO		relevant development authority
section 53A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	CEO		council (as holder of a statutory encumbrance)

Community Titles Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 70(3)	Approve the retention of a primary or secondary lot	CEO		relevant development authority

Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008

Development Act 1993

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Change of Land Use Declaration			
6(3)	<p>(3) Where—</p> <p style="padding-left: 40px;">(a) a particular use of land has been discontinued for a period of six months or more (being a period that extends up to the date on which the Development Assessment Commission or a council acts under this subsection); and</p> <p style="padding-left: 40px;">(b) the revival of that use would in the opinion of the Development Assessment Commission or council be inconsistent with the relevant Development Plan and have an adverse effect on the locality in which the land is situated,</p> <p>the Development Assessment Commission or council may, by notice in writing served on the owner and the occupier of the land, declare that a revival of the use will be treated, for the purposes of this Act, as a change in the use of the land.</p>	<p>The power pursuant to section 6(3) of the Development Act 1993 (“the Act”) and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p style="padding-left: 20px;">a. to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and</p> <p style="padding-left: 20px;">b. to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		use of land.		
	Appointment of Authorised Officers			
18(1)	<p>(1) The Minister or a council—</p> <p>(a) may appoint a person to be an authorised officer for the purposes of this Act; and</p> <p>(b) must appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of this Act if required to do so by the regulations.</p>	The power pursuant to section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.	Chief Executive Officer	
18(2)	<p>(2) An appointment of an authorised officer may be subject to conditions.</p>	The power pursuant to section 18(2) of the Act to impose conditions on the appointment of an authorised office	Chief Executive Officer	
18(5)	<p>(5) The Minister or a council may, at any time, revoke an appointment which he or she or it has made, or vary or revoke a condition of such an appointment or impose a further such condition.</p>	The power pursuant to section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	Chief Executive Officer	
	Council or Minister May Amend a Development Plan			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
24(1)(a)(i)	<p>(1) An amendment to a Development Plan may be prepared—</p> <p>(a) where it relates to the area, or part of the area, of a council—</p> <p>(i) by the council for the relevant area; or</p>	Where an amendment relates to the area, or part of the area, of a council, the power pursuant to section 24(1)(a)(i) of the Act to prepare an amendment to a Development Plan	Council Only	
24(1)(b)(ii)	<p>(b) where it relates to the areas, or parts of the areas, of two or more councils—</p> <p>(i) by the Minister on the basis that he or she considers that the amendment is reasonably necessary to promote orderly and proper development within the relevant areas and that, after consultation with the relevant councils, the Minister considers that it is appropriate for the Minister to undertake the amendment; or</p> <p>(ii) by the relevant councils at the request or with the approval of the Minister (and, in such a case, this Subdivision will apply with any necessary modifications);</p>	Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
24(1a)	(1a) Two or more councils may act jointly in preparing amendments to 1 or more Development Plans under subsection (1)(a)(i) or (b)(ii) and, in such a case, 1 set of amendments, and 1 DPA, may relate to all of the relevant Development Plans (and this Subdivision will apply with any necessary modifications).	The power pursuant to section 24(1a) of the Act and in accordance with subdivision 2 of Division 2 Part 3 of the Act to act jointly with one or more councils in preparing amendments to 1 or more Development Plans under sub section (1)(a)(i) or (1)(b)(ii) of the Act.	Council Only	
24(1b)	(1b) The Minister must not act under subsection (1)(a)(v) unless the Minister has, by notice in writing to the relevant council, given the council at least 6 weeks to make submissions in relation to the matter, and considered any submission received from the council within the period specified by the Minister.	The power pursuant to section 24(1b) of the Act to make submissions in relation to the matter within the period specified by the Minister.	Council Only	
24(2a)	(2a) The Minister must not act under subsection (1)(fc) unless the Minister has, by notice in writing to the relevant council, given the council an opportunity to make submissions (within a period specified in the notice) in relation to the matter, and considered any submission received within the specified period from the council.	The power pursuant to section 24(2a) of the Act to make submissions (within a period specified in the notice) in relation to a matter.	Council Only	
	Amendments to Development Plans			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
25(1)	(1) If a council is considering an amendment to a Development Plan, the council must first reach agreement with the Minister on a "Statement of Intent" prepared by the council in accordance with the regulations.	The power pursuant to section 25(1) of the Act to prepare a "Statement of Intent" in accordance with the Regulations.	Council Only	
25(1)	(1) If a council is considering an amendment to a Development Plan, the council must first reach agreement with the Minister on a "Statement of Intent" prepared by the council in accordance with the regulations.	The power pursuant to section 25(1) of the Act to reach agreement with the Minister on a 'Statement of Intent' prepared by the Council.	Council Only	
25(3)(a)	(3) If or when agreement is reached, and the council decides to proceed, the council must prepare a proposal, to be called a "Development Plan Amendment" (or <i>DPA</i>), that complies with the following requirements: (a) the DPA must be based on the outcome of investigations initiated by the council in accordance with the terms of the Statement of Intent and such other investigations (if any) as the council thinks fit;	The power pursuant to section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
25(6)	(6) When the council has prepared a DPA in accordance with the preceding subsections, the DPA will be dealt with in accordance with process A, B or C, as described below, depending on an agreement reached between the council and the Minister as part of the Statement of Intent, or at some later time if so determined or agreed by the Minister.	The power pursuant to section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	Council Only	
25(7)(b)	<p>(7) Process A is as follows:</p> <p>(a) the council must first refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent, for comment within the period prescribed by the regulations;</p> <p>(b) the Minister will then consider the matter and any comment from a Department, agency or other body to which the DPA has been referred, although if a response is not received by the council within the period that applies under paragraph (a), the council and the Minister may assume that the particular Department, agency or other body does not desire to</p>	The power pursuant to section 25(7)(b) of the Act, if a response is not received within the period that applies under section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.		

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	provide any comment;			
25(7)(c)	<p>(c) the Minister may then give his or her approval to the release of the DPA or, after consultation with the council—</p> <ul style="list-style-type: none"> (i) require an alteration to the DPA (and in such a case the council must comply with the requirement); or (ii) determine that the DPA be divided into parts (with or without alterations) and that each part be dealt with separately (and in such a case the determination will have effect according to its terms and each part will then be taken to be a separate DPA for the purposes of this Act); 	The power pursuant to section 25(7)(c) of the Act to consult with the Minister.	Council Only	
25(8)(a)	<p>(8) Process B is as follows:</p> <ul style="list-style-type: none"> (a) if required by the Minister, the council must first refer the DPA to the Minister for consideration and the Minister may, after consultation with the council— <ul style="list-style-type: none"> (i) require an alteration to the DPA 	The power, pursuant to section 25(8)(a) of the Act, to consult with the Minister.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(and in such a case the council must comply with the requirement); or</p> <p>(ii) determine that the DPA be divided into parts (with or without alterations) and that each part be dealt with separately (and in such a case the determination will have effect according to its terms and each part will then be taken to be a separate DPA for the purposes of this Act);</p>			
25(13)(b)	<p>(13) The council must, after complying with the requirements of the preceding subsections—</p> <p>(a) prepare a report on the matters raised during the consultation period, on the reasons for any failure to comply with any time set for any step under those subsections, and on any recommended alterations to the proposed amendment (but these alterations cannot have effect until approved by the Minister under subsection (15)); or</p> <p>(b) if it thinks fit, by notice in writing to the Minister, decline to proceed any further</p>	The power pursuant to section 25(13)(b) of the Act, if the Delegate thinks fit, by notice in writing to the Minister, to decline to proceed any further with an amendment.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	with the amendment.			
25(15)(d) 25(15)(f)	<p>(15) On the receipt of a report under subsection (13)(a)—</p> <p>(a) the Minister must seek the advice of the Advisory Committee if the Minister is of the opinion that the proposed amendment would not be in accordance with the Planning Strategy (and may seek the advice of the Advisory Committee with respect to any other matter that should, in the opinion of the Minister, be referred to the Advisory Committee for advice); and</p> <p>(b) in the case of an amendment that designates a place as a place of local heritage value—the Minister must seek the advice of the Advisory Committee if the owner of the land objects to the amendment (and, in such a case, the owner of the land must be given a reasonable opportunity to make submissions to the Advisory Committee (in such a manner as the Advisory Committee thinks fit) in relation to the matter before the Advisory Committee reports back to the Minister),</p>	The power pursuant to sections 25(15)(d) and 25(15)(f) of the Act to consult with the Minister.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>and thereafter the Minister may—</p> <ul style="list-style-type: none"> (c) approve the amendment; or (d) after consultation with the council, alter the amendment and approve the amendment as altered; or (e) decline to approve the amendment (and, in such a case, the Minister must provide the council with written reasons for the Minister's decision); or (f) after consultation with the council, divide the amendment into separate amendments (with or without alterations) and approve one or more of those amendments and, as to the remaining amendment or amendments, undertake consultation with the council in relation to the matter (and, in such a case, the Minister may then reconsider the amendment or amendments (with or without alterations) and exercise, in relation to the amendment or amendments, any power conferred on the Minister under this subsection to approve, alter or decline to approve the amendment or amendments). 			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
25(21)	(21) The Minister must, before making a determination under subsection (19), consult with the council and give the council a reasonable opportunity to make submissions to the Minister.	The power pursuant to and in accordance with section 25(21) of the Act to consult with, and make submissions to the Minister.	Council Only	
25(23)	(23) If a DPA or amendment is divided under this section, the Minister may, after consultation with the relevant council, modify the Statement of Intent to set new timelines or to make such other modifications as appear to the Minister to be reasonable in view of the division.	The power pursuant to section 25(23) of the Act to consult with the Minister.	Chief Executive Officer	
	Amendments by the Minister			
26(5)(d)(i)	<p>(5) Process A is as follows:</p> <p>(a) the Minister will first refer the DPA to any government Department or agency that, in the opinion of the Minister, has a direct interest in the matter (and any other body as the Minister thinks fit) for comment within the period prescribed by the regulations;</p> <p>(b) the Minister will then consider the matter and any comment from a government Department, agency or other body to which the DPA has been referred,</p>	The power pursuant to section 26(5)(d)(i) of the Act, in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>although if a response is not received by the Minister within the period that applies under paragraph (a), the Minister may assume that the particular Department, agency or other body does not desire to provide any comment;</p> <p>(c) the Minister may then determine whether or not to alter the DPA;</p> <p>(d) the Minister will then—</p> <p style="padding-left: 40px;">(i) refer the DPA to any council that, in the opinion of the Minister, has a direct interest in the matter for comment within a period of 8 weeks; and</p> <p style="padding-left: 40px;">(ii) release the DPA for public consultation, in accordance with the regulations, over a period that is at least concurrent with the period that applies under subparagraph (i).</p>			
26(5a)(a)	<p>(5a) Process B is as follows:</p> <p>(a) the Minister will refer the DPA to any government Department or agency, and any council, that, in the opinion of the</p>	The power pursuant to section 26(5a)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>Minister, has a direct interest in the matter (and any other body as the Minister thinks fit) for comment within a period of 8 weeks (and if a response is not received by the Minister within this period then the Minister may assume that the particular Department, agency, council or other body does not desire to provide any comment);</p>	<p>of 8 weeks.</p>		
26(5b)(a)	<p>(5b) Process C is as follows:</p> <p>(a) the Minister will refer the DPA to any government Department or agency, and any council, that, in the opinion of the Minister, has a direct interest in the matter (and any other body as the Minister thinks fit) for comment within a period of 4 weeks (and if a response is not received by the Minister within this period then the Minister may assume that the particular Department, agency, council or other body does not desire to provide any comment);</p>	<p>The power pursuant to section 26(5b)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 4 weeks.</p>	<p>Council Only</p>	
26(12)	<p>(12) The Minister must refer a proposal to act under subsection (11) to the relevant council for comment within a period (of at least six weeks) determined by the Minister and if during that period the council, by notice in writing, objects to the Minister's</p>	<p>The power pursuant to section 26(12) of the Act, to make comment to the Minister within a period determined by the Minister</p>	<p>Council Only</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	proposed action then the Minister must seek and consider the advice of the Advisory Committee before acting.	in relation to a proposal to act under section 26(11) of the Act.		
26(12)	(12) The Minister must refer a proposal to act under subsection (11) to the relevant council for comment within a period (of at least six weeks) determined by the Minister and if during that period the council, by notice in writing, objects to the Minister's proposed action then the Minister must seek and consider the advice of the Advisory Committee before acting.	The power pursuant to, section 26(12) of the Act to, by notice in writing, object to the Minister's proposed action.	Council Only	
	Parliamentary Scrutiny			
27(6)	(6) If the amendment was proposed by a council, the Minister must consult with the council before making an amendment under subsection (5)(a).	The power pursuant to section 27(6) of the Act to consult with the Minister	Council Only	
	Strategic Directions Reports			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
30(9)	<p>(9) The Minister may, at the request of a council, exempt a council—</p> <ul style="list-style-type: none"> (a) from a requirement to prepare a particular report under this section; or (b) from a particular requirement with respect to a report under this section, <p>if the Minister is satisfied—</p> <ul style="list-style-type: none"> (c) that the council has addressed, or has determined to address, any relevant issues through its strategic management plans under the <i>Local Government Act 1999</i> and that, in the circumstances, it is reasonable to rely on those plans, and the procedures associated with those plans, to achieve the objects of this section; or (d) that the council has taken other steps to ensure that its strategies and planning instruments, and especially the Development Plan or Plans that apply within the area of the council, are up-to-date; or (e) that there is some other good reason to grant the exemption. 	<p>The power pursuant to section 30(9) of the Act to request the Minister to exempt the Council:</p> <ul style="list-style-type: none"> a. from a requirement to prepare a particular report under section 30 of the Act; or b. from a particular requirement with respect to a report under section 30 of the Act. 	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
30(14)	(14) A Minister identified by the regulations for the purposes of this provision must, at the request of a council made in accordance with the regulations, furnish to the council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under this section.	The power pursuant to section 30(14) of the Act, to request in accordance with the regulations a Minister identified by the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under section 30 of the Act.	Council Only	
30(15)	(15) Two or more councils may act under this section jointly (and, in such a case, this section will apply with any necessary modifications and 1 or more of the councils may act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under this section).	The power pursuant to section 30(15) of the Act to act jointly with two or more councils under section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under section 30 of the Act.	Council Only	
	Assessment of Development Proposal			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
33(1)(a)	<p>(1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>(a) the provisions of the appropriate Development Plan (<i>development plan consent</i>);</p>	<p>The power, as the relevant authority and pursuant to section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to the particular development):</p> <ol style="list-style-type: none"> a. the provisions of the appropriate Development Plan; b. the provisions of the Building Rules; c. in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in section 33(1)(c) of the Act; d. in relation to a division of land under the Community Titles 	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Building:</p> <p>That the functions and powers delegated under these provisions must not be exercised where:</p> <ol style="list-style-type: none"> 1. the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years; 2. the relevant application proposes a merit form of development which does not meet the minimum site area requirement in the relevant Zone or Policy Area by 7.5% or more; 3. the relevant application

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		<p>Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in section 33(1)(d) of the Act;</p> <p>e. the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and</p> <p>f. such other matters as may be prescribed.</p>		<p>proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. the relevant application proposes a merit form of development and in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act;</p> <p>5. the relevant application proposes one or more</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning:</p> <ol style="list-style-type: none"> 1. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years. 2. These sub-delegates must not exercise powers and functions concerning the determination of merit development applications seeking Development Plan consent for developments which do not meet the minimum site area in the relevant Zone or Policy Area. 3. These sub-delegates

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>must not exercise powers and functions under these provisions where the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. These sub-delegates may not determine to grant or refuse Development Plan consent to any non-complying form of development, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>refused pursuant to section 37 of the Act.</p> <p>5. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes mixed use</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>development including residential development of three or more storeys above finished ground level;</p> <p>8. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>
33(1)(b)	<p>(1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>(b) the provisions of the Building Rules (<i>building rules consent</i>);</p>	<p>The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to the particular development):</p> <p>(b) the provisions of the Building Rules;</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development -Building, Development Officer Building</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
33(1)(c)	<p>(1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>(c) in relation to a proposed division of land (otherwise than under the <i>Community Titles Act 1996</i> or the <i>Strata Titles Act 1988</i>)—the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under this Act):</p>	<p>The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to the particular development):</p> <p>(c) in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Building:</p> <p>That the functions and powers delegated under these provisions must not be exercised where:</p> <ol style="list-style-type: none"> 1. the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years; 2. the relevant application proposes a merit form of development which does not meet the minimum site area requirement in the relevant Zone or Policy Area by 7.5% or more; 3. the relevant application

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. the relevant application proposes a merit form of development and in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act;</p> <p>5. the relevant application proposes one or more</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning:</p> <ol style="list-style-type: none"> 1. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years. 2. These sub-delegates must not exercise powers and functions concerning the determination of merit development applications seeking Development Plan consent for developments which do not meet the minimum site area in the relevant Zone or Policy Area. 3. These sub-delegates

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				<p>must not exercise powers and functions under these provisions where the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. These sub-delegates may not determine to grant or refuse Development Plan consent to any non-complying form of development, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>refused pursuant to section 37 of the Act.</p> <p>5. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes mixed use</p>

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				<p>development including residential development of three or more storeys above finished ground level;</p> <p>8. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>
33(1)(d)	<p>(1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>(d) in relation to a division of land under the <i>Community Titles Act 1996</i> or the <i>Strata Titles Act 1988</i>—the requirement that the following conditions be satisfied (or will be</p>	<p>The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to the particular development):</p> <p>(d) in relation to a division of land under the</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Building:</p> <p>That the functions and powers delegated under these provisions must not be</p>

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	<p>satisfied by the imposition of conditions under this Act):</p> <ul style="list-style-type: none"> (i) each lot or unit that would be created or affected by the development is appropriate for separate occupation; (ii) any encroachment of a lot or unit over other land has been dealt with in a satisfactory manner; (iii) where land is to be vested in a council or other authority—the council or authority consents to the vesting; (iv) a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose; (v) the division of the land in the proposed manner is, having regard to the relevant Development Plan, appropriate; (va) the division of land under the <i>Community Titles Act 1996</i> or the <i>Strata Titles Act 1988</i> is appropriate having regard to the 	<p>Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;</p>		<p>exercised where:</p> <ol style="list-style-type: none"> 1. the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years; 2. the relevant application proposes a merit form of development which does not meet the minimum site area requirement in the relevant Zone or Policy Area by 7.5% or more; 3. the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to

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	<p>nature and extent of the common property that would be established by the relevant scheme;</p> <p>(vi) open space will be provided, or a payment will be made in accordance with the requirements imposed under this Act;</p> <p>(vii) the requirements of a water industry entity under the <i>Water Industry Act 2012</i> identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>(viii) any building situated on the land complies with the Building Rules;</p> <p>(viii) requirements set out in the regulations made for the purposes of this provision are satisfied;</p>			<p>office in a Commercial Zone;</p> <p>4. the relevant application proposes a merit form of development and in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act;</p> <p>5. the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. the relevant application proposes residential development of three or more storeys above</p>

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				<p>finished ground level;</p> <p>7. the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p> <p>Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning:</p> <p>1. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is a merit application and is</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years.</p> <p>2. These sub-delegates must not exercise powers and functions concerning the determination of merit development applications seeking Development Plan consent for developments which do not meet the minimum site area in the relevant Zone or Policy Area.</p> <p>3. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. These sub-delegates may not determine to grant or refuse Development Plan consent to any non-complying form of development, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act.</p> <p>5. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments</p>

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				<p>in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is for a merit, Category 2 or</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>
<p>33(1)(e)</p>	<p>(1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>(e) the requirement that any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) has been dealt with in a satisfactory manner;</p>	<p>The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to the particular development):</p> <p>(e) the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Building, Senior Development Officer - Planning</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Building:</p> <p>That the functions and powers delegated under these provisions must not be exercised where:</p> <ol style="list-style-type: none"> the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years;

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				<ol style="list-style-type: none"> <li data-bbox="1803 331 2190 592">2. the relevant application proposes a merit form of development which does not meet the minimum site area requirement in the relevant Zone or Policy Area by 7.5% or more; <li data-bbox="1803 628 2190 1082">3. the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone; <li data-bbox="1803 1118 2190 1378">4. the relevant application proposes a merit form of development and in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to

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				<p>provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act;</p> <p>5. the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. the relevant application is</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
				<p>for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p> <p>Senior Development Officer - Planning:</p> <ol style="list-style-type: none"> 1. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years. 2. These sub-delegates must not exercise powers and functions concerning the determination of merit development applications seeking Development

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				<p>Plan consent for developments which do not meet the minimum site area in the relevant Zone or Policy Area.</p> <p>3. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. These sub-delegates may not determine to grant or refuse Development Plan consent to any non-complying form of development, except</p>

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				<p>where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act.</p> <p>5. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes residential development of three or more storeys above</p>

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				<p>finished ground level;</p> <p>7. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>

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33(1)(f)	<p>(1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>(f) such other matters as may be prescribed.</p>	<p>The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to the particular development):</p> <p>(f) such other matters as may be prescribed.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Building, Senior Development Officer - Planning</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Building:</p> <p>That the functions and powers delegated under these provisions must not be exercised where:</p> <ol style="list-style-type: none"> 1. the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years; 2. the relevant application proposes a merit form of development which does not meet the minimum site area requirement in the relevant Zone or Policy Area by 7.5% or more; 3. the relevant application

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				<p>proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. the relevant application proposes a merit form of development and in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act;</p> <p>5. the relevant application proposes one or more</p>

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				<p>new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>8. the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>

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				<p>Senior Development Officer - Planning:</p> <ol style="list-style-type: none"> 1. These sub-delegates must not exercise powers and functions under these provisions where the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years. 2. These sub-delegates must not exercise powers and functions concerning the determination of merit development applications seeking Development Plan consent for developments which do not meet the minimum site area in the relevant Zone or Policy Area. 3. These sub-delegates must not exercise powers and functions under

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				<p>these provisions where the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. These sub-delegates may not determine to grant or refuse Development Plan consent to any non-complying form of development, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency directs that the application be refused pursuant to</p>

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				<p>section 37 of the Act.</p> <p>9. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>10. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>11. These sub-delegates must not exercise powers and functions under these provisions where the relevant application proposes mixed use development including</p>

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				<p>residential development of three or more storeys above finished ground level;</p> <p>These sub-delegates must not exercise powers and functions under these provisions where the relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.</p>
33(3)	(3) A relevant authority may, in granting a development plan consent, reserve its decision on a specified matter until further assessment of the relevant development under this Act.	The power pursuant to section 33(3) of the Act, when granting development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning	<p>That the functions and powers delegated under these provisions must not be exercised where:</p> <ol style="list-style-type: none"> 1. the relevant application is a merit application and is variation to, or is similar in nature to, a development application which was refused by the CAP or the former DAP within the past 5 years; 2. the relevant application proposes a merit form of

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				<p>development which does not meet the minimum site area requirement in the relevant Zone or Policy Area by 7.5% or more;</p> <p>3. the relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of land use to office in a Commercial Zone;</p> <p>4. the relevant application proposes a merit form of development and in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of</p>

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				<p>the Act or where a referral agency directs that the application be refused pursuant to section 37 of the Act;</p> <p>5. the relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33;</p> <p>6. the relevant application proposes residential development of three or more storeys above finished ground level;</p> <p>7. the relevant application proposes mixed use development including residential development of three or more storeys above finished ground level;</p> <p>the relevant application is for a merit, Category 2 or Category 3 form of</p>

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				development, representations have been received and one or more representors wish to be heard on their representation.
	Determination of Relevant Authority			
34(1a)	<p>(1) Subject to this Act, the relevant authority, in relation to a proposed development, is ascertained as follows:</p> <p>(a) where the proposed development is to be undertaken within the area of a council, then, subject to paragraphs (ab) and (b), the council is the relevant authority (and, subject to paragraph (b)(ii), the council may act as the relevant authority even if it is to undertake some or all of the relevant development itself);</p>	The power pursuant to section 34(1a) of the Act, where the Minister has made a declaration under section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission (now State Commission Assessment Panel ("SCAP")) with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Senior Development Officer - Planning	
34(1)(b)(iii)	<p>(b) where—</p> <p>(iii) the Minister, acting at the request of a council or regional development assessment panel, declares, by notice in writing served personally or by post on the proponent, that the Minister</p>	The power pursuant to section 34(1)(b)(iii) of the Act to request the Minister to declare the Development Assessment Commission (now SCAP) to be the relevant authority for a proposed development.	Chief Executive Officer, General Manager Urban Services, Manager City Development	

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	<p>desires the Development Assessment Commission to act as the relevant authority in relation to the proposed development in substitution for the council or regional development assessment panel (as the case may be); or</p>			
34(8a)	<p>(8a) Without limiting any provision made under subsection (4), the councils for the areas in relation to which a regional development assessment panel is constituted may remove a member from the panel for a failure to comply with the requirements of subsection (6a) or (7) or a breach of, or failure to comply with, a code of conduct under section 21A.</p>	<p>The power pursuant to section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under section 21A of the Act.</p>	Council only	
34(21)	<p>(21) A council may, by giving the Minister at least two months notice in writing, withdraw from a regional development assessment panel.</p>	<p>The power in accordance with section 34(21) of the Act to withdraw from a regional development assessment panel.</p>	Council Only	

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	Special Provisions Relating to Development Plan Assessment			
35	<p>(1) If a proposed development is of a kind described as a <i>complying</i> development under the regulations or the relevant Development Plan, the development must be granted a development plan consent (subject to such conditions or exceptions as may be prescribed by the regulations or the relevant Development Plan and subject to any other provision made by this Act or applying under the regulations).</p> <p>(1a) However, a proposed development of a class prescribed for the purposes of section 37, or required to be referred to the Commissioner of Police under section 37A, will be taken not to be <i>complying</i> development (and will not be subject to the operation of subsection (1)).</p> <p>(1b) A development that is assessed by a relevant authority as being a minor variation from <i>complying</i> development may be determined by the relevant authority to be <i>complying</i> development (and that determination will then have effect for the purposes of this Act).</p> <p>(1c) If a proposed development meets all but 1 criteria</p>	The power pursuant to section 35 of the Act to determine that a development application should be classified as complying, non-complying or merit.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 3 and 4), Council Assessment Panel	

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	<p>necessary for the development to be <i>complying</i> development, the aspect or aspects of the development that are consistent with the development being <i>complying</i> development must be regarded accordingly and the balance of the development will be assessed as <i>merit</i> development.</p> <p>(1d) To avoid doubt, subsection (1c) does not prevent a relevant authority deciding not to grant development plan consent on account of its assessment of the balance of the development under that subsection.</p> <p>(1e) Subsection (1c) does not apply if, despite various aspects of the development meeting any criteria for the development to be <i>complying</i> development, the development, from an overall perspective, falls within the category of <i>non-complying</i> development.</p> <p>(2) Subject to subsection (1), a development that is assessed by a relevant authority as being seriously at variance with the relevant Development Plan must not be granted consent.</p> <p>(3) A development that is of a kind described as a <i>non-complying</i> development under the relevant Development Plan must not be granted a development plan consent unless—</p> <p style="padding-left: 40px;">(a) where the relevant authority is the</p>			

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	<p>Development Assessment Commission—the Minister and, if the development is to be undertaken in the area of a council, that council, concur in the granting of the consent;</p> <p>(b) in any other case—</p> <p style="padding-left: 40px;">(i) unless subparagraph (ii) applies—the Development Assessment Commission;</p> <p style="padding-left: 40px;">(ii) in prescribed circumstances—a regional development assessment panel,</p> <p style="padding-left: 80px;">concurr in the granting of the consent.</p> <p>(3a) However, the concurrence of a council is not required under subsection (3)(a) if the Development Assessment Commission is the relevant authority by virtue of the operation of section 34(1)(b)(ii), (iii) or (vi)(A).</p> <p>(4) If a development is of a kind described as a <i>non-complying</i> development under the relevant Development Plan, no appeal lies against—</p> <p style="padding-left: 40px;">(a) a refusal of consent or concurrence under this Act at any stage in the process (including in the circumstances envisaged by section 39(4) and including without</p>			

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	<p>hearing (or further hearing) from the applicant); or</p> <p>(b) a condition attached to a consent or approval that is expressed to apply by virtue of that non-compliance under the Development Plan,</p> <p>except in relation to a proposed development that has, or will, become necessary by reason of—</p> <p>(c) a change, or a proposed change, in the law regulating an existing use of land; or</p> <p>(d) an order under Division 5 or 6 of Part 6.</p> <p>(4a) To avoid doubt, nothing in a preceding subsection prevents a relevant authority refusing at any time to grant a development authorisation with respect to a <i>non-complying</i> development.</p> <p>(5) A proposed development that does not fall into a category of development mentioned in a preceding subsection will be <i>merit</i> development (and any such development must be assessed on its merit taking into account the provisions of the relevant Development Plan).</p> <p>(6) Subject to this Act, a relevant authority must accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a</p>			

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	private certifier.			
35(1b)	(1b) A development that is assessed by a relevant authority as being a minor variation from complying development may be determined by the relevant authority to be complying development (and that determination will then have effect for the purposes of this Act).	The power pursuant to section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel	
35(2)	(2) Subject to subsection (1), a development that is assessed by a relevant authority as being seriously at variance with the relevant Development Plan must not be granted consent.	The power pursuant to section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
35(3)(a)	(3a) However, the concurrence of a council is not required under subsection (3)(a) if the Development Assessment Commission is the relevant authority by virtue of the operation of section 34(1)(b)(ii), (iii) or (vi)(A).	The power pursuant to section 35(3)(a) of the Act in appropriate cases to concur in the granting of consent to a development described as a non-complying development.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Council Assessment Panel	
35(6)	(6) Subject to this Act, a relevant authority must accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.	Subject to the Act, the power pursuant to section 35(6) of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 4)	
	Special Provisions Relating to Building Rules Assessment			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
36(2)	<p>(2) Subject to subsection (3), a development that is at variance with the Building Rules must not be granted a building rules consent unless—</p> <p>(a) the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of the consent; or</p> <p>(b) the variance is with a part of the Building Rules other than the Building Code and the relevant authority determines that it is appropriate to grant the consent despite the variance on the basis that it is satisfied—</p> <p>(i) that—</p> <p>(A) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and</p> <p>(B) the variance is justifiable having regard to the objects of the</p>	<p>The power pursuant to and in accordance with section 36(2) of the Act:</p> <p>a. to assess whether a development is at variance with the Building Rules;</p> <p>b. to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of consent;</p> <p>c. to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code on the basis that the Delegate is satisfied that:</p> <p>i. the provisions of the Building Rules are</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Building, Development Officer - Building</p>	

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	<p>Development Plan or the performance requirements of the Building Code and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>(ii) in a case where the consent is being sought after the development has occurred—that the variance is justifiable in the circumstances of the particular case.</p>	<p>inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.</p>		

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36(2b)	(2b) A relevant authority may, at the request or with the agreement of the applicant, refer proposed building work to the Building Rules Assessment Commission for an opinion on whether or not it complies with the performance requirements of the Building Code.	The power, pursuant to section 36(2b) to, at the request of or with the consent of the applicant, refer proposed building work to the Building Rules Assessment Commission for an opinion on whether or not the proposed building work complies with the performance requirements of the Building Code.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Building	
36(6)	(6) The relevant authority may refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification.	The power pursuant to section 36(6) of the Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Building, Development Officer - Building	
	Consultation with Other Authorities or Agencies			
37(6)	(6) If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the	If a relevant authority is directed by a prescribed	Chief Executive Officer	

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	subject of an appeal under this Act, the prescribed body is a respondent to the appeal and the relevant authority may, on application, be joined as a party to the proceedings.	body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.		
	Preliminary Advice and Agreement			
37AA(2)(e)	<p>(2) If—</p> <p>(a) a proposed development is referred to a prescribed body under subsection (1); and</p> <p>(b) the prescribed body agrees to consider the matter under this section after taking into account any matter prescribed by the regulations; and</p> <p>(c) the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),</p> <p>then, subject to subsection (4)—</p> <p>(d) if an application for development plan consent with respect to the development is lodged with the relevant authority within</p>	The power pursuant to and in accordance with section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with section 37AA(2)(c) of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel	

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	<p>3 months after the prescribed body has indicated its agreement under paragraph (c); and</p> <p>(e) if the relevant authority is satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation),</p> <p>the application will not be referred to the prescribed body under section 37.</p>			
37AA(4)	<p>(4) Any agreement under this section will cease to have effect (and an application will need to be referred to a prescribed body under section 37 despite the operation of subsection (2)) if the relevant authority determines that the agreement is no longer appropriate due to the operation of section 53.</p>	<p>The power pursuant to and in accordance with section 37AA(4) of the Act to determine that an agreement under section 37AA of the Act is no longer appropriate due to the operation of section 53 of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Coordinator City Development - Building, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel</p>	

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	Proposed Development Involving Creation of Fortificaitons			
37A(2)(b)	<p>(2) Subject to subsection (3), the Commissioner must, as soon as possible after receipt of a referral under subsection (1)—</p> <p>(a) assess the application to determine whether or not the proposed development involves the creation of fortifications; and</p> <p>(b) advise the relevant authority in writing of the Commissioner's determination.</p>	The power pursuant to section 37A(2)(b) of the Act to receive the Commissioner's written determination under section 37A(2)(a) of the Act.	Council Assessment Panel	
	Public Notice and Consultation			
38	<p>(1) Subject to this section, there will be 4 categories of development for the purposes of this section—</p> <p>(a) Category 1 development; and</p> <p>(ab) Category 2A development; and</p> <p>(b) Category 2 development; and</p> <p>(c) Category 3 development.</p> <p>(2) Subject to subsection (2a), the following provisions apply in relation to the assignment of developments</p>	The power pursuant to section 38 of the Act to assign a public notification category to a development application.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel	

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	<p>to these categories:</p> <ul style="list-style-type: none"> (a) the regulations or a Development Plan may assign a form of development to Category 1 or to Category 2 and if a particular form of development is assigned to a category by both the regulations and a Development Plan— <ul style="list-style-type: none"> (i) if the regulations provide that an assignment by a Development Plan may prevail—the assignment provided by the Development Plan will, to the extent of any inconsistency, prevail (subject to the operation of paragraph (b)); but (ii) in any other case—the assignment provided by the regulations will, to the extent of any inconsistency, prevail; (b) the regulations may assign a form of development to Category 2A and this will prevail to the extent of any assignment provided by a Development Plan under paragraph (a); (c) any development that is not assigned to a category under paragraph (a) or (b) will be 			

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	<p style="text-align: center;">taken to be a Category 3 development for the purposes of this section.</p> <p>(2a) The assignment of a form of development to Category 1 under subsection (2)(a) cannot extend to a particular development if that development involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the <i>Environment Protection Act 1993</i>.</p> <p>(2c) For the purposes of subsection (2)(b), building work will be taken to be along a boundary if there is no set-back or separation from that boundary.</p> <p>(3) Where a person applies for a consent in respect of the Development Plan for a Category 1 development—</p> <p style="padding-left: 40px;">(a) the relevant authority must not, on its own initiative, seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent; and</p> <p style="padding-left: 40px;">(b) the following provisions of this section do not apply.</p> <p>(3a) Where a person applies for a consent in respect of the Development Plan for a Category 2A development—</p> <p style="padding-left: 40px;">(a) the relevant authority must—</p>			

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	<ul style="list-style-type: none"> (i) subject to any exclusion or qualification prescribed by the regulations—give an owner or occupier of each piece of adjoining land; and (ii) give any other person of a prescribed class, notice of the application; and (b) the relevant authority must— <ul style="list-style-type: none"> (i) give consideration to any representations in writing made in accordance with the regulations by a person who is entitled to be given a notice under paragraph (a); and (ii) forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) and allow the applicant an opportunity to respond, in writing, to those representations within the period prescribed by the regulations; and (c) if a representation is received under 			

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	<p>paragraph (b) within the prescribed number of days, the relevant authority may, in its absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p> <p>(4) Where a person applies for a consent in respect of the Development Plan for a Category 2 development, notice of the application must be given, in accordance with the regulations, to—</p> <ul style="list-style-type: none"> (a) an owner or occupier of each piece of adjacent land; and (b) any other person of a prescribed class. <p>(5) Where a person applies for a development assessment of a Category 3 development, notice of the application must be given, in accordance with the regulations, to—</p> <ul style="list-style-type: none"> (a) the persons referred to in subsection (4); and (b) any other owner or occupier of land which, according to the determination of the relevant authority, would be directly affected to a significant degree by the development if it were to proceed; and 			

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	<p>(c) the public generally.</p> <p>(6) Except as otherwise provided by the regulations, the subject matter of—</p> <p>(a) any notice required under this section; or</p> <p>(b) any representations under this section; or</p> <p>(c) any appeal against a decision on a Category 3 development by a person entitled to be given notice of the decision under subsection (12),</p> <p>must be limited to the following:</p> <p>(d) what should be the decision of the relevant authority as to development plan consent;</p> <p>(e) in a case where a prescribed body is empowered to direct that the application be refused, or that conditions be imposed in relation to the development—what should be the decision of the prescribed body in response to the application.</p> <p>(7) Subject to subsection (17), where notice of an application for consent in respect of a Category 2 or Category 3 development has been given under this section, any person who desires to do so may, in accordance with the regulations, make representations in writing to the relevant authority</p>			

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	<p>in relation to the granting or refusal of consent.</p> <p>(8) The relevant authority to which the application is made must forward to the applicant a copy of the representations made and allow the applicant an opportunity to respond, in writing, to those representations.</p> <p>(9) The response referred to in subsection (8) must be made within the prescribed number of days after the relevant material is forwarded to the applicant.</p> <p>(10) In addition to the requirements of subsections (7), (8) and (9)—</p> <p>(a) in the case of a Category 2 development—the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation; and</p> <p>(b) in the case of a Category 3 development—the relevant authority must allow a person who made a representation and who, as part of that representation, indicated an interest in appearing before the authority, a reasonable opportunity to appear personally or by representative before it to be heard in support of the</p>			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p style="text-align: center;">representation.</p> <p>(11) If a person appears before the relevant authority under subsection (10), the relevant authority must also allow the applicant a reasonable opportunity, on request, to appear personally or by representative before it in order to respond to any relevant matter.</p> <p>(12) Where representations have been made under this section, the relevant authority must—</p> <p style="padding-left: 20px;">(a) give to each person who made a representation notice of its decision on the application and of the date of the decision and, in the case of a Category 3 development, of the person's appeal rights under this Act; and</p> <p style="padding-left: 20px;">(b) in the case of a Category 3 development—give notice to the Court—</p> <p style="padding-left: 40px;">(i) of its decision on the application and of the date of the decision; and</p> <p style="padding-left: 40px;">(ii) of the names and addresses of persons who made representations to the relevant authority under this section.</p> <p>(13) A notice under subsection (12) must be given</p>			

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	<p>within five business days from the date of the decision on the application.</p> <p>(14) An appeal against a decision on a Category 3 development by a person who is entitled to be given notice of the decision under subsection (12) must be commenced within 15 business days after the date of the decision.</p> <p>(15) If an appeal is lodged against a decision on a Category 3 development by a person who is entitled to be given notice of the decision under subsection (12)—</p> <ul style="list-style-type: none"> (a) the applicant for the relevant development authorisation must be notified by the Court of the appeal and will be a party to the appeal; and (b) in a case where the decision of a prescribed body in response to the application for the development authorisation could be a subject matter of such an appeal—the prescribed body will be a party to the appeal. <p>(16) A decision of a relevant authority in respect of a Category 3 development in respect of which representations have been made under this section does not operate—</p> <ul style="list-style-type: none"> (a) until the time within which any person who 			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>made any such representation may appeal against a decision to grant the development authorisation has expired; or</p> <p>(b) where an appeal is commenced—</p> <p style="padding-left: 40px;">(i) until the appeal is dismissed, struck out or withdrawn; or</p> <p style="padding-left: 40px;">(ii) until the questions raised by the appeal have been finally determined (other than any question as to costs).</p> <p>(17) Where a relevant authority is acting under this section in relation to a Category 2A or Category 2 development, a representation made by a person who is not entitled to be given notice of the relevant application under this section is not required to be taken into account under this section and will not have effect for any relevant purpose under this section.</p> <p>(18) In addition, a representation that is not made in accordance with any requirement prescribed by the regulations for the purposes of this section is not required to be taken into account under this section and will not have effect for any relevant purpose under this section (including, in the case of a Category 3 development, in connection with the operation of subsection (12)).</p>			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
38(3a)	<p>(3a) Where a person applies for a consent in respect of the Development Plan for a Category 2A development—</p> <p>(a) the relevant authority must—</p> <p style="padding-left: 40px;">(i) subject to any exclusion or qualification prescribed by the regulations—give an owner or occupier of each piece of adjoining land; and</p> <p style="padding-left: 40px;">(ii) give any other person of a prescribed class,</p> <p style="padding-left: 40px;">notice of the application; and</p> <p>(b) the relevant authority must—</p> <p style="padding-left: 40px;">(i) give consideration to any representations in writing made in accordance with the regulations by a person who is entitled to be given a notice under paragraph (a); and</p> <p style="padding-left: 40px;">(ii) forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) and allow the applicant an opportunity to respond, in writing, to those</p>	<p>If a representation is received under paragraph (b) of section 38(3a) of the Act within the prescribed number of days, the power pursuant to section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p>	Council Assessment Panel	

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	<p>representations within the period prescribed by the regulations; and</p> <p>(c) if a representation is received under paragraph (b) within the prescribed number of days, the relevant authority may, in its absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p>			
38(10)(a)	<p>(10) In addition to the requirements of subsections (7), (8) and (9)—</p> <p>(a) in the case of a Category 2 development—the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation;</p>	The power pursuant to section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.	Council Assessment Panel, Chief Executive Officer	
38(17)	(17) Where a relevant authority is acting under this section in relation to a Category 2A or Category 2 development, a representation made by a person who is not entitled to be given notice of the relevant application under this section is not required to be taken into account under this section and will not	The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under section 38 of the Act in relation to a Category 2A or Category 2 development, to	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Senior Development Officer Planning, Senior	

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	have effect for any relevant purpose under this section.	not take into account under section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under section 38 of the Act.	Development Officer APPS, Development Officer - Planning, Council Assessment Panel	
38(18)	(18) In addition, a representation that is not made in accordance with any requirement prescribed by the regulations for the purposes of this section is not required to be taken into account under this section and will not have effect for any relevant purpose under this section (including, in the case of a Category 3 development, in connection with the operation of subsection (12)).	The power, pursuant to subsection 38(18) of the Act, to not take into account under section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of section 38.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Senior Development Officer Planning, Senior Development Officer APPS, Development Officer - Planning, Council Assessment Panel	
	Provision of Additional Information			

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39(2)	<p>(2) A relevant authority may request an applicant—</p> <ul style="list-style-type: none"> (a) to provide such additional documents or information (including calculations and technical details) as the relevant authority may reasonably require to assess the application; (b) to remedy any defect or deficiency in any application or accompanying document or information required by or under this Act; (c) to consult with an authority or body prescribed by the regulations; (d) if the regulations so provide, to prepare a statement of effect in accordance with the regulations in relation to a development of a kind that is expressed to be a <i>non-complying</i> development under the relevant Development Plan; (e) to comply with any other requirement prescribed by the regulations. 	<p>The power pursuant to section 39(2) of the Act to request an applicant—</p> <ul style="list-style-type: none"> a. to provide such additional documents or information (including calculations and technical details) as the relevant authority may reasonably require to assess the application; b. to remedy any defect or deficiency in any application or accompanying document or information required by or under this Act; c. to consult with an authority or body prescribed by the regulations; d. if the regulations so provide, to prepare a statement of effect in accordance with the regulations in relation to a 	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Coordinator City Development - Building, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4), Council Assessment Panel</p>	

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		<p>development of a kind that is expressed to be a non-complying development under the relevant Development Plan;</p> <p>e. to comply with any other requirement prescribed by the regulations.</p>		
39(2b)(c)	<p>(2b)If—</p> <p>(a) a development falls within a class of development prescribed by the regulations for the purposes of this subsection; and</p> <p>(b) the applicant has complied with the requirements of subsection (1)(a), (c) and (d),</p> <p>then—</p> <p>(c) the relevant authority may, in making an assessment as to development plan consent, only request the applicant to provide additional documents or information in relation to the application on 1 occasion; and</p> <p>(d) the relevant authority must make that</p>	The power pursuant to section 39(2b)(c) of the Act to request additional documents subject to the requirements of that provision.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Coordinator City Development - Building, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4), Council	

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	request within a period prescribed by the regulations.		Assessment Panel	
39(3)(b)	<p>(3) Where a request is made under subsection (2)—</p> <p>(a) any period between the date of the request and the date of compliance is not to be included in the time within which the relevant authority is required to decide the application; and</p> <p>(b) if the request is not complied with within the time specified by the regulations, the relevant authority—</p> <p>(i) may, subject to subparagraph (ii), refuse the application; and</p> <p>(ii) must refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is <i>complying</i> development).</p>	<p>Pursuant to section 39(3)(b) of the Act, where a request is made under section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power :-</p> <p>subject to section 39(3)(b)(ii) of the Act, to refuse the application; and</p> <p>refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer Planning, Coordinator City Development - Building, Development Officer Building, Council Assessment Panel</p>	
	Variation of an Application			

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<p>39(4)(a) 39(5)</p>	<p>(4) A relevant authority may—</p> <p style="padding-left: 40px;">(a) permit an applicant—</p> <p style="padding-left: 80px;">(i) to vary an application;</p> <p style="padding-left: 80px;">(ii) to vary any plans, drawings, specifications or other documents that accompanied an application,</p> <p style="padding-left: 40px;">(provided that the essential nature of the proposed development is not changed);</p> <p>(5) A relevant authority may grant a permission under subsection (4) unconditionally or subject to such conditions as the relevant authority thinks fit.</p>	<p>The power pursuant to sections 39(4)(a) and 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Development Technician (MOA 3 and 4), Council Assessment Panel</p>	
<p>39(4)(b) 39(5)</p>	<p>(4) A relevant authority may—</p> <p style="padding-left: 40px;">(b) permit an applicant to lodge an application without the provision of any information or document required by the regulations;</p> <p>(5) A relevant authority may grant a permission under subsection (4) unconditionally or subject to such conditions as the relevant authority thinks fit.</p>	<p>The power pursuant to sections 39(4)(b) and 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development</p>	

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			Officer - Building, Development Technician (MOA 3 and 4), Council Assessment Panel	
39(4)(c) 39(5)	<p>(4) A relevant authority may—</p> <p style="padding-left: 40px;">(c) to the extent that the fee is payable to that relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);</p> <p>(5) A relevant authority may grant a permission under subsection (4) unconditionally or subject to such conditions as the relevant authority thinks fit.</p>	<p>The power pursuant to sections 39(4)(c) and 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development</p>	
39(4)(e)	<p>(4) A relevant authority may—</p> <p style="padding-left: 40px;">(e) if there is an inconsistency between any documents lodged with the relevant authority for the purposes of this Division (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the</p>	<p>The power pursuant to section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Development Technician</p>	

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	<p>matter until any specified matter is resolved, rectified or addressed.</p>	<p>finalise the matter until any specified matter is resolved, rectified or addressed.</p>	<p>(MOA Level 4)</p>	
<p>39(6)</p>	<p>(6) Subject to this section, a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation).</p> <p>(7) An application to which subsection (6) applies—</p> <ul style="list-style-type: none"> (a) may only be made if the relevant authorisation is still operative; and (b) will, for the purposes of this Part, but subject to any exclusion or modification prescribed by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation; and (c) in a case where the development to which the development authorisation previously given was Category 3 development—must also be dealt with under section 38 as an application for Category 3 development if 	<p>The power pursuant to section 39(6) and (7) of the Act to approve of an application for variation of a development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.</p>	<p>Council Assessment Panel</p>	

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	<p>any representations were made under subsection (7) of that section, unless the relevant authority determines that no such representation related to any aspect of the development that is now under consideration on account of the application for variation and that, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development; and</p> <p>(d) unless otherwise approved by the relevant authority, cannot seek to extend the period for which the relevant authorisation remains operative.</p>			
39(7)	<p>(7) An application to which subsection (6) applies—</p> <p>(a) may only be made if the relevant authorisation is still operative; and</p> <p>(b) will, for the purposes of this Part, but subject to any exclusion or modification prescribed by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation; and</p>	<p>The power pursuant to section 39(7) of the Act to approve of an application for variation of a development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.</p> <p>The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Council</p>	

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	<p>(c) in a case where the development to which the development authorisation previously given was Category 3 development—must also be dealt with under section 38 as an application for Category 3 development if any representations were made under subsection (7) of that section, unless the relevant authority determines that no such representation related to any aspect of the development that is now under consideration on account of the application for variation and that, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development; and</p> <p>(d) unless otherwise approved by the relevant authority, cannot seek to extend the period for which the relevant authorisation remains operative.</p>	<p>consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.</p> <p>The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.</p>	Assessment Panel	
39(8)	<p>(8) An application, or a consent, may provide for, or envisage the undertaking of development in stages, with separate consents or approvals for the various stages.</p>	<p>The power pursuant to section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	

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39(9)	(9) An applicant may withdraw an application (but, unless the relevant authority otherwise determines, the applicant is not entitled to a refund of the application fee in such a case).	The power pursuant to section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	Chief Executive Officer, General Manager Urban Services, Manager City Development	
	Refuse Non-Complying Development			
39(4)(d)	(4) A relevant authority may— (d) refuse an application that relates to a development of a kind that is described as a <i>non-complying</i> development under the relevant Development Plan without proceeding to make an assessment of the application;	The power pursuant to section 39(4)(d) of the Act and Regulation 17(3)(a) of the Regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning	
	Extension of Time of Development Authorisation			
40(3)	(3) A relevant authority may, on its own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under subsection (2).	The power pursuant to section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Senior Development Officer - Planning, Senior	

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			Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building	
	Attaching of Conditions			
42(1) 42(3)	<p>(1) A decision under this Division is subject to such conditions (if any)—</p> <ul style="list-style-type: none"> (a) as a relevant authority thinks fit to impose in relation to the development; or (b) as may be prescribed by the regulations or otherwise imposed under this Act. <p>(3) A relevant authority may, for example, approve a development subject to a condition—</p> <ul style="list-style-type: none"> (a) that regulates or restricts the use of any land or building subject to development; or (b) that provides for the management, preservation or conservation of any land or building subject to development; or (c) that regulates maintenance of any land or building subject to development; or (d) where the applicant is seeking approval 	The power pursuant to sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks it or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Council Assessment Panel	

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	<p>for a temporary development—that provides that, at a future time specified in the condition—</p> <ul style="list-style-type: none"> (i) the previous use of the land will revive, or a use of the land will cease; and (ii) any person who has the benefit of the development will restore the land to the state in which it existed immediately before the development. 			
42(6)	<p>(6) The relevant authority may, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under subsection (4) (and the requirements under subsection (4) will then be adjusted accordingly).</p>	<p>The power pursuant to section 42(6) of the Act to determine, on the application of an applicant, that the payment of an amount prescribed by the Regulations be made into the relevant fund as prescribed by section 42(7) of the Act in lieu of planting one or more replacement trees under section 42(4) of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel</p>	

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42(8)(b)	<p>(8) Subsections (4) and (6) do not apply if—</p> <p>(b) the relevant authority determines that it is appropriate to grant an exemption under this subsection in a particular case after taking into account any criteria prescribed by the regulations and the Minister concurs in the granting of the exemption.</p>	<p>The power, pursuant to section 42(8)(b) of the Act to grant an exemption to the requirements of section 42(4) and/or section 42(b) of the Act in a particular case after taking into account any criteria prescribed by the Regulations, subject to and with the concurrence of the Minister.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Council Assessment Panel</p>	
	<p>Cancellation of Development Authorisation</p>			
43	<p>(1) A relevant authority may, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.</p> <p>(2) A cancellation under this section is subject to such conditions (if any) as the relevant authority thinks fit to impose.</p>	<p>The power pursuant to section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning</p>	
	<p>Investigation of Development Assessment Performance</p>			
45A(2) 45A(12)	<p>(2) The Minister must, before making an appointment under subsection (1), give the relevant authority an opportunity to explain its actions, and to make submissions (including, if relevant, an indication of undertakings that the relevant authority is willing to</p>	<p>The power pursuant to sections 45A(2) and 45A(12) of the Act to make submissions to the Minister.</p>	<p>Chief Executive Officer</p>	

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	<p>give in order to take remedial action), to the Minister within a period (being at least 28 days) specified by the Minister.</p> <p>(12) The Minister must, before taking action under subsection (11), give the relevant authority an opportunity to make submissions to the Minister on the report on which the action is based within a period (being at least 28 days) specified by the Minister.</p>			
	Crown Development and Public Infrastructure			
49(4a)	<p>(4a) If an application relates to development within the area of a council, the Development Assessment Commission must give notice containing prescribed particulars of the development to the council in accordance with the regulations.</p>	<p>The power pursuant to section 49(4a) of the Act to receive notice from the Development Assessment Commission (now SCAP) containing the prescribed particulars of the development in accordance with the Regulations.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4), Development Assistant</p>	

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49(5)	(5) A council may report to the Development Assessment Commission on any matters contained in a notice under subsection (4a).	The power, pursuant to section 49(5) of the Act, to report to the Development Assessment Commission (now SCAP) on any matters contained in a notice from the Development Assessment Commission (now SCAP) under section 49(4a) of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader- Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
49(9)	(9) If a council has, in relation to any matters referred to the council under subsection (4a), expressed opposition to the proposed development in its report under subsection (5), a copy of the report must be attached to the Development Assessment Commission's report (unless the council has, since providing its report, withdrawn its opposition).	The power, pursuant to section 49(9) of the Act, to withdraw opposition to a State agency proposed development.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader- Planning,	
	Electricity Infrastructure Development			
49A(4a)	(4a) If an application relates to development within the area of a council, the Development Assessment Commission must give notice containing prescribed particulars of the development to the council in accordance with the regulations.	The power, pursuant to section 49A(4a) of the Act, to receive notice from the Development Assessment Commission (now SCAP) containing the prescribed particulars of the development in accordance with the Regulations.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader - Planning, Senior Development Officer - Planning, Development Officer - Planning, Coordinator	

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			City Development - Building, Development Officer - Building, Senior Development Officer - APPS, Development Technician (MOA Level 3 and 4), Development Assistant	
49A(5)	(5) A council may report to the Development Assessment Commission on any matters contained in a notice under subsection (4a).	The power, pursuant to section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to section 49A(4a) of the Act, to report to the Development Assessment Commission (now SCAP) on any matters contained in the said notice.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader- Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
49A(9)	(9) If a council has, in relation to any matters referred to the council under subsection (4a), expressed opposition to the proposed development in its report under subsection (5), a copy of the report must be attached to the Development Assessment Commission's report (unless the council has, since providing its report, withdrawn its opposition).	The power, pursuant to section 49A(9) of the Act, in circumstances where the Council's report to the Development Assessment Commission (now SCAP) under section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	

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	Open Space Contribution System			
50(1)	<p>(1) Where an application under this Part provides for the division of land into more than 20 allotments, and one or more allotments is less than one hectare in area—</p> <p>(a) the council in whose area the land is situated; or</p> <p>(b) if the land is not situated within the area of a council—the Development Assessment Commission,</p> <p>may require—</p> <p>(c) that up to 12.5 per cent in area of the relevant area be vested in the council or the Crown (as the case requires) to be held as open space; or</p> <p>(d) that the applicant make the contribution prescribed by the regulations in accordance with the requirements of this section; or</p> <p>(e) that land be vested in the council or the Crown under paragraph (c) and that the applicant make a contribution determined in accordance with subsection (7),</p> <p>according to the determination and specification of</p>	<p>The power pursuant to section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments (except by a strata plan) where one or more allotments is less than one hectare in area, to require:</p> <p>a. that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>b. that the applicant make a contribution as prescribed by the Regulations in accordance with the requirements of section 50 of the Act; or</p> <p>c. that the land be vested in the Council and that the applicant make a prescribed contribution determined in accordance with</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development, Council Assessment Panel	

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	<p>the council or the Development Assessment Commission and, in so acting, the council or the Development Assessment Commission must have regard to any relevant provision of the Development Plan that designates any land as open space and, in the case of a council, must not take any action that is at variance with that Development Plan without the concurrence of the Development Assessment Commission.</p>	<p>section 50(7) of the Act, according to the determination and specification of the Council or Delegate.</p>		
<p>50(2)(d) 50(3)</p>	<p>(2) Where an application under this Part provides for—</p> <p>(d) the Development Assessment Commission may enter into an agreement with the applicant under which—</p> <p>(i) certain land described by the relevant plan will be vested (as a separate allotment) in the council in whose area the land is situated or, where the land is not situated within the area of a council, in the Crown, to be held as open space; and</p> <p>(ii) the applicant will make a contribution under this section.</p> <p>(3) Where land referred to in subsection (2) is in the area of a council, the council must be a party to an</p>	<p>The power pursuant to sections 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the Development Assessment Commission (now SCAP) and the applicant under which certain land described by the relevant plan of division will be vested in the Council.</p>	<p>Chief Executive Officer</p>	

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	agreement referred to in subsection (2)(d).			
50(3a)	<p>(3a) Where an application under this Part provides for the undertaking of development of a prescribed class in prescribed circumstances (being development that does not fall within the ambit of subsection (1) or (2)), the Development Assessment Commission may require—</p> <ul style="list-style-type: none"> (a) that an area not exceeding the prescribed percentage of the total area of the site of the development be kept as open space or in some other form that allows for active or passive recreation (as determined by the Development Assessment Commission), with some or all of this area to be vested in the Crown or, with the concurrence of the council, a council; or (b) that the applicant pay the contribution prescribed by the regulations to the Development Assessment Commission; or (c) that certain land be kept in the manner contemplated by paragraph (a) and that the applicant will make a contribution to the Development Assessment Commission under this section. 	The power pursuant to section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the Development Assessment Commission (now SCAP) that an area of the site of the development be kept as open space or in some other form that allows for active or passive recreation under section 50(3a)(a) of the Act.	Chief Executive Officer	

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50(10)	<p>(10) Money received under this section—</p> <p>(a) in the case of money received by a council—must be immediately paid into a special fund established for the purposes of this section and applied by the council for the purpose of acquiring or developing land as open space;</p> <p>(b) in the case of money received by the Development Assessment Commission—must be paid into the Fund or, in the case of money received under subsection (3a), dealt with in any other manner prescribed by the regulations.</p>	<p>The power pursuant to section 50(10) of the Act to receive payment of monies from an applicant under section 50(1) of the Act and to immediately pay that money into a special fund established for the purpose of section 50(10) of the Act and to apply that money for the purpose of acquiring or developing land as open space.</p>	Chief Executive Officer	
50(11)	<p>(11) Where a council or the Development Assessment Commission is satisfied that the division of land is being undertaken in stages, this section does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of this section in respect of the area of land as a whole.</p>	<p>The power pursuant to section 50(11) of the Act to determine that the division of land is being undertaken in stages such that section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of section 50 of the Act in respect of the area of land as a whole.</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader- Planning, Council Assessment Panel	

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	Car Parking Fund			
50A(1)	(1) A council may, with the approval of the Minister, establish a carparking fund for an area designated by the council (a designated area)	The power pursuant to section 50A(1) of the Act to establish a car parking fund.	Council Only	
50A(5)(c)	(5) If— <ul style="list-style-type: none"> (a) a person is proposing to undertake development within a designated area; and (b) application for development plan consent is made under this Part; and (c) the relevant authority determines, after taking into account the provisions of the relevant Development Plan, that the proposal does not provide for sufficient spaces for the parking of cars at the site of the development; and (d) the relevant authority and the applicant agree that the applicant will make a contribution to the relevant carparking fund in lieu of providing a certain number of spaces for the parking of cars at the site of the development, then the applicant must make a contribution to the	The power, pursuant to section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development within any area designated by the Council in accordance with section 50A(1) of the Act.	Chief Executive Officer, Council Assessment Panel	

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	<p>carparking fund of an amount calculated in accordance with a determination of the relevant council (and the development may proceed despite the situation with respect to carparking at the site of the development).</p>			
50A(5)(d)	<p>(5) If—</p> <ul style="list-style-type: none"> (a) a person is proposing to undertake development within a designated area; and (b) application for development plan consent is made under this Part; and (c) the relevant authority determines, after taking into account the provisions of the relevant Development Plan, that the proposal does not provide for sufficient spaces for the parking of cars at the site of the development; and (d) the relevant authority and the applicant agree that the applicant will make a contribution to the relevant carparking fund in lieu of providing a certain number of spaces for the parking of cars at the site of the development, <p>then the applicant must make a contribution to the</p>	<p>The power, pursuant to section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or Delegate, can be made by the applicant to a Car Parking Fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.</p>	<p>Chief Executive Officer, Council Assessment Panel</p>	

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	<p>carparking fund of an amount calculated in accordance with a determination of the relevant council (and the development may proceed despite the situation with respect to carparking at the site of the development).</p>			
50A(5)	<p>(5) If—</p> <ul style="list-style-type: none"> (a) a person is proposing to undertake development within a designated area; and (b) application for development plan consent is made under this Part; and (c) the relevant authority determines, after taking into account the provisions of the relevant Development Plan, that the proposal does not provide for sufficient spaces for the parking of cars at the site of the development; and (d) the relevant authority and the applicant agree that the applicant will make a contribution to the relevant carparking fund in lieu of providing a certain number of spaces for the parking of cars at the site of the development, 	<p>The power pursuant to section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.</p>	Council Only	

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	<p>then the applicant must make a contribution to the carparking fund of an amount calculated in accordance with a determination of the relevant council (and the development may proceed despite the situation with respect to carparking at the site of the development).</p>			
50A(7)	<p>(7) Any money in a carparking fund that is not for the time being required for the purpose of the fund may be invested by the council and any resultant income must be paid into the fund.</p>	<p>The power pursuant to and in accordance with section 50A(7) of the Act to invest any money in a car parking fund and to pay any resultant income into the fund.</p>	Chief Executive Officer	
50A(8)	<p>(8) The money standing to the credit of a carparking fund may be applied by the council for any of the following purposes (and for no other purpose):</p> <ul style="list-style-type: none"> (a) to provide carparking facilities within the designated area; or (b) to provide funds for (or towards) the maintenance, operation or improvement of carparking facilities within the designated area; or (c) to provide funds for (or towards) the establishment, maintenance or improvement of transport facilities within the area of the council with a view to 	<p>The power pursuant to and in accordance with section 50A(8) of the Act to apply money standing to the credit of the car parking fund.</p>	Chief Executive Officer	

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	reducing the need or demand for carparking facilities within the designated area.			
	Urban Trees Fund			
50B(1)	(1) A council may, with the approval of the Minister, establish a fund (an urban trees fund) for an area designated by the council (a designated area).	The power pursuant to section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).	Council Only	
50B(5)	(5) Any money in an urban trees fund that is not for the time being required for the purpose of the fund may be invested by the council and any resultant income must be paid into the fund.	The power pursuant to section 50B(5) of the Act to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to may any resultant income into the fund.	Chief Executive Officer	

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50B(6)	<p>(6) Money standing to the credit of an urban trees fund may be applied by the council—</p> <p>(a) to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under this Act; or</p> <p>(b) to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under this Act.</p>	<p>The power pursuant to section 50B(6) of the Act to apply money standing to the credit of an urban trees fund to:</p> <p>a. to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under this Act; or</p> <p>b. to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under this Act.</p>	Chief Executive Officer	
	Saving Provisions			
52(4)	<p>(4) A relevant authority may, in order to avoid or reduce hardship, extend the limitation period referred to in subsection (2).</p>	<p>The power pursuant to section 52(4) of the Act to extend the limitation period referred to in section 52(2) of the Act in order to avoid or reduce hardship.</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development	

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	Avoidance of Duplication of Procedures in Relation to <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>			
52A(2)(a)	<p>(2) Despite any other provision of this Act, the Governor, the Minister, the Development Assessment Commission, a council or other authority under this Act may—</p> <p>(a) accept a Commonwealth Act document as an application, notice or other document for the purposes of this Act if (subject to subsection (7)) the document complies with the requirements of this Act;</p>	<p>The power pursuant to section 52A(2)(a) of the Act to accept a document under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> (and defined in section 52A(9) of the Act, as a "Commonwealth Act document") as an application, notice or other document for the purposes of the Act, if (subject to the provisions of section 52A(7)) the document complies with the requirements of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning</p>	
52A(2)(b)	<p>(2) Despite any other provision of this Act, the Governor, the Minister, the Development Assessment Commission, a council or other authority under this Act may—</p> <p>(b) direct that a procedure taken under the</p>	<p>The power pursuant to section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the <i>Commonwealth Environment Protection and Biodiversity</i></p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>Commonwealth Act in relation to a Commonwealth Act document that has been accepted by the authority under paragraph (a) will be taken to have fulfilled the requirement for a procedure in relation to the relevant document under this Act if the requirements of this Act in relation to the procedure have been complied with;</p>	<p><i>Conservation Act 1999</i> in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>.</p>		
52A(2)(c)	<p>(2) Despite any other provision of this Act, the Governor, the Minister, the Development Assessment Commission, a council or other authority under this Act may—</p> <p>(c) instead of the authority, or some other person, preparing a plan, report, statement, assessment or other document under this Act, adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used, or to be used, for the purposes of the Commonwealth Act as the document required under this Act if (subject to subsection (7)) the document has been prepared in compliance with this Act and</p>	<p>The power pursuant to section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> as the document required under the Act, if (subject to the provisions of section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	complies with the requirements of this Act.			
52A(5)	(5) To avoid doubt, where a controlled action under the Commonwealth Act is an activity or part of an activity, or includes an activity, for which a development authorisation is required under this Act, the authority may, when considering an application for a development authorisation, or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Act for the purpose of deciding whether to give his or her approval to the controlled action under that Act.	The power pursuant to section 52A(5) of the Act where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		Protection and Biodiversity Conservation Act 1999.		
52A(6)(b)	<p>(6) Where a controlled action under the Commonwealth Act is an activity or part of an activity, or includes an activity, for which a development authorisation is required under this Act, the authority—</p> <p>(b) may attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Act.</p>	<p>Where a controlled action under <i>the Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act the power pursuant to section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>.</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	
	Requirement to Upgrade Building in Certain Cases			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
53A(1)	(1) Where an application is made for a development authorisation under this Act, the law to be applied in deciding the application and the law to be applied in resolving any issues arising from the decision in any proceedings (whether brought under this Act or not) is the law in force as at the time the application was made.	Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	Chief Executive Officer, Coordinator City Development - Building, Development Officer - Building	
53A(2)	(2) The provisions of a Development Plan that are relevant to the consideration of an application for a development plan consent and to the resolution of issues arising in subsequent proceedings based on that application (whether brought under this Act or not) are the provisions of the relevant Development	Where an application is made for building rules consent for building work in the nature of an alteration of a class prescribed by the Regulations the power pursuant to section 53A(2) and subject to section 53A(3)	Chief Executive Officer, Coordinator City Development - Building, Development Officer - Building	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Plan as in force at the time the application was made.	of the Act, to form the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings and facilities and services within buildings, for people with disabilities and therefore require as a condition of consent that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code.		
	Urgent Building Work			
54(2)(d)	<p>(2) If building work is undertaken under subsection (1)—</p> <p>(d) if that development authorisation is refused, the person who undertakes the work must, subject to any direction issued by a relevant authority, within a period specified by a relevant authority, ensure that any land or building affected by the work is reinstated, so far as is practicable,</p>	The power pursuant to section 54(2)(d) of the Act where development authorisation is refused for urgent building work, to issue any directions and specify a period of time in which any land or building affected by building work performed as a matter of urgency is reinstated, so far as is	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Monitoring and Compliance, Coordinator City Development - Building, Development Officer - Building	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>to the state or condition that existed immediately before the commencement of the work.</p> <p>Maximum penalty: \$60 000.</p>	<p>practicable, to the state or condition that existed immediately before the commencement of work.</p>		
	<p>Urgent Work in Relation to Trees</p>			
<p>54A(2)(a)</p>	<p>(2) If an activity is undertaken under subsection (1)—</p> <p>(a) the person who undertakes the activity must notify the relevant authority in accordance with the regulations;</p>	<p>The power to receive notification of urgent work in relation to trees pursuant to section 54A(2)(a) of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 3 and 4)</p>	
	<p>Action if development not completed</p>			
<p>55(1)</p>	<p>(1) Where—</p> <p>(a) an approval is granted under this Part; but</p> <p>(b) —</p> <p>(i) the development to which the approval relates has been commenced but not substantially</p>	<p>The power pursuant to section 55(1) of the Act to apply to the Court for an order under section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed</p>	<p>Chief Executive Officer</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>completed within the period prescribed by the regulations for the lapse of the approval; or</p> <p>(ii) in the case of a development that is envisaged to be undertaken in stages—the development is not undertaken or completed in the manner or within the period contemplated by the approval,</p> <p>a relevant authority may apply to the Court for an order under this section.</p>	<p>within the period prescribed by the Regulations for the lapse of the approval.</p>		
55(5)	<p>(5) Where the Court makes an order under subsection (3)(a), (b) or (ca) and a person fails to comply with the order within the period specified by the Court, the relevant authority may cause any work contemplated by the order to be carried out, and may recover the costs of that work, as a debt from the person.</p>	<p>The power pursuant to section 55(5) of the Act where the Court makes an order under section 55(3)(a), (b) or (ca) or (d) of the Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out and to recover the cost of that work as a debt from the person.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
55(6)	<p>(6) Where an amount is recoverable from a person by a relevant authority under subsection (5)—</p> <p>(a) the relevant authority may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate on the amount unpaid; and</p> <p>(b) the amount together with any interest charge so payable is until paid a charge in favour of the relevant authority on any land owned by the person.</p>	<p>The power pursuant to section 55(6) of the Act where an amount is recoverable from a person under section 55(5) of the Act, by notice in writing to the person, to fix a period being not less than 28 days from the date of the notice within which the amount must be paid.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development</p>	
	Completion of Work			
56(1)	<p>(1) Where—</p> <p>(a) an approval is granted under this Part; but</p> <p>(b) the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval,</p>	<p>The power pursuant to section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Coordinator City Development - Building, Team Leader Compliance and Monitoring</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>a relevant authority may, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.</p>			
56(2)	<p>(2) If an owner fails to carry out work as required by a notice under subsection (1), the relevant authority may cause the necessary work to be carried out.</p>	<p>The power pursuant to the section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under section 56(1) of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development</p>	
56(3)	<p>(3) The reasonable costs and expenses incurred by the relevant authority (or any person acting on behalf of the relevant authority) under this section may be recovered by the relevant authority as a debt due from the owner.</p>	<p>The power pursuant to section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under section 56 of the Act as a debt due from the owner.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Monitoring and Compliance, Team Leader Planning, Coordinator City Development - Building</p>	
56(4)	<p>(4) Where an amount is recoverable from a person by a relevant authority under this section—</p> <p>(a) the relevant authority may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the</p>	<p>The power pursuant to section 56(4) of the Act to, by notice in writing to the person, to fix a period being not less than 28 days from the date of the notice, within which the amount must be</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate on the amount unpaid; and</p> <p>(b) the amount together with any interest charge so payable is until paid a charge in favour of the relevant authority on any land owned by the person.</p>	paid by the person where an amount is recoverable from the person under section 56(3) of the Act.		
	Building Rules Assessment Audits			
56B(10)	(10) An auditor must, before finalising a report for the purposes of this section, give a copy of the report to the council or private certifier and allow a reasonable time for the council or private certifier to provide a response with a view to correcting any error of fact.	The power pursuant to section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under section 56B.	Chief Executive Officer, General Manager Urban Services, Manager City Development	
56B(14)	(14) The Minister must, before taking action under subsection (12), give the council or private certifier a reasonable opportunity to make submissions in relation to the matter.	The power pursuant to section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under section 56B(12).	Chief Executive Officer, General Manager Urban Services, Manager City Development	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Development Plan Assessment Audits			
56C(10)	(10) An auditor must, before finalising a report for the purposes of this section, give a copy of the report to the council or private certifier and allow a reasonable time for the council or private certifier to provide a response with a view to correcting any error of fact.	The power pursuant to section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.	Chief Executive Officer, General Manager Urban Services	
56C(14)	(14) The Minister must, before taking action under subsection (12), give the council or private certifier a reasonable opportunity to make submissions in relation to the matter.	The power pursuant to section 56C(14) of the Act to make submissions in relation to the matter to the Minister	Chief Executive Officer, General Manager Urban Services	
56C(15)	(15) If— <ul style="list-style-type: none"> (a) the Minister makes a recommendation to a council or private certifier under subsection (12)(a); and (b) the Minister subsequently considers that the council or private certifier has not, within a reasonable period, taken appropriate action in view of the recommendation, the Minister may, after consultation with the council or private certifier, give directions to the council or	The power pursuant to section 56C(15) of the Act to consult with the Minister.	Chief Executive Officer, General Manager Urban Services	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	private certifier.			
	Land Management Agreements			
57(2) 57(2a)	<p>(2) A council may enter into an agreement relating to the development, management, preservation or conservation of land within the area of the council with the owner of the land.</p> <p>(2a) The Minister or a council must, in considering whether to enter into an agreement under this section which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, have regard to—</p> <ul style="list-style-type: none"> (a) the provisions of the appropriate Development Plan and to any relevant development authorisation under this Act; and (b) the principle that the entering into of an agreement under this section by the Minister or a council should not be used as a substitute to proceeding with an amendment to a Development Plan under this Act. 	The power pursuant to sections 57(2) and 57(2a) of the Act to enter into an agreement relating to the development, management, preservation or conservation of land within the area of the Council with the owner of the land.	Chief Executive Officer	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
57(3)	(3) The Minister, a greenway authority or a council has power to carry out on private land any work for which provision is made by agreement under this section.	The power pursuant to section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under section 57 of the Act.	Chief Executive Officer	
57(5)	(5) The Registrar-General must, on an application of a party to an agreement made for the purposes of this section, note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the <i>Real Property Act 1886</i> , against the land.	The power pursuant to section 57(5) of the Act, to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the <i>Real Property Act 1886</i> , against the land.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
57(8)	(8) The Registrar-General must, if satisfied on the application of the Minister, the greenway authority, the council or the owner of the land that an agreement in relation to which a note has been made under this section has been rescinded or amended, enter a note of the rescission or amendment against the instrument of title, or against the land.	The power pursuant to section 57(8) of the Act to apply to the Registrar-General where a land management agreement has been rescinded or amended to have a note of the rescission or amendment made against the instrument of title or against the land.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
57(11)	(11) An agreement under this section entered into by a greenway authority or a council must not provide	The power pursuant to section 57(11) of the Act to consent to the remission of	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	for the remission of rates or taxes payable to the Crown unless the Minister consents to the remission, and such an agreement entered into by the Minister must not provide for the remission of rates or taxes payable to a council unless the council consents to the remission.	rates payable to the Council provided for in an agreement entered into by the Minister.		
	Land Management Agreements - Development Applications			
57A(1)	<p>(1) Subject to this section, a designated authority may enter into an agreement under this section with a person who is applying for a development authorisation under this Act that will, in the event that the relevant development is approved, bind—</p> <ul style="list-style-type: none"> (a) the person; and (b) any other person who has the benefit of the development authorisation; and (c) the owner of the relevant land (if he or she is not within the ambit of paragraph (a) or (b) and if the other requirements of this section are satisfied). 	The power pursuant to and subject to section 57A(1) of the Act to enter into an agreement under section 57A of the Act with a person who is applying for a development authorisation under the Act.	Chief Executive Officer	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
57A(7)	(7) A person is entitled, on payment of the prescribed fee, to a copy of an agreement registered under subsection (5).	The power pursuant to section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under section 57A(5) of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 3 & 4), Development Assistant	
57A(14)	(14) If the Registrar-General is satisfied that the requirements of this section have been satisfied, the Registrar-General must, on an application of a party to an agreement, note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the <i>Real Property Act 1886</i> , against the land.	The power pursuant to section 57A(14) of the Act to apply to the Registrar-General to note the agreement against the relevant instrument of title, or in the case of land not under the provisions of the Real Property Act 1886, against the land.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
57A(16)	(16) The Registrar-General must, if satisfied on the application of a party to the agreement, the Minister, or any owner of the relevant land, that an agreement under this section has been rescinded or amended, enter a note of the rescission or	The power pursuant to section 57A(16) of the Act to apply to the Registrar-General where an agreement under section 57A has been rescinded or amended to	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer -	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	agreement against the instrument of title, or against the land.	enter a note of the rescission or amendment against the instrument of title, or against the land.	Planning, Senior Development Officer - APPS, Development Officer - Planning	
57A(18)	(18) If an agreement under this section does not have effect under this section (see subsection (10)) within the period prescribed by the regulations, the relevant authority may, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of this subsection).	The power pursuant to section 57A (18) of the Act, where an agreement under section 57A does not have effect under section 57A within the prescribed period, to, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of section 57A(18) of the Act).	Chief Executive Officer	
	Notification during building			
59(3)	(3) Subject to subsection (4), a person who is carrying out building work must, if directed to do so by the council, stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.	The power pursuant to section 59(3) of the Act to direct that building work stops when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.	Chief Executive Officer, Coordinator City Development - Building, Development Officer - Building	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Maximum penalty: \$10 000.			
	Classification of Buildings			
66(2)	(2) A council may assign to a building erected in its area a classification that conforms with the regulations.	The power pursuant to section 66(2) of the Act to assign to any building a classification that conforms with the Regulations and the duty pursuant to section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building	
	Certificates of Occupancy			
67(3)(a)	(3) An application for a certificate of occupancy must— (a)include any information required by the council;	The power, pursuant to section 67(3)(a) of the Act, to require information from an applicant for a certificate of occupancy.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building	
67(13)	(13) A council may, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.	The power, pursuant to section 67(13) of the Act, to revoke a certificate of occupancy in prescribed circumstances.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
			Development - Building	
	Approval of Temporary Occupation			
68(1) 68(2)	<p>(1) A person may, with the approval of a council, occupy a building on a temporary basis without a certificate of occupancy.</p> <p>(2) An approval under subsection (1) may be given on such conditions (if any) as the council thinks fit to impose.</p>	<p>The power, pursuant to sections 68(1) and (2) of the Act, to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate thinks fit to impose.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building</p>	
	Work Required by Emergency Orders			
69(1) 69(4) 69(5) 69(6)	<p>(1) An authorised officer may make an emergency order under this section if the authorised officer is of the opinion that the order is necessary—</p> <p>(a) because of a threat to safety arising out of the condition or use of a building or an excavation; or</p> <p>(b) because of a threat to any State heritage place or local heritage place.</p> <p>(4) If an owner fails to carry out work as required by an</p>	<p>Where an owner of land fails to comply with the requirements of an emergency order issued under section 69(1) of the Act:</p> <p>a. the power, pursuant to section 69(4) of the Act, to cause the required work to be carried out; and</p> <p>b. the power, pursuant</p>	<p>Chief Executive Officer, General Manager Urban Services, General Manager Business and Community Services, Manager City Development , Coordinator City Development - Building</p>	<p>Development Officer- Building only has delegation for Section 69 (1)</p> <p>General Manager Business and Community Services: Only during a declared Emergency Event</p>

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>emergency order, the council may cause the necessary work to be carried out.</p> <p>(5) The reasonable costs and expenses incurred by the council (or any person acting on behalf of the council) under this section may be recovered by the council as a debt due from the owner.</p> <p>(6) Where an amount is recoverable from a person by the council under this section—</p> <p>(a) the council may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate on the amount unpaid; and</p> <p>(b) the amount together with any interest charge so payable is until paid a charge in favour of the council on any land owned by the person.</p>	<p>to and in accordance with sections 69(5) and 69(6) of the Act, to recover the reasonable costs and expense of that work from the owner as a debt.</p>		
	Fire safety			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
74(18) 71(19)	<p>(18) For the purposes of this section, an <i>appropriate authority</i> is a body established by a council, or by two or more councils, under subsection (19) and designated by the council or councils as an appropriate authority under this section.</p> <p>(19) The following provisions apply with respect to the establishment of an appropriate authority:</p> <p>(a) the appropriate authority will be constituted of—</p> <p>(i) a person who holds prescribed qualifications in building surveying appointed by the council or councils; and</p> <p>(ii) a person nominated by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (determined by the council or councils after taking into account the nature of its area or their areas); and</p> <p>(iii) a person with expertise in the area of fire safety appointed by the council or councils; and</p>	The power pursuant to sections 71(18) and (19) of the Act to establish and designate a body as an appropriate authority.	Council Only	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<ul style="list-style-type: none"> (iv) if so determined by the council or councils—a person selected by the council or councils; (b) the term of office of a member of the appropriate authority will be a period not exceeding three years determined by the council or councils; (c) the office of a member of the appropriate authority will become vacant if the member— <ul style="list-style-type: none"> (i) dies; or (ii) completes a term of office and is not reappointed; or (iii) resigns by written notice addressed to the council or councils; or (iv) is removed from office by the council or councils for any reasonable cause; (d) deputy members may be appointed; (e) subject to a determination of the council or councils—the appropriate authority may determine its own procedures (including as to quorum). 			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
71(19)(a)(iv)	(19)The following provisions apply with respect to the establishment of an appropriate authority: (a) the appropriate authority will be constituted of— (iv)if so determined by the council or councils—a person selected by the council or councils;	The power to select and appoint any person as member and deputy member of the Building Fire Safety Committee	Chief Executive Officer	Must be a City of West Torrens staff member
71(19)(c)(iv)	(19)The following provisions apply with respect to the establishment of an appropriate authority: (c) the office of a member of the appropriate authority will become vacant if the member— (iv) is removed from office by the council or councils for any reasonable cause;	The power to remove any member or deputy member of the Building Fire Safety Committee	Chief Executive Officer	Must be a City of West Torrens staff member.
	Advertisements			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
74(1)	<p>(1) Where, in the opinion of the Development Assessment Commission or a council, an advertisement or advertising hoarding—</p> <p>(a) disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or</p> <p>(b) is contrary to the character desired for a locality under the relevant Development Plan,</p> <p>the Development Assessment Commission or council may, by notice in writing served on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (which must be a period of at least 28 days from the date of service of the notice).</p>	<p>The power, pursuant to and in accordance with section 74(1) of the Act, to:</p> <p>a. form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and</p> <p>b. serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Compliance and Monitoring</p>	
74(3)	<p>(3) Where a person on whom a notice is served under subsection (1) fails to comply with a notice within the time allowed in the notice—</p>	<p>The power, pursuant to section 74(3) of the Act, where a person has failed to comply with a notice under section 74(1) of the Act, to</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(a) the Development Assessment Commission or council may itself enter on the land and take the necessary steps for carrying out the requirements of the notice and may recover the costs of so doing, as a debt, from the person on whom the notice was served; and</p> <p>(b) the person on whom the notice was served is guilty of an offence.</p> <p>Maximum penalty: Division 6 fine.</p> <p>Default penalty: \$50.</p>	enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.	Leader Compliance and Monitoring	
	Enforcement of the Act			
84(2)	<p>(2) If a relevant authority has reason to believe on reasonable grounds that a person has breached this Act or a repealed Act, the relevant authority may do such of the following as the relevant authority considers necessary or appropriate in the circumstances:</p> <p>(a) direct a person to refrain, either for a specified period or until further notice, from the act, or course of action, that constitutes the breach;</p> <p>(b) direct a person to make good any breach in a manner, and within a period, specified</p>	The power, pursuant to and in accordance with section 84(2) of the Act, to issue an enforcement notice, where the Delegate has reason to believe on reasonable grounds that a person has breached the Act or a repealed Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Coordinator City Development - Building, Development Officer - Building, Team Leader Compliance and Monitoring	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>by the relevant authority;</p> <p>(c) take such urgent action as is required because of any situation resulting from the breach.</p>			
84(3)	(3) A direction under subsection (2) must be given by notice in writing unless the relevant authority considers that the direction is urgently required, in which case it may be given orally by an authorised officer.	The power, pursuant to section 84(3) of the Act, to determine that a direction under section 84(2) of the Act is urgently required and can be orally given by an authorised officer.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Coordinator City Development - Building, Development Officer - Building, Team Leader Compliance and Monitoring	
84(6) 84(7) 84(8)	<p>(6) If a person fails to comply with a direction under subsection (2)(b) within the time specified in the notice, the relevant authority may cause the necessary action to be taken.</p> <p>(7) The reasonable costs and expenses incurred by a relevant authority (or any person acting on behalf of the relevant authority) under this section may be recovered by the relevant authority as a debt due from the person whose failure gave rise to the action.</p> <p>(8) Where an amount is recoverable from a person by</p>	<p>Where a person has failed to comply with a direction contained in a notice issued pursuant to section 84(2)(b) of the Act:</p> <p>c. the power, pursuant to section 84(6) of the Act to cause the necessary action to be undertaken; and</p> <p>d. the power, pursuant to and in accordance with sections 84(7)</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>a relevant authority under this section—</p> <p>(a) the relevant authority may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and</p> <p>(b) the amount together with any interest charge so payable is until paid a charge in favour of the relevant authority on any land owned by the person.</p>	<p>and 84(8) of the Act, to recover the costs of doing so as a debt from the person whose failure gave rise to the action.</p>		
85(1)	<p>(1) Any person may apply to the Court for an order to remedy or restrain a breach of this Act or a repealed Act (whether or not any right of that person has been or may be infringed by or as a consequence of that breach).</p>	<p>The power, pursuant to section 85(1) of the Act, to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.</p>	Chief Executive Officer	
85(12) 85(13)	<p>(12) Where the Court makes an order under subsection (6)(d) and the respondent fails to comply with the order within the period specified by the Court, a relevant authority may cause any work contemplated by the order to be carried out, and</p>	<p>Where the Court has made an order under section 85(6)(d) of the Act, and a person has failed to comply with the order, the power pursuant to and in</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>may recover the costs of that work, as a debt, from the respondent.</p> <p>(13) Where an amount is recoverable from a person by a relevant authority under subsection (12)—</p> <p>(a) the relevant authority may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and</p> <p>(b) the amount together with any interest charge so payable is until paid a charge in favour of the relevant authority on any land owned by the person.</p>	<p>accordance with sections 85(12) and 85(13) of the Act, to cause any work contemplated by the order to be carried out and to recover the costs of doing so as a debt from the person.</p>		
	<p>General Right to Apply to Court</p>			
<p>86(1)(e)</p>	<p>(1) The following applications may be made to the Court—</p> <p>(e) a person who is a party to a dispute relating to—</p> <p>(i) the effect of the Building Rules in</p>	<p>Where the Council is a party to a dispute referred to in section 86(1)(e) of the Act, the power pursuant to section 86(1)(e) of the Act to apply to the Court for determination of the dispute.</p>	<p>Chief Executive Officer</p>	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>specific circumstances; or</p> <p>(ii) the manner in which the provisions of the Building Rules are, or ought to be, carried into effect; or</p> <p>(iii) whether or not an application for a building rules consent in relation to a development that is at variance with the Building Rules should be granted in a particular case; or</p> <p>(iv) whether the requirements of the Building Rules in any matter relating to building work have been satisfied in a particular case, or what is necessary for the satisfaction of those requirement; or</p> <p>(v) the construction of a party wall or the proportion or amount of the expense to be borne by the respective owners of premises separated by a party wall; or</p> <p>(vi) any other prescribed matter,</p> <p>may apply to the Court for determination</p>			

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	of the dispute;			
	Authority to be Advised of Certain Matters and Referrals			
93(1)(b)(iii)	<p>(1) A private certifier must—</p> <p>(a) notify the relevant authority as soon as practicable after being engaged to perform a function under this Act; and</p> <p>(b) on making a decision of a prescribed kind in relation to a proposed development or a particular aspect of a proposed development—</p> <p>(i) notify the relevant authority in writing of the decision; and</p> <p>(iii) provide such information or documentation as may be prescribed by the regulations or as the relevant authority may require.</p> <p>Maximum penalty: Division 5 fine.</p>	The power, pursuant to section 93(1)(b)(iii) of the Act, to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 and 4)	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
94	<p>(1) A private certifier may, at any time and with the consent of a relevant authority, refer a particular matter to the relevant authority for exercise by that authority of any function under this Act.</p> <p>(2) A referral may be made without the consent of the person who proposes to undertake the development.</p> <p>(3) The private certifier must pay to the relevant authority any fees, costs or expenses agreed with the relevant authority for the referral.</p>	The power, pursuant to and in accordance with section 94 of the Act, to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building	
	Professional Advice to be Obtained in Relation to Certain Matters			
101(1)	<p>(1) A relevant authority, authorised officer or private certifier may, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</p>	The power, pursuant to section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development	

SECTION NUMBER	SECTION DELEGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
			Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building	
	Make Good Orders			
106A(6)	(6) Subsection (5) does not apply if the order is noted against the relevant instrument of title or, in the case of land not under the provisions of the <i>Real Property Act 1886</i> , against the land under a scheme prescribed by the regulations for the purposes of this subsection.	The power, pursuant to section 106A(6) of the Act, to cause a make good orders issued under section 106A of the Act to be noted against the instrument of title or instruments of title to land to which the order relates or, in the case of land not under the provisions of the Real Property Act 1886, against the land under a scheme prescribed by the Regulations.	Chief Executive Officer	

Development Regulations 2008

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Infrastructure Planning			
9A(1)	(1) Pursuant to section 25(3)(d) of the Act, the council must, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek the advice of a Minister, and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.	The power pursuant to Regulation 9A(1) of the Development Regulations 2008 ('the Regulations') to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.	Council Only	
	Public meeting			
12(4)	(4) A public meeting may, in an appropriate case, be adjourned from time to time and, if necessary or appropriate, from place to place.	The power pursuant to Regulation 12(4) of the Regulations to adjourn a public meeting from time to time, and place to place, if necessary or appropriate.	Chief Executive Officer	
	Application to Relevant Authority			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
15(7)(b)	<p>(7) However—</p> <p>(a) the Development Assessment Commission may request an applicant to provide such additional documents or information before forwarding the documents under subregulation (6) and, in such a case, any period between the date of the request and the date of compliance is not to be included in the 5 business days under subregulation (6); and</p> <p>(b) the Development Assessment Commission will be taken to have complied with subregulation (6) by providing the council with electronic access to the relevant documents and information via the Internet within the time specified under that subregulation, unless the council indicates, in such manner as may be determined by the Development Assessment Commission, that it wishes to receive written documentation instead.</p>	<p>The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the DevelopmentAssessment Commission (now SCAP), that the Council wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 & 4)</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
15(8)	(8) Pursuant to section 54(2)(c) of the Act, the period of 4 weeks from the commencement of the relevant work, or such longer period as a relevant authority may allow, is prescribed.	The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by section 54(2)(c) of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Development Officer - Planning, Team Leader Monitoring and Compliance, Coordinator City Development - Building, Development Officer - Building	
15(10)(b)	(10) Despite a previous subregulation, if an application relates to a proposed development that involves the division of land in the Golden Grove Development Area which is <i>complying</i> development in respect of the Development Plan— (b) the application must be accompanied by 3 copies of the appropriate plans, drawings, specifications and other documents or information (or such additional or lesser number of copies as the council may require) required under Schedule 5; and	The power pursuant to Regulation 15(10)(b) of the Regulations to require an additional or lesser number of copies of appropriate plans, drawings, specifications and other documents or information required under Schedule 5.	Chief Executive Officer	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
<p>15(11) 15(12)</p>	<p>(11) The relevant authority may modify the requirements of Schedule 5 in relation to a particular application, subject to the following qualifications:</p> <p style="padding-left: 40px;">(a) in the case of an application that is lodged with a relevant authority for assessment as <i>residential code</i> development—the requirements of Schedule 5 may not be modified in any way by the relevant authority assessing the application (whether so as to require more or less information), except on authority of the Minister under section 39(1)(a) of the Act;</p> <p style="padding-left: 40px;">(b) in any other case, the relevant authority must not, when requiring plans, drawings, specifications and other documents in relation to the application, require the applicant to provide more information than that specified under Schedule 5 (subject to section 39 of the Act).</p> <p>(12) The relevant authority may, in exercising its discretion under section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.</p>	<p>Subject to Regulation 15(12), the power, pursuant to Regulation 15(11) of the Regulations to, in an appropriate case, dispense with or modify the requirements of Schedule 5 in relation to a particular application.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 & 4)</p>	

Delegations and Sub-delegations Framework
 Objective ID: A1997190

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>Nature of Development</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
16(1)	(1) If an application will require a relevant authority to assess a proposed development against the provisions of a Development Plan, the relevant authority must determine the nature of the development, and proceed to deal with the application according to that determination.	The power pursuant to Regulation 16(1) of the Regulations to determine the nature of the development.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 3 or 4), Council Assessment Panel	
16(2)	(2) If the relevant authority is of the opinion that an application relates to a kind of development that is described as non-complying under the relevant Development Plan, and the applicant has not identified the development as such, the relevant authority must, by notice in writing, inform the applicant of that fact.	The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is noncomplying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (Level 3/4), Council Assessment Panel	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
16(3)	(3) If an application in relation to a proposed development identifies the development as <i>residential code</i> development or designated development and the relevant authority is of the opinion that the development is <i>residential code</i> development or designated development, the relevant authority must, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.	The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as <i>residential code</i> development or designated development, form the opinion that the development is <i>residential code</i> development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 4)	
16(4)	(4) If an application in relation to a proposed development identifies the development as <i>residential code</i> development or designated development, but the relevant authority is of the opinion that the development is not <i>residential code</i> development or designated development, the relevant authority must, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the relevant authority's opinion.	The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as <i>residential code</i> development or designated development, form the opinion that the development is not <i>residential code</i> development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 4)	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		opinion.		
	Non-Complying Development			
17(3)	<p>(3) A relevant authority may, after receipt of an application which relates to a kind of development that is described as a <i>non-complying</i> development under the relevant Development Plan—</p> <p>(a) refuse the application pursuant to section 39(4)(d) of the Act, and notify the applicant accordingly; or</p> <p>(b) resolve to proceed with an assessment of the application.</p>	<p>The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as noncomplying development to:</p> <p>e. refuse the application pursuant to section 39(4)(d) of the Act and notify the applicant accordingly; or</p> <p>f. resolve to proceed with an assessment of the application.</p>	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning	
17(6)	<p>(6) A statement of effect is not required if the proposed development consists (wholly or substantially) of—</p> <p>(a) the alteration of a building; or</p> <p>(b) the construction of a new building which is to be used in a manner which is</p>	The power pursuant to and in accordance with Regulation 17(6) of the Regulations, to determine that a statement of effect is not required.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>ancillary to, or in association with, the use of an existing building and which would facilitate the better enjoyment of the existing use of the existing building; or</p> <p>(c) the division of land where the number of allotments to result from the division is equal to or less than the number of existing allotments,</p> <p>and the relevant authority considers that the proposed development is of a minor nature.</p>			
	<p>Amended Applications</p>			
<p>20(4)</p>	<p>(4) If an application is varied following referral under Part 5 or giving of notice under Part 6, the relevant authority may, if it is of the opinion that the variations are not substantial, consider the application without the need to repeat an action otherwise required under Part 5 or Part 6.</p>	<p>The power, pursuant to Regulation 20(4) of the Regulations, to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations, is not required.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
20(5)	(5) If a variation would change the essential nature of a proposed development (as referred to in section 39(4)(a) of the Act), the relevant authority and the applicant may, by agreement, proceed with the variation on the basis that the application (as so varied) will be treated as a new application under these regulations.	The power, pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Council Assessment Panel	
	Withdrawal/Lapsing Applications			
22(2)	(2) A relevant authority may lapse an application for a development authorisation under Part 4 of the Act if at least 2 years have passed since the date on which the application was lodged with the relevant authority under the Act.	Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the said application.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Contravening Development			
23(2)	(2) Subject to section 85(14) of the Act, a relevant authority which has received an application under these regulations may, by notice in writing to the applicant, decline to deal with the application until any proceedings under the Act have been concluded.	The power, pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act has been concluded.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning	
	Special Provisions - Referrals			
28(4)	(4) If a report is not received from the fire authority on a referral under subregulation (3) within 20 business days, the relevant authority may presume that the fire authority does not desire to make a report.	The power, pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not desire to make a report.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building	
	Land Division Applications			
29(1) 29(2)	(1) If a council or a regional development assessment panel is the relevant authority for an application which relates to a proposed development that involves the division of land,	The power, pursuant to Regulation 29(2) of the Regulations, when a report from the Development	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>other than where the division of land is <i>complying</i> development in respect of the Development Plan in the Golden Grove Development Area, the council or regional development assessment panel (as the case may be) must not, subject to subregulation (2), make a decision on the application until it has received a report from the Development Assessment Commission in relation to the matters under section 33(1) (as relevant).</p> <p>(2) If a report is not received from the Development Assessment Commission within 8 weeks from the day on which the application is lodged with the Development Assessment Commission under regulation 15, or within such longer period as the Development Assessment Commission may require by notice in writing to the relevant authority, it may presume that the Development Assessment Commission does not desire to make a report.</p>	<p>Assessment Commission (now SCAP) pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission (now SCAP) may require by notice in writing to the Council, to presume that the Development Assessment Commission (now SCAP) does not desire to make a report.</p>	<p>Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	
	<p>Underground Mains Area</p>			
<p>30(1)</p>	<p>(1) If a council considers that an area should be declared an underground mains area, the council may seek a report from the relevant electricity</p>	<p>The power, pursuant to Regulation 30(1) of the Regulations, to seek a report from the relevant electricity</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	authority in relation to the matter.	authority where the Delegate considers that an area should be declared an underground mains area.	Planning	
30(2)	(2) Subject to subregulation (3), the council may, after having received and considered a report from the electricity authority, declare the area as an underground mains area.	The power, pursuant to Regulation 30(2) of the Regulations, to declare an area as an underground mains area.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning	
30(3)	(3) If any land within, or partly within, the proposed area is, at the time that a report is sought under subregulation (1), the subject of an application for division under the Act, and the council at the time that the report is sought gives notice of the application to the electricity authority, the council may presume that the electricity authority does not desire to make a report if a report is not received within 8 weeks from the day on which the council makes its request for the report.	The power pursuant to Regulation 30(3) of the Regulations to presume that the electricity authority does not desire to make a report if a report is not received within 8 weeks from the day on which the Delegate makes their request for the report.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	
30(4)	(4) If an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant	The power, pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer -	

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	authority), a relevant authority may require, as a condition on its decision on the application, that any electricity mains be placed underground.	mains area, to require, as a condition of the decision, that any electricity mains be placed underground.	Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment panel	
	Preliminary Advice and Agreement - section 37AA			
31A(6)(b)	<p>(6) If—</p> <p>(a) a relevant authority permits an applicant to vary an application under section 39(4) of the Act; and</p> <p>(b) the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body,</p> <p>then the application must (unless withdrawn) be referred to the prescribed body—</p> <p>(c) to obtain a variation to the agreement under section 37AA of the Act; or</p> <p>(d) to obtain a response from the prescribed body for the purposes of section 37 of the Act (and the requirements of that section, and these regulations in relation to such a referral, other than for the payment of a fee under Schedule 6, will</p>	The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	

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	then apply).			
	Public Inspection			
34(3)	(3) A person who makes a request under subregulation (2) must, at the time of making the request, provide to the relevant authority the following information, namely his or her name, address and contact details, and must, at the request of the relevant authority, verify this information in such manner as the relevant authority thinks fit.	The power, pursuant to Regulation 34(3) of the Regulations, to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such a manner as the Delegate thinks fit.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician, Cadet Development Officer, Development Assistant	
34(4)	(4) Subregulations (1) and (2) are subject to the following qualifications: (a) the relevant authority is not required to make available any plans, drawings, specifications or other documents or information which relate to the assessment of the proposed development against the Building Rules and which are not reasonably necessary for determining whether development	The power, pursuant to Regulation 34(4) of the Regulations, to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>plan consent should be granted;</p> <p>(b) the relevant authority is not required to make available any plans, drawings, specifications or other documents or information if to do so would, in the opinion of the relevant authority, unreasonably jeopardise the present or future security of a building.</p>	for inspection.	Technician	
36	Response by Applicant			
	<p>(1) Pursuant to section 38(8) of the Act, a response to a representation must be made by the applicant within 10 business days after the relevant material is forwarded to the applicant, or within such longer period as the relevant authority may allow.</p> <p>(2) An extension of time allowed by the relevant authority under subregulation (1) is not to be included in the time within which the relevant authority is required to decide the relevant application under these regulations.</p>	The power, pursuant to Regulation 36 of the Regulations, to extend the time within which an applicant may respond to any representation.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
	Determination of Commission as Relevant Authority			

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38(2)(b)	<p>(2) If the Development Assessment Commission is the relevant authority under section 34(1)(b) of the Act—</p> <p>(a) in a case where the Minister has made a declaration under section 34(1)(b)(iii) or (vi) of the Act—</p> <p>(i) the relevant council or regional development assessment panel (as the case may be) must forward to the Development Assessment Commission any application received by the council or regional development assessment panel under the Act and these regulations in relation to the matter, together with any accompanying documentation or information and, as appropriate, fees, within 5 business days after receipt of a copy of the notice of the Minister's declaration; and</p> <p>(ii) the Development Assessment Commission may, as it thinks fit—</p>	Where the Development Assessment Commission (now SCAP) is the relevant authority under section 34(1)(b) of the Act the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under section 33(1) (as relevant).	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(A) adopt any act or decision of the council or regional development assessment panel in relation to the assessment of the application (including an act or decision under Part 4, Part 5 or Part 6 of these regulations);</p> <p>(B) disregard or reject any act or decision of the council or regional development assessment panel in relation to the assessment of the application; and</p> <p>(b) in any case—the Development Assessment Commission must give the council for the area in which the development is to be undertaken a reasonable opportunity to provide the Development Assessment Commission with a report on the</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>matters under section 33(1) (as relevant) (but if a report is not received by the Development Assessment Commission within 6 weeks after the council received the application (or a copy of the application) under these regulations or, in a case where section 34(1)(b)(vi) of the Act applies, within the relevant period under subregulation (3) after the relevant declaration is made by the Minister, or within such longer period as the Development Assessment Commission may allow, the Development Assessment Commission may presume that the council does not desire to provide a report).</p>			
38(4)	<p>(4) If—</p> <p>(a) the Development Assessment Commission is the relevant authority under section 34(1)(b)(iv) of the Act; and</p> <p>(b) the proposed development is to be undertaken within 1 kilometre of a</p>	<p>Where the Development Assessment Commission (now SCAP) is the relevant authority under section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power,</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>boundary with a council, the Development Assessment Commission must give that council a reasonable opportunity to provide the Development Assessment Commission with comments on the proposed development (but if such comments are not received by the Development Assessment Commission within 6 weeks after the council is invited to provide them, or within such longer period as the Development Assessment Commission may allow, the Development Assessment Commission may assume that the council does not desire to provide any comments).</p>	<p>pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission (now SCAP) with comments on the proposed development.</p>	<p>- Planning</p>	
<p>39</p>	<p>If a council is a relevant authority pursuant to section 34(2) of the Act, then, despite any other provision of these regulations, the council must not give its decision in respect of the assessment against the Building Rules until the Development Assessment Commission or the regional development assessment panel (as the case may be) has made its decision in respect of the assessment of the development against the provisions of the relevant Development Plan (but then, if the council grants building rules consent, the council may also, if it is appropriate for it to do</p>	<p>The power pursuant to, and subject to, Regulation 39 of the Regulations if the Council has granted building rules consent, to issue a notice of approval under Part 8 of the Regulations is the Delegate considers it is appropriate to do so.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development -Building, Development Officer Building</p>	

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	so, issue a notice of approval under Part 8 of these regulations).			
	Scheme description – community titles			
45(2)	<p>(2) An endorsement of a scheme description by a relevant authority under section 3 of the <i>Community Titles Act 1996</i> should be in the following terms:</p> <p>1 All the consents or approvals required under to the division of the land (and a change in t accordance with this scheme description and division under the <i>Community Titles Act 1996</i></p> <p>OR</p> <p>No consent or approval is required under the the division of the land (or a change in the u scheme description.</p> <p>2 This endorsement does not limit a relevant a conditions on, development authorisation un relation to any other development envisaged</p> <p>Signed:</p>	The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under section 3 of the <i>Community Titles Act 1996</i> , notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	

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	<p>Dated:</p> <p>[The endorsement may also include notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future. The endorsement may be signed and dated by a duly authorised officer of the relevant authority.]</p>			
	<p>Minor Variation of Development Authorisation</p>			
<p>47A</p>	<p>(1) For the purposes of section 39(7)(b) of the Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) and the relevant authority is satisfied that the variation is minor in nature—</p> <p>(a) the relevant authority may approve the variation; and</p> <p>(b) the request is not to be treated as a new application for development authorisation; and</p> <p>(c) unless the variation is such that the</p>	<p>The power pursuant to Regulation 47A of the Regulations, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Team Leader - Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Officer - Building, Development Technician (MOA 4)</p>	<p>Coordinator City Development - Building, Development Officer - Building - Building rules consent only and no planning implications</p> <p>Team Leader - Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning - Development plan consent only and no building rules</p>

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	<p>result is an inconsistency with another consent, no further step need be taken in relation to a development approval already given (and no new approval needs to be given).</p> <p>(2) Nothing in subregulation (1) prevents a person seeking more than 1 variation of a development authorisation of a kind referred to in that subregulation (whether simultaneously or at different times).</p>			<p>implications</p> <p>Development Technician (MOA 4) - Category 1 Development plan consent only and no building rules implications</p>
	<p>Lapse of Consent or Approval</p>			
<p>48(2)</p>	<p>(2) A period prescribed by subregulation (1) may be extended by a relevant authority—</p> <p>(a) when the relevant consent or approval is given; or</p> <p>(b) at such later time as may be appropriate.</p>	<p>The power, pursuant to Regulation 48(2) of the Regulations, to extend the time when any consent or approval under Part 4 of the Act will lapse.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building</p>	
	<p>Width of Roads and Thoroughfares</p>			
<p>51(4)</p>	<p>(4) The council may dispense with a width prescribed</p>	<p>The power pursuant to</p>	<p>Chief Executive Officer,</p>	

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	by subregulation (1) or (3) (and specify a different width) if it is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.	Regulation 51(4) of the Regulations to dispense with the requirements of Regulations 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.	General Manager Urban Services, Manager City Development, Team Leader - Planning, Council Assessment Panel	
51(6)	(6) The council may dispense with a requirement under subregulation (5) if it appears to the council that the cul-de-sac is likely to become a through road.	The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader - Planning, Council Assessment Panel	
	Road Widening			
52(1)	(1) Subject to subregulation (2), if an existing road abuts land which is proposed to be divided and the council considers that the road should be widened in order to provide a road of adequate	The power pursuant to Regulation 52(1) of the Regulations to require a road widening where land to be divided abuts an existing road.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader - Planning	

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	width having regard to existing and future requirements of the area, the proposed division of land must make provision for that widening.			
	Requirement as to Forming of Roads			
53(1) 53(2)	<p>(1) Subject to subregulation (2), the roadway of every proposed road on a plan of division must be formed to a width specified by the council, and in a manner satisfactory to the council.</p> <p>(2) The council must not, when specifying a width for a roadway to be formed under subregulation (1), specify a width in excess of 7.4 metres unless, in the opinion of the council, that specification is necessary in view of the volume or type of traffic that is likely to traverse that road.</p>	The power, pursuant to Regulation 53(1) and (2) of the Regulations, to specify the width of roads.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader - Planning, Council Assessment Panel	
53(4)	<p>(3) Adequate provision must be made for the turning of vehicles at the head of a cul-de-sac.</p> <p>(4) The council may dispense with the requirements under subregulation (3) if it is of the opinion that the cul-de-sac is likely to become a through road.</p>	The power, pursuant to Regulation 53(4) of the Regulations, to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Council Assessment Panel	

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		the Delegate is of the opinion that the cul-de-sac is likely to become a through road.		
53(6)	<p>(5) Subject to subregulation (6), every footpath, water-table, kerbing, culvert and drain of every proposed road must be formed in a manner satisfactory to the council.</p> <p>(6) The council may dispense with a requirement under subregulation (5).</p>	The power, pursuant to Regulation 53(6) of the Regulations, to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, watertables, kerbing, culverts and drains on proposed roads.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Council Assessment Panel	
	Construction of Roads, Bridges, Drains and Services			
54(1)	(1) The roadway of every proposed road within the relevant division must be constructed and where required by the council, paved and sealed with bitumen, tar or asphalt or other material approved by the council.	The power, pursuant to Regulation 54(1) of the Regulations, to require the paving and sealing of the roadway of proposed roads.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader - Planning, Council Assessment Panel	
	General Land Division			

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58(1)	<p>(1) Pursuant to section 51(1) of the Act, the Development Assessment Commission may issue a certificate under that section notwithstanding that the requirements under Division 2 have not been fully satisfied if the council advises the Development Assessment Commission—</p> <p>(a) that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements (other than a requirement under regulation 54(5)) and that the arrangement is supported by adequate security; and</p> <p>(b) in a case where a requirement under regulation 54(5) has not been fully satisfied—that the applicant has entered into a binding arrangement with the appropriate electricity authority for the satisfaction of the requirement and that the arrangement is supported by adequate security.</p>	The power pursuant to and in accordance with Regulation 58(1) of the Regulations, to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Monitoring and Compliance	

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58(2)	(2) Pursuant to section 51(1) of the Act, the Development Assessment Commission may issue a certificate under that section notwithstanding that the requirements of the relevant responsible Minister relating to the provision of water supply and sewerage services have not been fully satisfied if that Minister advises the Development Assessment Commission that the applicant has entered into a binding arrangement with the Minister for the satisfaction of those requirements and that the arrangement is supported by adequate security.	The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the Development Assessment Commission (now SCAP) that an applicant has entered into appropriate binding arrangements pursuant to section 51(1) of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Monitoring and Compliance	
	Division of Land by Strata Title			
59(1)	(1) Pursuant to section 51(1) of the Act, the Development Assessment Commission may issue a certificate under that section in relation to the division of land by strata plan under the <i>Community Titles Act 1996</i> or the <i>Strata Titles Act 1988</i> notwithstanding that the requirements of section 33(1)(d) of the Act have not been fully satisfied if the council advises the Development Assessment Commission that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements	The power, pursuant to Regulation 59(1) of the Regulations, to advise the Development Assessment Commission (now SCAP) that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of section 33(1)(d) of the Act and that the arrangement is supported by adequate security.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Monitoring and Compliance	

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	and that the arrangement is supported by adequate security.			
	General Provisions			
60(1)	(1) The approval of a model for binding arrangements by the Minister under this Division does not limit the ability of an applicant to enter into any other form of arrangement, to the satisfaction of the Development Assessment Commission and the relevant council, for the purposes of section 51(1) of the Act.	The power, pursuant to and in accordance with Regulation 60(1) of the Regulations, to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission (now SCAP) for the purposes of section 51(1) of the Act.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Team Leader Monitoring and Compliance	
60(7)	(7) For the purposes of section 51(4) of the Act, a copy of the certificate and plan (or certificates and plans) referred to in subregulation (4) must be furnished to the relevant council— (a) by providing the council with electronic access to the relevant documents via the Internet; or (b) at the request of the council (provided in such manner as may be determined by the Development Assessment	The power, pursuant to Regulation 60(7) of the Regulations, for the purposes of section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission (now SCAP)) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 30(4) of the	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Team Leader Monitoring and Compliance	

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	Commission), by sending a written copy to the council.	Regulations be furnished to the Council by sending a written copy to the Council.		
60(9)	(9) The Development Assessment Commission must consult with the relevant council (if any) before it grants an extension of the period prescribed by subregulation (8).	The power, pursuant to Regulation 60(9) of the Regulations, to consult with the Development Assessment Commission (now SCAP) before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning	
	Major Project Decisions			
61(5)(d)	(4) Pursuant to subsection (6)(e) of section 46 of the Act (but subject to subregulation (5)), if an application lodged with the Minister under that section will require an assessment against the Building Rules, the application must, unless otherwise directed by the Minister, be accompanied by 3 copies of the plans, drawings,	Where an application lodged with the Minister under section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to Regulation	Chief Executive Officer, General Manager Urban Services, Manager City Development, Coordinator City Development - Building, Development Officer - Building	

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	<p>specifications and other documents and information relating to the proposed development (or such additional or lesser number of copies as the Minister may require) required under Schedule 5 (prepared in accordance with the requirements of that Schedule).</p> <p>(5) If—</p> <p>(a) an application lodged with the Minister under section 46 of the Act will require an assessment against the Building Rules; and</p> <p>(b) the Minister indicates that it will be recommended to the Governor that the assessment against the Building Rules be referred to the council for the area in which the proposed development is to be undertaken, or be undertaken by a private certifier or by some other person,</p> <p>then, unless otherwise directed by the Minister—</p> <p>(c) the application lodged with the Minister need only be accompanied by 1 copy of the plans, drawings, specifications and other documents and information required by subregulation (4); and</p> <p>(d) the applicant must, at an appropriate time, provide 2 copies of those</p>	<p>61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by Regulation 61(4) of the Regulations.</p>		

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	<p>documents and that information to the council, private certifier or other person who is to undertake the assessment against the Building Rules (and if the council, private certifier or other person requires additional copies then the applicant must also comply with that requirement).</p>			
	<p>Building Work Notices</p>			
<p>74(1)(b)</p>	<p>(1) The following periods and stages are prescribed for the purposes of section 59(1) of the Act:</p> <p>(b) 1 business day's notice of the intended commencement of any stage of the building work specified by the council by notice in writing to the building owner on or before development approval is granted in respect of the work;</p>	<p>The power, pursuant to Regulation 74(1)(b) of the Regulations, to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in section 59(1) of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Team Leader Compliance and Monitoring</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
74(1)(c)	<p>(1) The following periods and stages are prescribed for the purposes of section 59(1) of the Act:</p> <p>(c) 1 business day's notice of the intended completion of any stage of the building work specified by the council by notice in writing to the building owner on or before development approval is granted in respect of the work;</p>	<p>The power pursuant to Regulation 74(1)(c) of the Regulations, to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in section 59(1) of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building</p>	
	Essential Safety Provisions for Buildings			
76(10)	<p>(10) Despite subregulation (9), the council may require compliance with subregulation (7) if—</p> <p>(a) the essential safety provisions were installed under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the <i>Building Code</i>; or</p> <p>(b) the building has been the subject of a notice under section 71 of the Act.</p>	<p>The power, pursuant to Regulation 76(10) of the Regulations, to require compliance with Regulation 76(7) of the Regulations despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under section 36(2) of the Act or the building has been the subject of a notice under section 71 of the Act.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building</p>	

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	Swimming Pool Safety			
76D(4a)	(4a) For the purposes of subsection (7) of section 71AA of the Act, a council must establish a swimming pool inspection policy.	The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.	Chief Executive Officer	
	Health and amenity			
77(3)(b)	<p>(3) A person will be taken to have complied with subregulation (2) if—</p> <p>(a) the building is connected to the public sewer; or</p> <p>(b) sewage or sullage discharged from the building is collected, treated and disposed of by means of a waste control system which complies with the requirements of the <i>Public and Environmental Health Act 1987</i> and which is installed in a manner approved by the council.</p>	The power pursuant to Regulation 77(3)(b) of the Regulations to approve the manner of installation of a waste control system for the treatment and disposal of sewage and/or sullage from a building.	Chief Executive Officer	

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	Building Rules: Bushfire Prone Areas			
78(2)	<p>(2) If—</p> <ul style="list-style-type: none"> (a) application is made for building rules consent for building work in the nature of an alteration to a Class 1, 2 or 3 building under the <i>Building Code</i>; and (b) the building is in a bushfire prone area under subregulation (1); and (c) the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50% when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building constructed since that time, as it existed at the date of completion of original construction), <p>then the relevant authority may require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.</p>	The power, pursuant to Regulation 78(2) of the Regulations, to require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.	Chief Executive Officer	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Construction Industry Training Fund			
79(4)	(4) If after assessing a proposed development against the building rules the relevant authority is yet to be satisfied that the appropriate levy has been paid under the <i>Construction Industry Training Fund Act 1993</i> or is not payable, the relevant authority may notify the applicant that it cannot issue a building rules consent until it is satisfied that the levy has been paid or is not payable.	The power pursuant to Regulation 79(4) of the Regulations, to form an opinion whether the appropriate levy under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building	
79(4) 79(5)(b)	(4) If after assessing a proposed development against the building rules the relevant authority is yet to be satisfied that the appropriate levy has been paid under the <i>Construction Industry Training Fund Act 1993</i> or is not payable, the relevant authority may notify the applicant that it cannot issue a building rules consent until it is satisfied that the levy has been paid or is not payable. (5) If a notification is given under subregulation (4)— (b) if such evidence is not provided to the relevant authority within 4 weeks after	If notification has been given under Regulation 79(4) of the Regulations, the power, pursuant to and in accordance with Regulation 79(5)(b) of the Regulations, to determine that the application has lapsed.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>the date of the notification, the relevant authority may, if it thinks fit, determine that the application has lapsed.</p>			
	<p>Requirement to up-grade building in certain cases</p>			
<p>80(1a)</p>	<p>(1a) Pursuant to section 7(3)(b) of the Act, section 53A(1) of the Act applies in relation to a class 2 to class 9 building as if it were modified as follows:</p> <p>(1) If an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to 9 building constructed before 1 January 2002 and the building is, in the opinion of the relevant authority, unsafe, structurally unsound or in an unhealthy condition, the relevant authority may require, as a condition of consent—</p> <p>(a) that building work that conforms with the requirements of the Building Rules be</p>	<p>The power pursuant to Regulation 80(1a) of the Regulations to require, as a condition of consent:</p> <p>g. that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards; or</p> <p>h. that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development, Coordinator City Development - Building</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards; or</p> <p>(b) that the building work comply with <i>Minister's Specification SA: Upgrading health and safety in existing buildings</i> (to the extent reasonably applicable to the building and its condition).</p>	<p>the extent reasonably applicable to the building and its condition).</p>		
	<p>Classification of Buildings</p>			
<p>82(3)(b)(i)</p>	<p>(3) An application under subregulation (1) or (2) must—</p> <p>(a) specify the existing classification (if any), and the classification which is being sought; and</p> <p>(b) be accompanied by—</p>	<p>The power, pursuant to Regulation 82(3)(b)(i) of the Regulations, to require such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(i) such details, particulars, plans, drawings, specifications, certificates and other documents as the council may reasonably require to determine the building's classification; and</p> <p>(ii) the appropriate fee calculated in accordance with Schedule 6.</p>	determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.		
82(4a)	(4a) If an application under this regulation is made in respect of an existing class 2 to class 9 building, the council may require the applicant to satisfy it that <i>Minister's Specification SA: Upgrading health and safety in existing buildings</i> has been complied with (to the extent reasonably applicable to the building and its present or intended use).	The power pursuant to Regulation 82(4a) of the Regulations, to require an applicant to satisfy the Delegate that Minister's Specification SA: Upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).	Chief Executive Officer, General Manager Urban Services, Manager City Development, Coordinator City Development - Building, Development Officer - Building	
	Certificates of Occupancy			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
83(2)(c)	<p>(2) Pursuant to section 67(3)(b) of the Act, the following documentation is required:</p> <ul style="list-style-type: none"> (a) a copy of a Statement of Compliance, duly completed in accordance with the requirements of Schedule 19A, that relates to any relevant building work, together with any documentation required under regulation 42(7)(a)(ii); (b) unless already provided—a copy of any certificate of compliance under regulation 76(5) (if relevant); (c) if the development has been approved subject to conditions, such evidence as the council may reasonably require to show that the conditions have been satisfied; 	The power pursuant to Regulation 83(2)(c) of the Regulations, to require from an applicant for a certificate of occupancy, reasonable evidence that conditions attached to a development approval have been satisfied.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
83(2)(d)	<p>(d) if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such evidence as the council may reasonably require to show—</p> <p>(i) in the case of a building more than 1 storey—that the requirements of <i>Minister's Specification SA 83</i> have been complied with; or</p> <p>(ii) in any other case—that the building is suitable for occupation.</p>	<p>The power pursuant to Regulation 83(2)(d) of the Regulations, where an application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than one storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case, that the building is suitable for occupation.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building,</p>	
83(3)	<p>(3) A council may, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after the commencement of the <i>Development (Building Cladding) Variation Regulations 2018</i>, dispense with the requirement to provide a Statement of Compliance under subregulation (2)(a) if—</p> <p>(a) the council is satisfied that a person</p>	<p>The power pursuant to Regulation 83(3) of the Regulations, to dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) of the Regulations if the Delegate is satisfied that a person required to complete one or both parts of the Statement</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>(b) it appears to the council that the relevant building is suitable for occupation.</p>	<p>has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification(s) and it appears to the Delegate that the relevant building is suitable for occupation.</p>		
83(5)	<p>(5) If a report is not received from the fire authority within 15 business days, the council may presume that the fire authority does not desire to make a report.</p>	<p>The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) of the Regulations is not received within 15 business days, to presume that the fire authority does not desire to make a report.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building</p>	
83(9)	<p>(9) Pursuant to section 67(13) of the Act, a council may revoke a certificate of occupancy—</p> <p>(a) if—</p> <p>(i) there is a change in the use of the building; or</p>	<p>The power pursuant to and in accordance with Regulation 83(9) of the Regulations to revoke a certificate of occupancy.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(ii) the classification of the building changes; or</p> <p>(iii) building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300 square metres is about to commence, or is being or has been carried out; or</p> <p>(iv) the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p> <p>and the council considers that in the circumstances the certificate should be revoked and a new certificate sought; or</p> <p>(b) if the council considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</p> <p>(c) if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>requirements of regulation 76(7); or</p> <p>(d) if the council considers—</p> <p>(i) that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</p> <p>(ii) that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</p>			
	<p>Independent Technical Expert Advice</p>			
<p>88(3)</p>	<p>(3) Pursuant to section 101(1) of the Act, a relevant authority, authorised officer or private certifier may rely on the certificate of an independent technical expert in a circumstance where this regulation applies.</p>	<p>The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Coordinator City Development - Building, Development Officer - Building</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Provision of Information			
92(6)	(6) Any material required to be provided to a relevant authority or council under this regulation may be so provided, with the approval of the relevant authority or council, by fax or other form of electronic transmission.	The power pursuant to Regulation 92(6) of the Regulations to give approval for any material to be provided by fax or other form of electronic transmission	Chief Executive Officer, General Manager Urban Services, Manager City Development, Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4), Cadet Development Officer, Development Assistant	
	Fees			
95(2)	(2) An authority (including the Minister) with which an application is duly lodged under these regulations— (a) may require the applicant to provide such information as the authority may reasonably require to calculate any fee payable under these regulations; and	The power, pursuant to Regulation 95(2) of the Regulations, to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 of the Regulations and the power to make any other	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning,	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	(b) may make any other determination for the purposes of these regulations (even if it is not the relevant authority).	determination for the purposes of Schedule 6 of the Regulations.	Development Officer - Building, Development Technician (MOA Level 3 and 4)	
95(3)	(3) If an authority acting under subregulation (2), or a relevant authority in any event, believes that any information provided by an applicant is incomplete or inaccurate, the authority (or relevant authority) may calculate any fee on the basis of estimates made by it.	The power, pursuant to the provisions of Regulation 95(3) of the Regulations, to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4)	
95(4)	(4) A relevant authority may, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under these regulations.	The power, pursuant to Regulation 95(4) of the Regulations, to, at any time, and notwithstanding any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building,	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
			Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4)	
	Register of Applications			
98(3)	(3) A relevant authority may, on payment of a fee fixed by the relevant authority, make available to a member of the public a copy of any part of a register or document kept for the purposes of subregulation (1).	The power, pursuant to Regulation 98(3) of the Regulations, upon payment of a fee fixed by the Council, to make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Coordinator City Development - Building, Development Officer - Planning, Development Officer - Building, Development Technician (MOA Level 3 and 4), Cadet Development Officer, Development Assistant	
	Register of Land Management Agreements			
99(3)	(3) A register must contain a copy of each agreement entered into by the Minister or the	The power, pursuant to Regulation 99(3) of the Regulations, to determine	Chief Executive Officer, General Manager Urban Services, Manager City	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	council (as the case may be) under section 57 of the Act after the commencement of this regulation and may contain other information the Minister or the council (as the case may be) considers appropriate.	what other information may be contained in the Register.	Development	
	Land Management Agreements - Development Applications			
100(3)	(3) A register must contain a copy of each agreement entered into by a Minister or the council (as the case may be) under section 57A of the Act and may contain other information the Minister or the council (as the case may be) considers appropriate.	The power pursuant to Regulation 100(3) of the Regulations to include in the register a copy of each agreement entered into by the Council under section 57A of the Act and other information the Delegate considers appropriate.	Chief Executive Officer, General Manager Urban Services, Manager City Development	
	Documents to be Preserved by Council			
101(3)	(3) Notwithstanding subregulations (1) and (2), the council may in the case of a Class 1 or 10 building under the <i>Building Code</i> , offer to give the plans and specifications in its possession, to the building owner 10 years after the date of the approval (on such terms as the council thinks	The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building owner declines the	Chief Executive Officer	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	reasonable) and, if the owner declines the offer, the council may destroy the documents.	offer, the power to destroy the documents.		
101(4)	<p>(4) A person may, subject to subregulation (5)—</p> <p>(a) inspect at the offices of the council during its normal office hours any document retained by the council under subregulation (a1) or (1) (without charge); and</p> <p>(b) on payment of a reasonable fee fixed by the council, obtain a copy of any document retained by the council under subregulation (a1) or (1).</p>	The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under Regulation 101(a1) or (1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 and 4), Cadet Development Officer, Development Assistant	
101(5)(a)	<p>(5) A council is not required to make available any plans, drawings, specifications or other documents or information—</p> <p>(a) for inspection under subregulation (4)(a) if to do so would—</p> <p>(i) in the opinion of the council, unreasonably jeopardise the</p>	The power, pursuant to Regulation 101(5)(a) of the Regulations, if in the opinion of the Delegate the making available of any plans, drawings specifications or other documents or information would unreasonably jeopardise the	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>present or future security of a building; or</p> <p>(ii) constitute a breach of any other law; or</p>	present or future security of a building, to not make available that information.	- Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 and 4)	
101(5)(b)	<p>(b) for copying under subregulation (4)(b) if to do so would—</p> <p>(i) in the opinion of the council, unreasonably jeopardise the present or future security of a building; or</p> <p>(ii) involve an infringement of copyright in matter contained in a document; or</p> <p>(iii) constitute a breach of any other law.</p>	The power pursuant to Regulation 101(5)(b) of the Regulations, if, in the opinion of the Delegate the copying of any plans, drawings specifications or other documents or information would unreasonably jeopardise the present or future security of a building, or will involve an infringement of copyright in matter contained in a document, or constitute a breach of any other law, to not provide a copy of that information.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 and 4)	
	Documents to be Provided by Private Certifier			
102(2)	(2) A private certifier must produce to a council within a reasonable period, on request, a copy of any document that has been submitted to the private certifier for the purposes of an application for	The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	development plan consent (and that is not already held by the council under these regulations) so that the council can respond to a request from a member of the public for access to such a document.	reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.	Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Coordinator City Development - Building, Development Officer - Building, Development Technician (MOA Level 3 and 4)	
	Complaints Relating to Building Work Assessment			
103	<p>(1) In this regulation—</p> <p>code of practice means a code of practice established by the Minister pursuant to section 97(3) of the Act.</p> <p>(2) A person may make a complaint to the Minister about a private certifier or council if the person believes—</p> <p>(aa) that the private certifier or council has failed to comply with, or acting in contravention of, the Act, these regulations or a Development Plan with respect to any matter associated with any assessment, decision, permission,</p>	The power pursuant to Regulation 103 to make a complaint to the Minister regarding a private certifier.	Chief Executive Officer	

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	<p>consent, approval, authorisation, certificate or process that relates to the assessment of any proposed residential code development; or</p> <p>(a) that the private certifier or council has failed to comply with, or acted in contravention of, the Act, these regulations or the <i>Building Code</i> with respect to any matter associated with any assessment, decision, permission, consent, approval, authorisation, certificate or process that relates to building work (or proposed building work), or the classification or occupation of a building; or</p> <p>(b) in the case of a private certifier—that the private certifier has failed to comply with, or acted in contravention of, a code of practice.</p> <p>(3) A complaint must—</p> <p>(a) be in writing; and</p> <p>(b) contain particulars of the allegations on which the complaint is based; and</p> <p>(c) be verified by statutory declaration.</p> <p>(4) Except with the express permission of the</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>Minister, a complaint must not be lodged with the Minister more than 6 months after the day on which the complainant first had notice of the matters alleged in the complaint.</p> <p>(5) The Minister may require the complainant to give further particulars of the complaint (verified, if the Minister so requires, by statutory declaration).</p> <p>(6) The Minister may refuse to entertain a complaint or, having accepted a complaint for investigation, may refuse to continue to entertain a complaint, if it appears to the Minister—</p> <ul style="list-style-type: none"> (a) that the complainant does not have a sufficient interest in the matter to which the complaint relates; or (b) that the matter raised in the complaint is trivial; or (c) that the complaint is frivolous or vexatious or is not made in good faith; or (d) that it would be more appropriate for proceedings to be initiated in a court or tribunal constituted by law; or (e) that there is some other good reason not to proceed (or to proceed further) with the matter under this regulation. 			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(7) If a complaint is against a council—</p> <ul style="list-style-type: none"> (a) the Minister must initially refer the matter to the council for consideration (or further consideration) and report; and (b) the Minister may, on the basis of a report under paragraph (a) (and in addition to the powers of the Minister under subregulation (6)), decide not to proceed with the matter under this regulation. <p>(8) The Minister must inform the complainant of a decision under subregulation (6) or (7)(b) and the reasons for it.</p> <p>(9) Subject to the operation of subregulation (6) and (7), the Minister must, after receiving a complaint—</p> <ul style="list-style-type: none"> (a) refer the matter to an authorised officer for investigation and report; and (b) by written notice—inform the private certifier or council of the reference of the matter to an authorised officer (including, in the case of a private certifier, information about the nature of the complaint). <p>(10) The authorised officer must conduct an</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>investigation into the complaint as soon as practicable after the matter is referred under subregulation (9).</p> <p>(11) The authorised officer must give the private certifier or council a reasonable opportunity to make representations to the authorised officer about the complaint.</p> <p>(12) The authorised officer may (in addition to the powers of an authorised officer under section 19 of the Act) require—</p> <ul style="list-style-type: none"> (a) the private certifier or council; or (b) the complainant, <p>to provide to the authorised officer any document or other information relevant to the investigation of the complaint (verified, if the authorised officer so requires, by statutory declaration).</p> <p>(13) If during an investigation the authorised officer is satisfied that there is matter about which another complaint could have been made against the private certifier or council, the authorised officer may, after consultation with the Minister, deal with the matter as part of the investigation as if a complaint had been made about the matter.</p> <p>(14) The authorised officer—</p> <ul style="list-style-type: none"> (a) may report to the Minister at any stage 			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>of an investigation; and</p> <p>(b) must present a written report to the Minister at the conclusion of an investigation.</p> <p>(15) The Minister must supply the complainant and the private certifier or council with a copy of a report presented under subregulation (14)(b).</p> <p>(16) The Minister may, on the receipt of a report under subregulation (14)(b)—</p> <p>(a) decide to take no further action on the complaint; or</p> <p>(b) discuss the matter with the parties in order to attempt to resolve the issues between them; or</p> <p>(c) if the complaint has been made against a private certifier—</p> <p>(i) caution or reprimand the private certifier;</p> <p>(ii) make recommendations to the private certifier;</p> <p>(iii) impose conditions on the registration of the private certifier under regulation 93A;</p> <p>(iv) determine that the registration</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>of the private certifier under regulation 93A should be suspended or cancelled;</p> <p>(v) disqualify the private certifier from registration under regulation 93A for a specified period or until the fulfilment of specified conditions; or</p> <p>(d) if the complaint has been made against a council—refer the matter to the council for further consideration, with or without recommendations; or</p> <p>(e) refer the matter to another person or authority, with a recommendation for further inquiry or action.</p> <p>(17) A determination under subregulation (16)(c)(iii), (iv) or (v) will have effect according to its terms and without the need for further inquiry by the registration authority under regulation 93A.</p> <p>(18) However, before taking action under subregulation (16)(c), (d) or (e), the Minister must give the private certifier or council (as the case may be) a notice in writing—</p> <p>(a) stating the proposed course of action; and</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>(b) stating the reasons for the proposed course of action; and</p> <p>(c) inviting the private certifier or council to show, within a specified time (of at least 10 business days), why the proposed action should not be taken.</p> <p>(19) The Minister must inform the complainant of the outcome of the complaint under subregulation (16).</p> <p>(20) The Minister, an authorised officer or any other person or body conducting an investigation or other proceeding under this regulation is under no duty to rectify a problem involving a building or building work identified or reported as a result of the performance of a function under this regulation.</p>			
	System Indicators			
115(2)	(2) The Minister may, by written notice to the relevant body, on application by that body, exempt a body from a requirement in the system indicators document if the Minister is satisfied that the body would experience significant administrative difficulties if required to comply	The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council from a requirement in the system indicators document.	Chief Executive Officer	

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	with the relevant requirement and that, in all the circumstances of the particular case, an exemption is reasonable.			
	Demolition			
Schedule 1A, Clause 12(3)	(3) For the purposes of subclause (1)(c), a designated area is an area declared by the Minister on the application of the relevant council to be a designated area.	The power, pursuant to Clause 12(3) of Schedule 1A of the Regulations, to make an application to the Minister for an area to be declared by the Minister to be a designated area.	Chief Executive Officer	
Schedule 1A, 12(9)	(9) However, before taking action under subclause (8), the Minister must give the relevant council a notice in writing— <ul style="list-style-type: none"> (a) stating the proposed course of action; and (b) stating the reasons for the proposed course of action; and (c) inviting the council to show, within a specified time (of at least 1 month), why the proposed course of action should not be taken. 	The power pursuant to Clause 12(9) of Schedule 1A of the Regulations, before the Minister takes action to vary or revoke a declaration under Clause 12(3) of Schedule 1A of the Regulations or a condition under Clause 12(7) of Schedule 1A of the Regulations, to in response to a notice in writing from the Minister, show, within the specified time, why the proposed course of action should not be taken.	Chief Executive Officer	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	New Dwellings			
Schedule 4, 2B(4)(b)	<p>(4) If in connection with the relevant application for development plan consent—</p> <p>(a) the applicant has indicated that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than if the previous use or activity was for residential purposes; or</p> <p>(b) the relevant authority has reason to believe that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than if the previous use or activity was for residential purposes,</p>	<p>The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land, other than if the previous use or activity was for residential purposes.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Development Technician (MOA Level 4)</p>	
	Fees			
Schedule 6,	(7) If the proposed development is a Category 3	The power pursuant to	Chief Executive Officer,	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
1(7)	<p>development for the purposes of section 38 of the Act—an Advertisement Fee</p> <p>An amount determined by the relevant authority as being appropriate to cover its reasonable costs in giving public notice of the application under section 38(5)(c) of the Act</p>	<p>Clause 1(7) of Schedule 6 to the Regulations to determine the amount of the fee to be charged to an applicant to cover the Council's reasonable costs in giving public notice of the application under section 38(5) of the Act.</p>	<p>General Manager Urban Services, Manager City Development</p>	
	<p>Development Near the Coast</p>			
<p>Schedule 8, 1(b)</p>	<p>(b) development that in the opinion of the relevant authority is of a minor nature and comprises—</p> <p>(i) the alteration of an existing building; or</p> <p>(ii) the construction of a building to facilitate the use of an existing building; or</p>	<p>The power, pursuant to Item 1(b) of Clause 2 of Schedule 8 of the Regulations, where development is on coastal land, to form the opinion that the development is of a minor nature only, and comprises the alteration of an existing building or the construction of a building to facilitate the use of an existing building.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning, Council Assessment Panel</p>	
	<p>Development Adjacent To Main Roads</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
<p>Schedule 8, Clause 2, Item 3</p>	<p>(1) Development that involves the division of land where the land being divided abuts a controlled access road declared pursuant to the Highways Act 1926</p> <p>(2) Development that involves the division of land where the land being divided abuts an arterial road and creates new road junctions on that arterial road</p>	<p>The power, pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations, to form the opinion that development is likely to:</p> <ul style="list-style-type: none"> i. alter an existing access; or j. change the nature of movement through an existing access; or k. create a new access; or l. encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972, in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road 	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		<p>or secondary arterial road (as delineated in the relevant Development Plan), other than (unless an access certificate is required for complying development) complying development in respect of the relevant Development Plan.</p>		
	<p>State Heritage Places</p>			
<p>Schedule 8, Clause 2, Item 5(1)</p>	<p>(1) Other than development to be undertaken in accordance with a Heritage Agreement under the Heritage Places Act 1993 or in a River Murray Protection Area under the River Murray Act 2003, development which directly affects a State heritage place, or development which in the opinion of the relevant authority materially affects the context within which the State heritage place is situated</p>	<p>The power, pursuant to and in accordance with Item 5(1) of Clause 2 of Schedule 8 of the Regulations, to form the opinion that a development materially affects the context within which a State Heritage place is situated.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	Mining – General			
Schedule 8, Clause 2, Item 7	Except as provided in item 8, development, other than development which, in the opinion of the relevant authority, is of a minor nature only, within a zone or area designated by a Development Plan as being for a mineral resource	The power, pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations, to form the opinion that development is of a minor nature only.	Council Only	
	Activity Of Environmental Significance			
Schedule 8 Clause 2 Item 10(b)	Development— (b) that involves, or is for the purposes of, an activity specified in Schedule 21 (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building and which, in the opinion of the relevant authority— (i) does not change the use of the building; and (ii) is of a minor nature only; and	The power, pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of, an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	(iii) does not have any adverse effect on the environment	development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.		
	Aquaculture Development			
Schedule 8 Clause 2 Item 15	Aquaculture development within a prescribed area, other than development which, in the opinion of the relevant authority, involves a minor alteration to an existing or approved development	The power, pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations, to form the opinion that development involves a minor alteration to an existing or approved development.	Chief Executive Officer	
	Category 1 Development			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
Schedule 9 Part 1 Clause 1	1 Any development classified as a <i>complying</i> development under these regulations or the relevant Development Plan, or which would be a <i>complying</i> development if it were to meet the conditions associated with the classification where the failure to meet those conditions is, in the opinion of the relevant authority, of a minor nature only.	The power, pursuant to Clause 1 of Part 1 of Schedule 9 of the Regulations, in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	
Schedule 9 Part 1 Clause 2(g)	2 Except where the development is classified as <i>non-complying</i> under the relevant Development Plan, any development which comprises— (a) the construction of any of the following (or of any combination of any of the following): (i) 1 or more detached dwellings; (ii) 1 or more single storey dwellings; (iii) 1 or more sets of semi-detached dwellings,	The power, pursuant to Clause 2(g) of Part 1 of Schedule 9 of the Regulations, to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>provided that no such dwelling is more than 2 storeys high;</p> <p>(iv) 3 or more row dwellings or 1 or more additional row dwellings, provided that no such dwelling is more than 2 storeys high; or</p> <p>(b) the alteration of, or addition to, a building so as to preserve the building as, or to convert it to, a building of a kind referred to in paragraph (a); or</p> <p>(c) a change in the use of land to residential use that is consequential on the construction of, or conversion of a building to, a building of a kind referred to in paragraph (a), or on the resumption of use of such a building; or</p> <p>(d) the construction of (or of any combination of) a carport, garage, shed, pergola, verandah, fence, swimming pool, spa pool or outbuilding if it will be ancillary to a dwelling; or</p> <p>(da) the construction, installation or alteration of a private bushfire shelter; or</p> <p>(e) the construction of a farm building on land used for farming, or the alteration of, or addition to, a building on land used</p>			

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>for farming that preserves the building as, or converts it to, a farm building; or</p> <p>(f) the division of land which creates not more than 4 additional allotments; or</p> <p>(g) a kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>			
<p>Schedule 9 Part 1 Clause 3</p>	<p>3 Any development classified as <i>non-complying</i> under the relevant Development Plan which comprises—</p> <p>(a) the alteration of, or addition to, a building which, in the opinion of the relevant authority, is of a minor nature only; or</p> <p>(b) the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used, and which constitutes, in the opinion of the relevant authority,</p>	<p>The power, pursuant to the following designated subparagraphs of Clause 3 of Part 1 of Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that:-</p> <p>a. the alteration of, or addition to, a building is of a minor nature only, pursuant to subparagraph (a); or</p> <p>b. the construction of a building to be used as ancillary to or in</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
	<p>development of a minor nature only; or</p> <p>(c) the division of land where the number of allotments resulting from the division is equal to or less than the number of existing allotments.</p>	<p>association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to subparagraph (b).</p>		
<p>Schedule 9 Part 1 Clause 5</p>	<p>5 The division of land (including for the construction of a road or thoroughfare) where the land is to be used for a purpose which is, in the opinion of the relevant authority, consistent with the objective of the zone or area under the relevant Development Plan, other than where the division will, in the opinion of the relevant authority, change the nature or function of an existing road.</p>	<p>The power, pursuant to Clause 5 of Part 1 of Schedule 9 of the Regulations, to form the opinion:-</p> <p>a. that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and</p> <p>b. whether the proposed division will change the nature or function of an existing road.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
<p>Schedule 9 Part 1 Clause 11</p>	<p>11 (1) Any development which comprises a special event if—</p> <p style="padding-left: 40px;">(a) the special event will not be held over more than 3 consecutive days; and</p> <p style="padding-left: 40px;">(b) in the opinion of the relevant authority, an event of a similar or greater size, or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.</p> <p>(2) In subclause (1)—</p> <p>special event means a community, cultural, arts, entertainment, recreational, sporting or other similar event that is to be held over a limited period of time.</p>	<p>The power, pursuant to Clause 11 of Part 1 of Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.</p>	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
<p>Schedule 9 Part 1 Clause 17</p>	<p>17 For the purpose of determining whether a development should be considered to be of a minor nature only, the relevant authority—</p> <ul style="list-style-type: none"> (a) must not take into account what is included within Schedule 3; and (b) may take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and (c) if relevant, may conclude that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d). 	<p>Pursuant to Clause 17 of Part 1 of Schedule 9 of the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <ul style="list-style-type: none"> a. the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and b. the power to concluded, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 	<p>Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning</p>	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		of the Regulations.		
	Category 2 Development			
Schedule 9 Part 2 Clause 21	21 Except where the development is classified as <i>non-complying</i> development under the relevant Development Plan, the division of land where the applicant proposes to use the land for a purpose which is, in the opinion of the relevant authority, consistent with the zone or area under the Development Plan and where the division will, in the opinion of the relevant authority, change the nature or function of an existing road.	The power, pursuant to Clause 21 of Part 2 of Schedule 9 of the Regulations, except where development is classified as non-complying development under the relevant Development Plan, to form the opinion that in respect of a proposed division of land:	Chief Executive Officer, General Manager Urban Services, Manager City Development , Team Leader Planning, Senior Development Officer - Planning, Senior Development Officer - APPS, Development Officer - Planning	

REGULATION	REGULATION DELGATED	SUMMARY OF DELEGATED POWERS	DELEGATED TO	CONDITIONS AND LIMITATIONS
		<p>m. that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and</p> <p>n. whether the proposed division will change the nature or function of an existing road.</p>		
	General power of prosecution			
	The power to commence a prosecution for a breach of the <i>Development Act 1993</i> and/or the <i>Development Regulations 2008</i> where the <i>Development Act 1993</i> and/or the <i>Development Regulations 2008</i> empowers the Council to commence prosecution for a breach.			

Instrument of Delegation under the Crown Land Management Act 2009

Crown Land Management Act 2009				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18A(1)	Seek the consent of the Minister to the exclusion of dedicated land from classification as community land	CEO		council
section 27(2)	Request the Minister to exercise power or functions under Division 4, Part 3 of the Crown Land Management Act in respect of the Adelaide Park Lands under the care, control and management of the council (other than land in relation to which a power to grant easements otherwise exists under the Act or the Real Property Act 1886).	Delegation Not Required		Adelaide City Council

Instrument of Delegation under the Disability Inclusion Act 2018

Disability Inclusion Act 2018				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 16(2)	Prepare a disability access and inclusion plan	Duty		State authority
section 16(4)(b)	Consult with people with disability and person or bodies representing the interests of people with disability and other persons or bodies in preparing a disability access and inclusion plan	Duty		State authority
16(4)(c)	Call for submissions from members of the public	Duty		State authority section
section 16(5)	Seek the approval of the Minister to prepare a single disability access and inclusion plan for the council and one or more other councils	CEO		council
section 16(6)	Vary a disability access and inclusion plan	CEO		State authority
section 16(7)	Publish a disability access and inclusion plan, and any variation to a plan, on a website	CEO		State authority
section 17(1)	Report annually to the Chief Executive Officer on the operation of the disability access and inclusion plan	Duty		State authority

Disability Inclusion Act 2018				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18(1)	Review the disability access and inclusion plan at least once in every 4 year period and prepare a report of the review	Duty		State authority
section 18(2)	Provide a copy of the report prepared under section 18(1) of the Disability Inclusion Act to the Minister	Duty		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	Duty		State authority
section 23Q(2)	Provide the information to the Senior Authorising Officer in the manner and within the period specified in the notice	Duty		State authority
section 23Q(3)	Participate in consultation with the Senior Authorising Officer regarding a refusal or failure to comply with a notice	Duty		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	Duty		State authority
section 26(2)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	Duty		State authority

Disability Inclusion Act 2018				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 27(2)	Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body	CEO		State authority

Instrument of Delegation under the Disability Inclusion Regulations 2019

Disability Inclusion Regulations 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(2)	Determine the manner and form and time period for the calling of public submissions under section 16(4)(c) of the Disability Inclusion Act	Duty		State authority
regulation 9(3)	Publish the disability access and inclusion plan on a website	Duty		State authority
regulation 9(4)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	Duty		State authority
regulation 10	Keep residents informed of the preparation by the council of a single disability access and inclusion plan which is for more than one council	Duty		council
regulation 11(1)	Comply with the steps under regulation 9 in regard to the variation of a disability access and inclusion plan as if the variation were the plan	CEO, GMBCS, MCS		State authority
regulation 11(2)	Vary a disability access and inclusion plan	Duty		State authority
regulation 11(3)	Provide public notice of a variation to a disability access and inclusion plan	Duty		State authority

Instrument of Delegation under the Dog and Cat Management Act 1995

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25A(1)	Appoint authorised persons	CEO		council
section 25A(2)	Impose conditions on appointment of an authorised person	CEO		council
section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	CEO		council
section 25B(1)	Issue identity card to an authorised person	Duty		council
section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	CEO, MCW, TLCS, GMCC, SCSO		council
section 26(1)(a)	Maintain a register of dogs	Duty		council
section 26(1)(ab)	Provide information to the Dog and Cat Management Board	Duty		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(1)(ac)	Maintain other registers	Duty		council
section 26(1)(ad)	Make registers publicly available	Duty		council
section 26(1)(ae)	Limit inspection of register	Duty		council
section 26(1)(b)	Appoint a Registrar	CEO		council
section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	Duty		council
section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	CEO		council
section 26(1)(e)	Make arrangements for the detention of dogs and cats	Duty		council
section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	Duty		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	CEO		council
section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	CEO		council
section 26(5)	Pay moneys into the Dog and Cat Management Fund	CEO		council
section 26(6)(a)	Charge fees for the provision of register extracts	CEO		council
section 26(6)(ab)	Charge fees for receipt and management of information	CEO		council
section 26(b)(i)	Charge fees for registration of dogs or businesses	CEO		council
section 26(b)(ii)	Charge fees for late payment of registration	CEO		council
section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	CEO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	CEO		council
section 26A(1)	Prepare a dog and cat management plan	Duty		council
section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	Duty		council
section 26A(5)	Amend dog and cat management plan	Duty		council
section 33(4)(c)	Approve boarding kennel	CEO, MCW, GMCC		council
section 39	Rectify the register	CEO, MCW, TLCS, GMCC, SCSO, SCSAO, CSO, CCO		council
section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	COUNCIL		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO		council
section 50(1)(a)	Make a Destruction Order	CEO, GMCC		council
section 50(1)(b)	Make a Control (Dangerous Dog) Order	CEO, MCW, TLCS, GMCC		council
section 50(1)(c)	Make a Control (Menacing Dog) Order	CEO, MCW, TLCS, GMCC		council
section 50(1)(d)	Make a Control (Nuisance Dog) Order	CEO, MCW, TLCS, GMCC, SCSO		council
section 50(1)(e)	Make a Control (Barking Dog) Order	CEO, MCW, TLCS, GMCC, SCSO		council
section 50(2)(b)	Approve a place to detain dogs	CEO, MCW, TLCS, GMCC		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	CEO, GMCC		council
section 52(1)(a)	Ascertain owners or persons responsible for a dog	Duty		council
section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	Duty		council
section 52(2)(b)	Note order in register	Duty		council
section 52(3)	Provide notice of order to each owner or person responsible for a dog	Duty		council
section 52(4)	Revoke order	CEO, MCW, TLCS, GMCC	Manager Compliance and Waste and Team Leader Community Safety: Can ONLY revoke Dangerous Dog Order, Menacing Dog Order, Nuisance Dog Order and Barking Dog Order.	council
section 52(5)	Note revocation of order in register	Duty		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	Duty		council
section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	CEO, MCW, TLCS, GMCC	Team Leader Community Safety: Delegated the power for issuing directions about how to comply with a Control Menacing Order, Control Nuisance Order or a Control Barking Order ONLY	council
section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	Duty		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	Duty		council
section 59A(1)	Make a Prohibition Order	CEO, GMCC		council
section 59A(2)	Approve place to detain dog	CEO, MCW, TLCS, GMCC		council
section 59A(5)(b)	Record a Prohibition Order	Duty		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 59A(6)	Revoke a Prohibition Order	CEO, GMCC		council
section 59A(7)	Note revocation of a Prohibition Order in register	Duty		council
section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	Duty		council
section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CEO, GMCC		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	CEO, GMCC		council
section 61(6)	Recover cost of microchipping or desexing dog	CEO, MFS, MCW, TLCS, GMCC, SCSO, SCSAO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 64(2)(c)	Nominate facility for the detention of cats	CEO, GMCC		council
section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	CEO, MCW, TLCS, GMCC, SCSO, SCSAO		council
section 64B(2)	Recover cost of microchipping or desexing a dog or cat	CEO, MFS, MCW, TLCS, GMCC, SCSO, SCSAO		council
section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	CEO, MCW, TLCS, GMCC, SCSO, SCSAO, AMO, CSAO		council
section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision	CEO, MCW, TLCS, GMCC		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 Expiration of	Duty		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Offences Act 1996			
section 89	Lay a complaint regarding offence under Dog and Cat Management Act	CEO, MCW, TLCS, GMCC		council

Instrument of Delegation under the Dog and Cat Management Regulations 2017

Dog and Cat Management Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(3)(b)	Apply payment received under regulation 6(2) to furthering the objects of the Dog and Cat Management Act	CEO, MCW, GMCC		council
regulation 20(1)(a)	Receive notification of prescribed information regarding the keeping of guard dogs on premises	Duty		council

Instrument of Delegation under the Electricity Act 1996

Electricity Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4(1)	Authorise a person to exercise powers conferred on a council officer under the Electricity Act	CEO, Deputy CEO, MCA, GMUS		council
section 47(3)	Agree with an electricity entity to the carrying out of work on public land	CEO, Deputy CEO, MCA, MCO, MCP, BLES, GMUS, TLAM		council
section 47(7)	Refer a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	CEO, Deputy CEO, MCA, MCP, GMUS		council
section 47(9)(a)	Make representations to the Minister in relation to a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	CEO		council
section 47(9)(b)	Agree to settle a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work	CEO, Deputy CEO, MCA, MCP, GMUS		council
section 55(1a)	Comply with the requirements of a vegetation clearance scheme	CEO, Deputy CEO, MCO, MCP, GMUS		council

Electricity Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 55(3)	Carry out vegetation clearance work in relation to vegetation planted or nurtured contrary to the principles of vegetation clearance.	CEO, Deputy CEO, MCO, MCP, GMUS		council
section 55(3)	Recover the cost of carrying out vegetation clearance work under section 55(3) from a person who planted or nurtured the vegetation	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 55A(1)	Agree a vegetation clearance scheme with an electricity entity	CEO, Deputy CEO, MCA, MCO, GMUS		council
section 55A(4)	Modify a vegetation clearance scheme by written agreement with the electricity entity	CEO, Deputy CEO, MCA, MCO, GMUS		council
section 55B(2)	Ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 55C(2)(c)	Apply to the Technical Regulator for a decision not to determine a vegetation clearance scheme dispute under Division 2, Part 5	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 55D(2)(a)	Consent to the Technical Regulator conferring on the council the duty to keep vegetation clear of public powerlines	CEO, Deputy CEO, MCA, MCO, MCP,		council

Electricity Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMUS		
section 55M	Enforce a vegetation clearance scheme with an electricity entity as a contract	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 56(1)	Make an arrangement with an electricity entity conferring on the council a specified role in relation to vegetation clearance around public powerlines outside of prescribed areas	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 58A(2)	Agree to contribute to the cost of undergrounding powerlines in the council area on the basis determined by the Minister	CEO, Deputy CEO, MCA, GMUS		council
section 58A(5)	Participate in consultation with, and provide proposals to, the Minister in respect of the undergrounding of powerlines	CEO, Deputy CEO, MCA, MCO, GMUS		council
section 58A(8)	Participate in consultation with the Minister in respect of a variation of the program for undergrounding of powerlines	CEO, Deputy CEO, MCA, MCO, GMUS		council

Instrument of Delegation under the Electricity (Principles of Vegetation Clearance) Regulations 2021

Electricity (Principles of Vegetation Clearance) Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
regulation 4(2)	Inspect overhead powerlines and clear vegetation	CEO, Deputy CEO, GMUS		council
regulation 4(4)	Seek approval of the Technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	CEO, Deputy CEO, GMUS		council
regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	CEO, Deputy CEO, GMUS		council
regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council

Electricity (Principles of Vegetation Clearance) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	CEO, Deputy CEO, GMUS		council
regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	CEO, Deputy CEO, GMUS		council
regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	CEO, Deputy CEO, GMUS		council

Instrument of Delegation under the Environment Protection (Air Quality) Policy 2016

Environment Protection (Air Quality) Policy 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 6(1)	Issue a burning permit	CEO, GMCC		administering agency (as the relevant council delegate)
clause 16(1)	Fix a testing point in premises to evaluate emissions from the premises	CEO, MCW, TLEH, GMCC		administering agency
clause 6(2)	Determine the manner and form for applying for a burning permit	CEO		administering agency (as the relevant council delegate)

Instrument of Delegation under the Environment Protection (Noise) Policy 2007

Environment Protection (Noise) Policy 2007				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions	CEO, Deputy CEO, MCW, TLWRR, TLEH, GMCC, GMUS		council
clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in what land use category a land use principally promoted by relevant Development Plan provisions falls	CEO, Deputy CEO, MCW, TLWRR, TLEH, GMCC, GMUS		council

Instrument of Delegation under the Environment Protection (Used Packaging Materials) Policy 2012

Environment Protection (Used Packaging Materials) Policy 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 9	Provide prescribed information to the Environment Protection Authority	Duty		council

Instrument of Delegation under the Environment Protection (Waste to Resources) Policy 2010

Environment Protection (Waste to Resources) Policy 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 10(1)(b)	Provide a receptacle or waste collection service for the kerbside collection of waste	Duty		council
clause 10(2)	Provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) to residential premises in the council area	Duty		council
clause 15(2)(a)	Provide a receptacle or waste collection service for the kerbside collection of listed waste	Duty		council
clause 16(1)(a)	Collect medical waste produced in the course of prescribed activity	Duty		council
clause 17(2)	Comply with prescribed requirements in respect of medical waste received by the council	Duty		council
clause 18(1)(a)	Provide a receptacle or service for the collection of sharps by a kerbside waste collection service	Duty		council

Instrument of Delegation under the Environment Protection Act 1993

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees	CEO, Deputy CEO, MCW, GMCC, GMUS		council
section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act	CEO, Deputy CEO, GMCC, GMUS		council
section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act	CEO, Deputy CEO, GMCC, GMUS		council
section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act	CEO, Deputy CEO, GMCC, GMUS		council
section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	CEO		administering agency
section 18C(1)	Delegate a function conferred on the administering agency under Division 1A, Part 3	CEO		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	CEO		administering agency
section 59(1)	Enter into an environment performance agreement with the Minister	CEO		public authority
section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement	CEO		council
section 85(3)	Appoint authorised officers	CEO		council
section 85(4)	Impose conditions on the appointment of an authorised officer	CEO		council
section 85(5)	Revoke the appointment of an authorised officer	CEO		council
section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer	CEO		council
section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the other council's area	CEO, Deputy CEO, GMCC		council

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87	CEO, Deputy CEO, GMCC		council
section 93(1)	Issue an environment protection order	CEO, MCW, GMCC		administering agency
section 93(2a)	Provide notice to the authority under the Natural Resource Management Act 2004	CEO		administering agency
section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	CEO		administering agency
section 93(7)	Revoke or vary an environment protection order	CEO		administering agency
section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	CEO		administering agency
section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	CEO		administering agency
section	Apply to the Registrar General to cancel the registration of an environment	CEO		administering

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
94(6)	protection order as a charge on land			agency
section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	CEO		administering agency
section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	CEO		administering agency
section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	CEO		administering agency
section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	CEO		administering agency
section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a charge on land or the cancellation of such registration	CEO		administering agency
section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	CEO		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 96(1)	Issue an information discovery order	CEO		administering agency
section 96(4)	Vary or revoke an information discovery order	CEO		administering agency
section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	CEO		administering agency
section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	CEO		administering agency
section 97(3)(a)	Issue an instrument of authority to a person authorised under section 97(2) who is not an authorised officer	CEO		administering agency
section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	CEO		administering agency
section 99(1)	Issue a clean-up order	CEO		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 99(2a)	Give notice to the relevant authority under the Natural Resources Management Act 2004 of proposed issuing or variation of a clean-up order	CEO		administering agency
section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	CEO		administering agency
section 99(7)	Vary or revoke a clean-up order	CEO		administering agency
section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	CEO		administering agency
section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	CEO		administering agency
section 101(8)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	CEO		administering agency
section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	CEO		administering agency
section	Authorise a person to take action on behalf of the council under section	CEO		administering

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
102(2)	102(1)			agency
section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	CEO		administering agency
section 103(1)	Recover reasonable costs and expenses incurred in council taking action on non-compliance with a clean-up order	CEO		administering agency
section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	CEO		administering agency
section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	CEO		administering agency
section 104(1)(d)	Apply for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm	CEO, Deputy CEO, MCW, GMCC		public authority
section 104(7)(a)	Apply for an order under section 104	CEO		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 104(7)(b)	Apply for an order under section 104	CEO		council
section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	CEO		administering agency
section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	CEO		administering agency
section 116(b)	Allow the payment a fee or levy by instalments	CEO		administering agency
section 120	Require the verification of information by statutory declaration	CEO		administering agency
section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	CEO		administering agency
section 130	Advise a person who submits a report to the council of the action which the council has taken or proposes to take in respect of the allegation	CEO		administering agency
section	Issue a notice requiring a person who has contravened the Environment	CEO		administering

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
135(1)	Protection Act to pay a fee fixed by, or calculated in accordance with, the regulations or the reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking sample or conducting tests, examination or analyses			agency
section 135(2)	Fix the period for payment of an amount under section 135	CEO		administering agency
section 135(3)(a)	Extend the period for payment of an amount under section 135	CEO		administering agency
section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	CEO		administering agency
section 135(8)	Recover an unpaid amount under section 135 as a debt	CEO		administering agency
section 138(1)	Exercise the powers of a mortgagee under the Real Property Act 1886 in regard to a default on the payment of money secured by the mortgage in the event that there is a default in the payment of an amount subject to a charge on land in favour of the council	CEO		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 139(1)(a)	Execute a certificate certifying as to a matter relating to an environmental authorisation of other authorisation under the Environment Protection Act	CEO		administering agency
section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	CEO		administering agency
section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or authority under the Environment Protection Act	CEO		administering agency
section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	CEO		administering agency
section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	CEO		administering agency
section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	CEO		administering agency
section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred	CEO		public authority

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 140(3a)(b)	Certify a code, standard or other document for the purposes of legal proceedings	CEO		administering agency

Instrument of Delegation under the Environment Protection Regulations 2009

Environment Protection Regulations 2009				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulations 71 and 71(2) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulation 75(2)(b)	CEO		council

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	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSO, CSO, EHO, AMO, AALCSO		issuing authority
section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSO, CSO, EHO, AMO, WCO, TCO		issuing authority
section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	COUNCIL		issuing authority
section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	CEO, MCW, GMCC		issuing authority
section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that the offence is trifling	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSAO		issuing authority
section 8A(2)	Require applicant to provide further information	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSAO, CSAO		issuing authority

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 8A(3)	Require application to be verified by a statutory declaration	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSAO, CSAO		issuing authority
section 8A(4)	Determine application	Duty		issuing authority
section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSAO		issuing authority
section 11(1)	Issue an expiation reminder notice to alleged offender	Duty		issuing authority
section 11A(1)	Issue an expiation enforcement warning notice	Duty		issuing authority
section 11A(2)	Assess acceptability of nomination, statutory declaration or other document provided by alleged offender	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSAO		issuing authority
section 12	Accept a later payment of amount due under an expiation notice	CEO, MCW, TLCS, TLCC, TLWRR, TLEH, GMCC, SCSO, SCSAO, CSAO, SCCO		issuing authority

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 16(1)	Withdraw an expiation notice in prescribed circumstances	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 16(5)	Prosecute offence following withdrawal of expiation notice	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		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	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	CEO, MCW, TLCS, TLWRR, GMCC, SCSAO		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	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority

Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017

Fines Enforcement and Debt Recovery Act 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 9(2)	Pay prescribed fee to Chief Recovery officer for a determination under section 9	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 20(4)	Receive notice of an arrangement between the Chief Recovery Officer and an alleged offender	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 20(18)	Receive notice from the Chief Recovery Officer of the termination or an arrangement with an alleged offender	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 20(19)(c)	Receive notice from the Chief Recovery Officer of the reinstatement of an arrangement with an alleged offender	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 22(1)	Provide to the Chief Recovery Officer prescribed particulars to enable enforcement of an expiation notice against an alleged offender	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 22(2)	Pay prescribed fee to Chief Recovery Officer for enforcement of an expiation notice	CEO, MCW, TLCS, TLWRR, TLEH,		issuing authority

Fines Enforcement and Debt Recovery Act 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMCC		
section 22(16)	Receive notice from the Chief Recovery Officer of an enforcement determination	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority
section 23(3)	Participate in proceedings reviewing an enforcement determination of the Chief Recovery Officer	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		issuing authority

Instrument of Delegation under the Fire and Emergency Services Act 2005

Fire and Emergency Services Act 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Not Delegated		rural council councils with a designated urban bushfire risk area

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area	COUNCIL		council
section 71C	Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities	CEO, Deputy CEO		council
section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities	CEO		council
section	Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area	COUNCIL		council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
73A(7)(b)(iv)	plan which includes the council area			
section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (SACFS Chief Officer) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Not Delegated		rural council councils with a designated urban bushfire risk area
section 87(1)	Require a person to remove flammable debris on or in the vicinity of, a road as a result of work carried on by that person	Not Delegated		rural council councils with a designated urban bushfire risk area
section 87(2)(a)	Burn or remove flammable debris left on road in contravention of a requirement under section 87(1)	Not Delegated		rural council councils with a designated urban bushfire risk area
section 87(2)(b)	Recover costs of burning or removing flammable debris left on road in contravention of a requirement under section 87(1)	Not Delegated		rural council councils with a designated urban bushfire risk area

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 94(3)	Participate in consultation with the SACFS Chief Officer with respect to a proposed withdrawal of council functions and powers	Not Delegated		rural council councils with a designated urban bushfire risk area
section 94(4)(a)	Make a written submission to the Minister in relation to a recommendation of the SACFS Chief Officer to withdraw council function and powers	Not Delegated		rural council councils with a designated urban bushfire risk area
section 94(4)(b)	Request and undertake a delegation to the Minister to discuss a recommendation of the SACFS Chief Officer to withdraw council function and powers	Not Delegated		rural council councils with a designated urban bushfire risk area
section 94(6)	Receive written reasons for a decision of the Minister to withdraw the powers and functions of the council	Not Delegated		rural council councils with a designated urban bushfire risk area
section 103(1)	Request the SACFS Chief Officer to appoint a person as a fire control officer	COUNCIL		council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 103(2)	Participate in consultation with the SACFS Chief Officer regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area	CEO		council
section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council	Duty		council
section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act	CEO		council
section 105B(1)	Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area	CEO		council
section 105B(4)	Apply to SACFS Chief Officer for an exemption from requirement to appoint a fire prevention officer	CEO		council
section 105D(1)(c)	Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body	CEO		council
section 105D(4)	Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body	CEO		council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105E	Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for the council area to the SAFES Commission, the State Bushfire Coordination Committee or a bushfire management committee for the council area	COUNCIL		council
section 105F(5)	Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property	CEO, MCW, TLCS, GMCC, SCSO, Duty		authorised person
section 105F(9)(c)	Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land	Duty		authorised person
section 105F(10)	Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property	CEO, MCW, TLCS, GMCC, SCSO		authorised person
section 105G(1)	Take reasonable steps in regard to land under the care, control or management of the council which is situated in the country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land	CEO		council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105G(5)	Participate in consultation with the Minister regarding a referral from the SACFS Chief Officer alleging a failure of the council to comply with section 105G(1)	CEO		council
section 105G(6)	Receive notice of requirements from the Minister	CEO		council
section 105G(7)	Comply with requirements of a notice issued to the council by the Minister under section 105G(6)	Duty		council
section 105J(1)(a)	Give notice of intended entry of land to the owner of land	CEO, GMBCS	General Manager Business and Community Services: Only during a declared Emergency Event	authorised person
section 105J(1)(b)	Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required	CEO, GMBCS	General Manager Business and Community Services: Only during a declared Emergency Event	authorised person

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105J(3)	Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land	CEO		authorised person
section 105J(4)(a)	Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing	CEO, GMBCS	General Manager Business and Community Services: Only during a declared Emergency Event	authorised person
section 105J(4)(b)	Take photographs, films, audio, video or other recordings	CEO, GMBCS	General Manager Business and Community Services: Only during a declared Emergency Event	authorised person
section 105J(4)(a)	Give directions reasonably required in connection with the exercise of a power under Part 4A	CEO, GMBCS	General Manager Business and Community Services: Only during a declared Emergency Event	authorised person
section	Select assistants to accompany authorised person in exercise of	CEO,	General Manager Business and	authorised person

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
105J(5)	power under Part 4A	GMBCS	Community Services: Only during a declared Emergency Event	
section 105J(6)	Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply	CEO, GMBCS	General Manager Business and Community Services: Only during a declared Emergency Event	authorised person
section 105J(7)	Authorise a person to carry out requirements of a notice under section 105F(6) on behalf of an authorised person if the owner of land fails to comply	CEO, GMBCS, GMCC	General Manager Business and Community Services: Only during a declared Emergency Event	council
section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)	CEO		authorised person
section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency	CEO, GMBCS	General Manager Business and Community Services:	council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			Only during a declared Emergency Event	

Instrument of Delegation under the Fire and Emergency Services Regulations 2021

Fire and Emergency Services Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 30(4)	Participate in consultation with the South Australian Country Fire Service Chief Officer in regard to a notice prohibiting or restricting the lighting or maintaining of a fire	CEO		council
regulation 32(3)	Declare by notice in the Gazette that part of the council area is an area in which a person may operate a gas or electric element for cooking purposes in the open air contrary to the terms of a total fire ban	CEO		council
regulation 32(4)(d)	Determine conditions to apply to a notice published under regulation 32(3)	CEO		council
regulation 32(5)	Provide a copy of a notice published under regulation 32 to the South Australian Country Fire Service Chief Officer	Duty		council
regulation 48(2)	Issue a certificate of identity to a fire prevention officer or assistant fire prevention officer	Duty		council
regulation 48(4)	Accept the surrender of a certificate of identity on person ceasing to be a fire prevention officer or assistant fire prevention officer	Duty		council
regulation	Light a fire on a road or on the verge of a road	CEO, Deputy CEO, MCO,		responsible authority

Fire and Emergency Services Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
49(1)(a)		GMUS		
regulation 49(1)(b)	Direct or regulate the movement of persons, vehicles or animals along a road where a fire lit by the council under regulation 49(1)(a) is burning	CEO, Deputy CEO, MCO, GMUS		responsible authority
regulation 64(b)	Make representations in relation to a fire or other emergency to the South Australian Fire and Emergency Services Commission or an emergency services organisation	CEO		council

Instrument of Delegation under the Food Act 2001

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 29	Elect to charge a person with a summary offence	CEO, MCW, TLEH, GMCC, EHO	MCW, TLEH and EHO - To issue expiations notices or notices where the offence is expiable only.	council
section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	CEO, MCW, TLEH, GMCC, EHO		enforcement agency
section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order	CEO, MCW, TLEH, GMCC, EHO		enforcement agency
section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	CEO, MCW, TLEH, GMCC, EHO		enforcement agency
section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	CEO, MCW, TLEH, GMCC, EHO		enforcement agency
section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	CEO, MCW, TLEH,		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMCC, EHO		
section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	Duty		enforcement agency
section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	CEO, MCW, GMCC		enforcement agency
section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	Duty		enforcement agency
section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	Duty		enforcement agency
section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	Duty		enforcement agency
section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	Duty		enforcement agency
section	Provide written notification to the proprietor of a food business in the	Duty		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
79(3)	council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented			
section 79(4)	Change the priority classification of a food business in the council area	CEO, MCW, TLEH, GMCC, EHO		enforcement agency
section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business	Duty		enforcement agency
section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act	Duty		enforcement agency
section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	Duty		enforcement agency
section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	Duty		enforcement agency
section	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the	Duty		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
86(1)	council area			
section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	Duty		enforcement agency
section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	Duty		enforcement agency
section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	CEO, MCW, GMCC		enforcement agency
section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the Act or by delegation	CEO, MCW, TLEH, GMCC, EHO		enforcement agency
section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	CEO, MCW, GMCC		enforcement agency
section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	CEO		enforcement agency
section	Prepare and maintain a list of authorised officers	Duty		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
94(2)				
section 95(1)	Provide each authorised officer with a certificate of authority	Duty		enforcement agency
section 95(2)	Limit the authority of an authorised officer	CEO		enforcement agency
section 104(1)	Send samples retained under the Act to an independent analyst in accordance with a court order	CEO, MCW, TLEH, GMCC, EHO		enforcement agency

Instrument of Delegation under the Food Regulations 2017

Food Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 13(a)	Impose a fee for the carrying out of an inspection of food premises or food transport vehicles	COUNCIL		enforcement agency
regulation 13(b)	Recover a fee imposed under regulation 13(a) from the occupier of the premises or owner or operator of the vehicle	CEO, MCW, TLEH, GMCC		enforcement agency

Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018

Freedom of Information (Fees and Charges) Regulations 2018				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5	Waive or remit fee or charge	Duty		agency

Instrument of Delegation under the Freedom of Information Act 1991

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations	Duty		agency
section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public	Duty		agency
section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified	Duty		agency
section 16(1)	Transfer an application for access to a document to another agency	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer	agency
section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency	Duty		agency
section 17(1)	Request the applicant to pay a reasonable amount by way of	CEO,		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	advance deposit if the cost of dealing with an application is likely to exceed the application fee	GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer	
section 17(2)	Request the applicant to pay a reasonable amount by way of further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid	CEO, GMBCS	General Manager Business and Community Services: Must be an accredited FOI officer.	agency
section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	CEO		agency
section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	Duty		agency
section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to	CEO, GMBCS	General Manager Business and Community Services: Must be an accredited FOI officer.	agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	information			
section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency
section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application	Duty		agency
section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application	Duty		agency
section 19(1)	Determine: (a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and (c) any charge payable for dealing with the application	Duty		agency
section 20(1)	Refuse access to a document	CEO, GMBCS,	General Manager Business and Community Services, Manager	agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		MGR, TLG, FOIO	Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	
section 21(1)	Defer access to a document	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency
section 22(1)	Determine the form of access to a document	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency
section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant	Duty		agency
section 22(4)	Agreeing with an applicant the form of access to a document	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency
section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document	Duty		agency
section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of another State) as to whether a document is an exempt document	Duty		agency
section 25(2)	Provide view as to whether a document is an exempt document	Duty		council
section 25(3)	Notify the relevant government or council (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Duty		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25(3)(d)	Apply for a review of a decision to provide access to a document under section 25(3)	Duty		council
section 26(2)	Notify a person that access to a document containing information concerning his or her personal affairs is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Duty		agency
section 26(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Duty		agency
section 26(4)(c)	Form the opinion that disclosure of information may have an adverse effect on the physical or mental health, or emotional state, of the applicant	CEO, GMBCS, MGR, TLG, FOIO	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 27(2)	Notify a person that access to a document concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Duty		agency
section 27(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Duty		agency
section 28(2)	Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or on behalf of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Duty		agency
section 28(3)	Notify the relevant person: (a) that the agency has determined to provide access to the	Duty		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review			
section 29(3)	Confirm, vary or reverse a determination under Part 3 following an application for an internal review	CEO, GMBCS	General Manager Business and Community Services: Must be an accredited FOI officer.	agency
section 29(4)	Refund any application fee paid in respect of the internal review if the agency varies or reverses a determination so that access to a document is given	Duty		agency
section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given	Duty		agency
section 34(a)	Amend records in accordance with an application under section 30	Duty		agency
section 34(a)	Refuse to amend records in accordance with an application under section 30	Duty		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 35	Refuse an application to amend records	CEO, GMBCS, MGR, TLG	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency
section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record	Duty		agency
section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date	Duty		agency
section 37(2)	Notify the applicant of the nature of the notation	Duty		agency
section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its records in compliance with section 37(2)	Duty		agency
section	Provide a statement as to the reasons for the agency's refusal to	Duty		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
37(3)(b)	amend the records in accordance with the notation			
section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review	CEO		agency
section 39(5)(c)(i)	Participate in a settlement between the participants to a review	Duty		agency
section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated	CEO, GMBCS	General Manager Business and Community Services: Must be an accredited FOI officer.	agency
section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review	Duty		agency
section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest	Duty		agency
section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law	CEO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest	CEO		agency
section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the party's representative in respect of a restricted document	CEO		agency
section 53(2a)	Waive, reduce or remit a fee or charge	CEO, GMBCS, MGR	General Manager Business and Community Services, Manager Governance and Risk: Must be an accredited FOI officer.	agency
section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge	Duty		agency
section 53(5)	Recover a fee or charge as a debt	CEO, GMBCS	General Manager Business and Community Services: Must be an accredited FOI officer.	agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 54AA(a)	Furnish information to the Minister as required by notice in the Gazette	Duty		agency
section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records	Duty		agency
clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State	CEO		council
clause 13(2)(b)(iii), Schedule 1	Approve a term of a contract which contains matter the disclosure of which would constitute a breach of contract or found an action for breach of confidence	CEO, GMBCS, MGR, TLG	General Manager Business and Community Services, Manager Governance and Risk, Team Leader Governance: Must be an accredited FOI officer.	agency
clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)	Duty		agency

Instrument of Delegation under the Gas Act 1997

Gas Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 47(3)(b)	Agree to a gas entity carrying out work on public land owned by the council	CEO, Deputy CEO, MCA, MCO, MCP, BLES, GMUS, TLAM		council
section 47(7)	Refer a dispute between the council and a gas entity regarding whether work should be permitted on public land of the conditions on which work should be permitted to the Minister	CEO, Deputy CEO, MCA, MCP, GMUS		council
section 47(9)(a)	Make representations to the Minister on questions at issue in the dispute	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 47(9)(b)	Settle a dispute with a gas entity by agreement	CEO, Deputy CEO, GMUS		council

Instrument of Delegation under the Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 118(1)(b)	Consent to a mass or dimension exemption (notice) for a category of heavy vehicle	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 124(1)(b)	Consent to a mass or dimension exemption (permit) for a heavy vehicle	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 139(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (notice)	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 145(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (permit)	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 156(2)	Request an extension to the time periods in section 156(1)	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 156A(4)	Provide a written statement to the Regulator explaining the road manager's decision not to consent to the grant of a mass or dimension authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 159(2)	Notify the regulator that a route assessment is required for the road manager determining whether to give consent and the fee payable under law (if any) for the route assessment	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 159(4)(a)	Cease considering whether or not to provide consent pending the payment of a fee	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 160(1)	Require a condition on the mass or dimension authority that: (a) except in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition is imposed on the authority; or (b) in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 160(2)(a)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 161(1)	Require a condition on the mass or dimension authority that a stated travel condition is imposed on the authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 161(2)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 162(1)	Request the Regulator to impose a stated vehicle conditions on a mass or dimension authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 167(2)(b)	Provide notice of objection to the Regulator in relation to a proposed replacement authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 167(2)(b)	Seek an extension of time in which to lodge a notice of objection to a proposed replacement authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 167(2)(b)	Provide notice to Regulator that the road manager gives or refuses consent to a proposed replacement authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 169(1)	Consent to the grant of a mass or dimension authority for a trial period	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 170(3)	Lodge an objection with the Regulator in respect of the renewal of a mass or dimension authority for a further trial period	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 174(2)	Request the Regulator to amend the mass or dimension authority or cancel the authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 176(4)(c)	Consent to an amendment of a mass or dimension authority requested by the holder of the permit	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 178(2)	Request the Regulator to amend or cancel a mass or dimension authority	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 611(2)	Apply for a compensation order	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 612(2)(c)	Issue a certificate for the purposes of the assessment of a compensation order	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 613(1)	Provide a copy of a certificate to be submitted under section 612(2)(c) in a proceeding for a compensation order to the defendant at least 28 days prior to the date fixed for the hearing or the proceeding	CEO, Deputy CEO, MCA, TLTT, GMUS		public authority
section 643(2)	Undertake an internal review of a reviewable decision	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 645(5)	Provide notice of internal review decision and reasons for decision to the Regulator	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager
section 646(6)(a)(ii)	Agree with the Regulator a longer period for undertaking an internal review	CEO, Deputy CEO, MCA, TLTT, GMUS		road manager

Instrument of Delegation under the Independent Commission Against Corruption Act 2012

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	CEO		public authority
section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act	Duty		public authority
section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	Duty		public authority
section 18E(3)(a)	Produce a specified document or document relating to specified matter	CEO		public authority
section 18F(1)(b)	Act on a referral from the Office for Public Integrity	CEO		public authority
section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration	CEO		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	CEO		public authority
section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act	CEO		public authority
section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	CEO		public authority
section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	Duty		public authority
section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	Duty		public authority
section 36(8)	Provide comments to the Independent Commission Against Corruption	Duty		public authority
section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	Duty		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	Duty		public authority
section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	CEO		public authority
section 41(4)	Provide comments to the Independent Commission Against Corruption	CEO		public authority
section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	Duty		public authority
section 56A(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action	CEO		public authority/ prosecution authority
Clause 9(6), Schedule 4	Act on a referral of the inspector	CEO		public authority

Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sections 17(1) and 17(2)	A. Traffic control devices Install, maintain, alter, operate or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)	CEO, Deputy CEO, MCA, TLTT, GMUS	As set out in clause A of the General Approval
section 20(2)	B. Speed limits at works on roads Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council	MCO, TLTT, TTO, TOCA	As set out in clause B of the General Approval
section 17(3)	C. Traffic control devices at works on roads Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Road Traffic Act 1961 or any other Act	CEO, Deputy CEO, MCA, MCO, MCP, TLTT, TTO, GMUS, TLAM	As set out in clause C of the General Approval
section 17(3)	D. Temporary parking controls	MCA, MCO, TLTT,	As set out in clause D of the

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council	GMUS	General Approval
section 17	F. Grant approval to another road authority Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority	MCA, TLTT	As set out in clause F of the General Approval

Instrument of delegation by the Chief Executive Officer (for the purposes of the Local Government Act and Food Act)

Food Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 46(1)	Serve a prohibition order on the proprietor of a food business	CEO	
section 46(5)	Provide a certificate of clearance	CEO	
section 88(5)	Consent to the delegation of power or function by a relevant authority to the Chief Executive Officer	COUNCIL	
section 93(1)	Report to the relevant authority on the performance of functions under the Food Act by persons employed or engaged by the council	CEO	
section 93(2)	Forward to the relevant authority details of any proceedings for an offence under the Food Act or the regulations taken by an officer of the council	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 4(1aa)(a)(ii)(A)	Determine a website for the publication of a public notice by the council	CEO	
section 12(19)(b)	Refer a failure by the council of a type listed in section 12(1) of the Local Government Act to the Electoral Commissioner	CEO	
section 54(1)(b)	Receive notice of resignation of a council member	CEO	
section 54(6)	Notify council members of a vacancy in the office of a member of a council	CEO	
section 54(6)	Provide notice in the Gazette of a vacancy in the office of a member of a council	CEO	
section 55(c)	Receive a notice of disqualification from a member of the council	CEO	
section 56(1)	Publish a notice in the Gazette indicating that Division 2, Part 2, Chapter 5 of the Local Government Act applies to the council	CEO	
section 56(2)	Fix a polling day	CEO	
section 61(2)	Receive a request for access to a document	CEO	
section 61(3)	Indicate that information contained in a document is confidential	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 65	Receive a primary return from a council member	CEO, GMBCS, MGR, TLG	
section 66	Receive an ordinary return from a council member	CEO, GMBCS, MGR, TLG	
section 67(1)	Receive notification from a council member of a change or variation in the information appearing on the Register of Interests	CEO	
section 68(1)	Maintain a Register of Interests and cause information furnished pursuant to Subdivision 2, Division 1, Part 4, Chapter 5 of the Local Government Act and Schedule 3 to the Local Government Act to be entered on the register	CEO	
section 68(2)	Notify a council member of a failure by that member to submit a return and the consequences of not submitting a return	CEO	
section 68(3a)(a)	Determine website for publishing notice	CEO	
section 68(3a)(a)	Publish a notice on a website determined by the chief executive officer specifying date return submitted	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 68(4)	Suppress an address of a person from the Register of Interests	CEO	
section 70(a1)	Determine a website for publication of the Register	CEO	
section 72A(2)	Determine requirements for provision of details of gifts or benefits received by a council member	CEO	
section 72A(4)	Maintain a register of gifts and benefits received by members and ensure details of each gift and benefits provided under this section included in the register	CEO	
section 72(3)(a)	Receive a primary return or ordinary return from a board member of a regional subsidiary of the council	CEO	
section 72(3)(b)	Participate in consultation with a regional subsidiary of the council to ensure that a Register of Interest relating to its board members is maintained and available for public inspection	CEO	
section 75G(1)(b) and 75G(2)	Issue a reasonable direction to a member for the purposes of ensuring the member's acts or omissions do not adversely affect the health or safety of employees of the council	CEO	
section 75G(5)	Ensure a complaint relating to the matter is referred to the Behavioural Standards Panel	CEO	
section 79(1)	Keep a Register of Allowances and Benefits	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 79(2)	Ensure that an appropriate record is made in the Register of Allowances and Benefits	CEO	
section 80A(2h)	Maintain a register relating to training and development	CEO	
section 80A(2i)	Request a member provide within a period specified in the request information relating to training and development by the member	CEO	
section 80B(1)(b)	Suspend a member subject to a relevant interim intervention order from the office of member of the council where the person protected by the order is an employee of the council	CEO	
section 80B(4)	Revoke a suspension	CEO	
section 80B(7)	Notify the member of the suspension under section 80B(5) of the Local Government Act	CEO	
section 81(3)	Appoint a time and place at which an ordinary meeting of the council will be held	CEO	
section 81(3)(a)	Appoint a time and place at which the first ordinary meeting of the council will be held after being constituted under Chapter 3 of the Local Government Act	CEO	
section 81(3)(b)	Appoint a time and place at which the first ordinary meeting of the council will be held after a general election of the council	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 82(1)	Call a special meeting of the council	CEO	
section 83(1)	Provide notice of an ordinary meeting of the council	CEO	
section 83(2)	Provide notice of a special meeting of the council	CEO	
section 83(4)(a)	Ensure that items on an agenda for a council meeting are described with reasonable particularity and accuracy	CEO	
section 83(4)(b)	Supply to a council member a copy of any documents or reports that are to be considered at a council meeting	CEO	
section 83(5)	Indicate on a document or report any information or matters that may, if the council so determined, be considered in confidence under Part 3 of the Local Government Act and the basis for a confidentiality order	CEO	
section 83(7)	Take action to bring a notice to the attention of a council member	CEO	
section 84(1)	Give notice to the public of the times and places of meetings of the council	CEO	
Section 84(1a)	Publicly display notice at principal office of the Council and publish notice and agenda in accordance with Section 132(1)(a) of the Local Government Act	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 84(2a)	Give notice to the public of the times and places of meetings of the council	CEO	
section 84(5)	Ensure that a reasonable number of copies of any document or report supplied to council members for consideration at a meeting are available for inspection by members of the public	CEO	
Section 84(5)(a)	Determine website for publication of document or report	CEO	
section 86(3)	Preside at a meeting of the council until a council member is chosen to preside	CEO	
section 87(4)	Provide notice to a member of a council committee of an ordinary meeting of the committee	CEO	
section 87(5)	Call a special meeting of a council committee	CEO	
section 87(7)	Provide notice to a member of a council committee of a special meeting of the committee	CEO	
section 87(9)(a)	Ensure that items on an agenda for a council committee meeting are described with reasonable particularity and accuracy	CEO	
section 87(9)(b)	Supply to a council committee member a copy of any documents or reports that are to be considered at a council committee meeting	CEO	
section 87(10)	Indicate on a document or report any information or matters that may, if the council so	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determined, be considered in confidence under Part 3 of the Local Government Act and the basis for a confidentiality order		
section 87(12)	Take action to bring a notice to the attention of a council member	CEO	
section 87(13)	Maintain a record of all notices given under section 87 of the Local Government Act	CEO	
section 88(1)	Give public notice of the times and places of council committee meetings	CEO	
Section 88(1a)	Publicly display notice at principal office of the Council and publish the notice and agenda in accordance with Section 132(1)(a) of the Local Government Act	CEO	
section 88(2a)	Give public notice of the times and places of council committee meetings	CEO	
section 88(5)	Ensure that a reasonable number of copies of any document or report supplied to council committee members for consideration at a meeting are available for inspection by members of the public	CEO	
section 91(1)	Ensure minutes are kept of council and council committee meetings	CEO	
section 91(11)	Sign minutes of a council or council committee meeting	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 92(5)	Determine a website for publishing a code of practice or alterations or substitutions to a code of practice	CEO	
section 93(2)	Give public notice of the time and place of a meeting of electors	CEO	
section 93(10)	Ensure that minutes are kept of the proceedings at a meeting of electors	CEO	
section 99(1)(a)	Ensure that the policies and lawful decisions of the council are implemented in a timely and efficient manner	CEO	
section 99(1)(b)	Undertake responsibility for the day-to-day operations and affairs of the council	CEO	
section 99(1)(c)	Provide advice and reports to the council on the exercise and performance of the council's powers and functions under the Local Government Act or any other Act	CEO	
section 99(1)(d)	Co-ordinate proposals for consideration by the council for developing objectives, policies and programs for the area	CEO	
section 99(1)(e)	Provide information to the council to assist the council to assess performance against its strategic management plans	CEO	
section 99(1)(f)	Ensure that timely and accurate information about council policies and programs is regularly provided to the council's community, and to ensure that appropriate and prompt responses are	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	given to specific requests for information made to the council		
section 99(1)(g)	Ensure that the assets and resources of the council are properly managed and maintained	CEO	
section 99(1)(h)	Ensure that records required under this or another Act are properly kept and maintained	CEO	
section 99(1)(i)	Give effect to the principles of human resource management prescribed by the Local Government Act and to apply proper management practices	CEO	
section 99(1)(j)	Exercise, perform or discharge other powers, functions or duties conferred on the chief executive officer by or under the Local Government Act or other Acts, and to perform other functions lawfully directed by the council	CEO	
section 99(2)	Consult with the council when determining, or changing to a significant degree, the organisational structure for the staff of the council, the processes, terms or conditions that are to apply to the appointment of senior executive officers or the appraisal scheme that is to apply to senior executive officers	CEO	
section 100(1)	Determine whether to have a deputy chief executive officer	CEO	
section 100(2)	Appoint a deputy chief executive officer	CEO	
section 100(3)	Obtain the concurrence of the council before appointing a deputy chief executive officer or	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	removing a deputy chief executive officer		
section 103(1)	Appointing, managing, suspending and dismissing employees of the council	CEO	
section 104	Determine the conditions of service of an employee of the council	CEO	
section 105(1)	Ensure that a Register of Salaries is kept	CEO	
section 105(2)	Ensure that a record is made in the Register of Salaries of a change in the salary, wage or remuneration, or an allowance or benefit, payable to, or provided for the benefit of, an employee or the payment or provision of an allowance or benefit not previously recorded in the Register	CEO	
section 107(1)	Ensure that sound principles of human resource management are applied to employment in the administration of the council, and must take reasonable steps to ensure that those principles are known to all employees	CEO	
section 113(b)	Receive a primary return from a prescribed officer	CEO	
section 114(b)	Receive an ordinary return from a prescribed officer	CEO	
section 116(1)	Maintain a Register of Interests and cause to be entered in the Register all information pursuant to Subdivision 2, Division 1, Part 4, Chapter 7 of the Local Government Act	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 116(2)	Notify a person who fails to submit a return of the failure	CEO	
section 118	Enable the inspection of the Register of Interests by a council member	CEO	
section 119A(2)	Determine requirements for provision of details of gifts and benefits received by an employee	CEO	
section 119A(4)	Maintain a register of gifts and benefits received by employees of the council and ensure details of each gift and benefit provided under this section are included in the register	CEO	
section 119A(5)	If the register includes information by reference to another register, publish or make available for inspection at the council that other register or information	CEO	
section 120(2)(a)	Receive a disclosure of an interest in a matter from an employee of the council	CEO	
section 120(2)(b)	Determine an employee of the council may act in relation to the matter	CEO	
section 122(4a)(a)	Provide a report to the council on the sustainability of the council's long-term financial performance and position	CEO	
section 123(4)(a)	Determine a website for the publication of a notice informing the public of the preparation of a draft annual business plan and inviting attendance at a meeting or the making of submissions	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 123(9)(c)	Determine a website for the publication of annual business plan and budget	CEO	
section 128(5)(b)	Receive a notice of resignation from an auditor	CEO	
section 129(5b)(b)	Participate in consultation with the principal member of the council in relation to whether the opinions and advice of the auditor should be a late item on the agenda for a council meeting	CEO	
section 130(1)	Produce accounts, accounting records and other documents to the auditor	CEO	
section 130(2)	Produce explanations or information to the auditor	CEO	
section 130A(4)	Produce any documents relevant to an examination to, and provide any explanation or information required by, a person undertaking an examination under section 130A of the Local Government Act	CEO	
section 130(6)(b)	Participate in consultation with the principal member of the council in relation to whether a report on an examination under section 130A of the Local Government Act should be a late item on the agenda for a council meeting	CEO	
section 132(1)	Determine a website for the publication of documents referred to in Schedule 5 of the Local Government Act	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 132(3a)	Determine website for the publication of a document or part of a document if an order under section 91(7) expires or ceases to apply to the document or a part of the document	CEO	
section 143(2)	Certify that reasonable attempts have been made to recover a debt or that the costs of recovery are likely to equal or exceed the amount to be recovered	CEO	
section 172(1)	Ensure that an assessment record is kept	CEO	
section 172(2)	Receive an application to have an occupier's name entered in the assessment record as the principal ratepayer in respect of land	CEO	
section 172(2)	Determine the manner and form of an application under section 172(2) of the Local Government Act	CEO	
section 172(3)	Enter an occupier's name in the assessment record as the principal ratepayer in respect of land	CEO	
section 172(4)	Suppress the name or address of a person from the assessment record	CEO	
section 172(5)	Suppress the name or address of a person from the assessment record	CEO	
section 172(6)(b)	Make any alteration to the assessment record	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 173(1)	Receive an application to alter the assessment record	CEO	
section 173(2)	Approve the manner and form of an application under section 173(1) of the Local Government Act	CEO	
section 184(15)	Provide a statutory declaration to the Registrar-General stating that the requirements of section 184 of the Local Government Act have been observed in regard to the sale of land	CEO	
section 187(3)(d)	Receive an application for a certificate of liabilities	CEO	
section 219(7)(c)	Determine a website for publishing a notice of the adoption or alteration of a policy under section 219 of the Local Government Act	CEO	
section 234A(6)(c)	Determine a website for publishing a resolution passed under section 234A of the Local Government Act	CEO	
section 252(7)	Provide a certificate for the purposes of section 252(5) or 252(6) of the Local Government Act	CEO	
section 264(1)(b)	Lodge a complaint against a council member with the South Australian Civil and Administrative Tribunal	CEO	
section 264(1)(b)	Lodge a complaint with SACAT	CEO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 287	Certify a copy of, or extract from, the assessment record kept under Chapter 10 of the Local Government Act	CEO	
section 289	Certify a copy of, or extract from, a register kept under the Local Government Act	CEO	
section 290(1)	Certify a copy of a by-law in force within the council area	CEO	
section 291	Issue a certificate giving details of the boundaries of the council area	CEO	
section 293	Issue a certificate giving details of the cost of work undertaken, the portion payable by a person and the date of the completion of the work	CEO	
clause 9(6), schedule 1B	Provide a statutory declaration stating that the requirements of clause 9 of Schedule 1B of the Local Government Act and the regulations have been observed in relation to the sale of land	CEO	
clause 3(5)(b), schedule 2	Determine a website for publishing a copy of a subsidiary charter	CEO	
clause 19(5)(b), schedule 2	Determine, in conjunction with the chief executive officers of the other constituent councils, a website for publishing a copy of a regional subsidiary charter	CEO	

Local Government (Financial Management) Regulations 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 14(a)	Sign the financial statements of the council	CEO	
regulation 16(3)	Certify that the information provided under regulation 16(2) of the Local Government (Financial Management) Regulations has been reconciled to, and is consistent with, the audited financial statements of the council	CEO	
regulation 18(4)	Determine, in conjunction with the chief executive officers of other constituent councils, a website or websites for the publication of a notice given to a regional subsidiary under regulation 18 of the Local Government (Financial Management) Regulations	CEO	
regulation 18(4)	Ensure, in conjunction with the chief executive officers of the other constituent councils, that a notice given to a regional subsidiary under regulation 18 of the Local Government (Financial Management) Regulations is published on a website or websites determined by the chief executive officers	CEO	
regulation 21(4)	Lay before the council any audited financial statements of a subsidiary received for the purposes of clause 12(3)(a) or 28(2)(a) of Schedule 2 to the Local Government Act	CEO	
regulation 22(3)(a)	Provide a statement certifying compliance for the financial year with the requirement that the auditor be independent of the council	CEO	
regulation 22(3)(b)(i)	Provide a statement certifying compliance for the financial year with the requirement that the auditor be independent of the regional subsidiary	CEO	

Local Government (Procedures at Meetings) Regulations 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 7(2)	Adjourn a meeting where the number of apologies received indicates that the meeting will lack a quorum to a specified day and time	CEO	
regulation 7(3)	Adjourn a meeting which lacks a quorum to a specified day and time	CEO	
regulation 7(4)	Record in the minute book the reason for an adjournment, the names of any members present and the date and time to which the meeting is adjourned	CEO	
regulation 7(5)(a)	Give notice of an adjourned meeting to each council member setting out the date, time and place of the meeting	CEO	
regulation 7(5)(b)	Give notice of an adjourned meeting to the public setting out the date, time and place of the meeting	CEO	
regulation 9(1)	Receive written notice of a question on notice	CEO	
regulation 9(2)(a)	Place a question on notice on the agenda for the meeting at which the question will be asked	CEO	

Local Government (Procedures at Meetings) Regulations 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 10(2)	Place a petition (or, if provided for in a policy of the council, a summary of the petition as described in regulation 10(2) of the Local Government (Procedures at Meetings) Regulations) on the agenda for the next ordinary meeting of the council (or, if provided for in a policy of the council, on the agenda for the next ordinary meeting of a council committee)	CEO	
regulation 11(2)	Transmit a request for a deputation to the presiding member of the council	CEO	
regulation 11(4)	Take reasonable steps to inform a person or persons requesting a deputation of the outcome of the request	CEO	
regulation 12(2)	Receive a notice of motion	CEO	
regulation 12(20)	Report on each question that lapses under regulation 12(19) at the first ordinary meeting of the council after a general election	CEO	
regulation 16(1)	Read out a motion before a vote is taken	CEO	
regulation 17(4)	Record in the minutes the names of the council members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote) when a division is taken	CEO	

Local Government (Procedures at Meetings) Regulations 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 18(1)	Table documents relating to a motion that is before a meeting	CEO	
regulation 18(2)	Indicate an opinion that consideration should be given to dealing with a document on a confidential basis under sections 90 or 91 of the Local Government Act	CEO	
regulation 21(1)	Submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council	CEO	
regulation 21(2)	Place a report under regulation 21(1) of the Local Government (Procedures at Meetings) Regulations on the agenda for the meeting at which the report is to be considered	CEO	

Local Government (General) Regulations 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 8AB	Determine website for publication of information listed in regulation 8AB of the Local Government (General) Regulations	CEO	
clause 1(2), Schedule 2A	Receive details of a gift or benefit received by an employee of the council	CEO, GMBCS, Deputy CEO, GMCC, GMUS	

Local Government (General) Regulations 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
clause 1(2), Schedule 2A	Determine any requirements applying to an employee of the council notifying the receipt of a gift or benefit	CEO	
clause 1(3), Schedule 2A	Maintain a register of gifts or benefits received by employees of the council	CEO	
clause 1(4)(b), Schedule 2A	Determine a website for the publication of the register of gifts or benefits received by employees of the council	CEO	

Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s33(1)	<p>2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:</p> <p>(a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and</p> <p>(b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules:</p> <p>(i) rule 221: using hazard warning lights;</p> <p>(ii) rule 230: crossing a road – general;</p> <p>(iii) rule 231 crossing a road at pedestrian lights;</p> <p>(iv) rule 232: crossing a road at traffic lights;</p> <p>(v) rule 234: crossing a road on or near a crossing for pedestrians;</p> <p>(vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);</p> <p>(vii) rule 238: pedestrians travelling along a road (except in or on a wheeled</p>	CEO	<p>3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions:</p> <p>(a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and</p>

**Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road
 Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>recreational device or toy);</p> <p>(viii) rule 250: riding on a footpath or shared path;</p> <p>(ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)</p> <p>(xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and</p> <p>(xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).</p>		

Instrument of Delegation under the Labour Hire Licensing Act 2017

Labour Hire Licensing Act 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 16(1)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence under section 15 of the Labour Hire Licensing Act 2017	Not Delegated		designated entity
section 32(2)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence to which section 31 of the Labour Hire Licensing Act 2017 applies	Not Delegated		designated entity
section 42(2)	Appeal against the grant of a licence to the District Court	Not Delegated		designated entity
section 42(4)	Require the Commissioner for Consumer Affairs to provide reasons for the Commissioner's decision	Not Delegated		designated entity

Instrument of Delegation under the Land and Business (Sale and Conveyancing) Act 1994

Land and Business (Sale and Conveyancing) Act 1994				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7	Respond to enquiries regarding prescribed matters by a vendor of land	Duty		council
section 8	Respond to enquiries regarding prescribed matters by a vendor of a small business	Duty		council
section 12	Provide information regarding any charge or prescribed encumbrance over land within the council's area of which the council has the benefit or insurance under Division 3 of Part 5 of the Building Work Contractors Act 1995 in relation to a building on land within the council's area	Duty		council

Instrument of Delegation under the Landscape South Australia (General) Regulations 2020

Landscape South Australia (General) Regulations 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 10(1)(b)	Make submissions to the regional landscape board	CEO		council
regulation 13(3)	Pay monies to the regional landscape board	CEO		council
regulation 14(9)	Furnish a regional landscape board with a reasonable estimate of the costs that the council expects to claim under regulation 14 of the Landscape South Australia (General) Regulations 2019	CEO		council
regulation 14(13)	Furnish a regional landscape board with an invoice setting out the amount the council is claiming and the calculations used by the council to determine the amount	CEO		council

Instrument of Delegation under the Landscape South Australia (Water Management) Regulations 2020

Landscape South Australia (Water Management) Regulations 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 22(2)	Determine the form of notice to be provided for the purpose of section 113(2)(c) of the Landscape South Australia Act	CEO		relevant authority
regulation 24(2)	Increase the period of time for the purposes of section 113(5) of the Landscape South Australia Act from the period prescribed in regulation 24(1) of the Landscape South Australia (Water Management) Regulations	CEO		relevant authority

Instrument of Delegation under the Landscape South Australia Act 2019

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 17(4)(a)	Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board	CEO, GMBCS, MGR		council
section 25(4)	Work collaboratively with the regional landscape board	CEO		council
section 32(7)	Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council	CEO		council
section 37(1)(c)	Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council	CEO		council
section 41(b)	Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council	CEO		public authority
section 47(7)	Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act	CEO		council

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 51(5)(b)	Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by regulations	CEO		council
section 66(1)	Contribute to the costs of the regional landscape board performing its functions	Duty		council
section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions	Duty		council
section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions	Duty		council
section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy	CEO		council
section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council	CEO		public authority
section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council	CEO		public authority
section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource	CEO		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority'	Delegation Not Required		relevant authority
section 104(3)	Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility)	CEO		relevant authority
section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act	CEO		relevant authority
section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South	CEO		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Australia Act			
section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	CEO		relevant authority
section 112(14)	Serve notice of the variation or revocation of a permit	CEO		relevant authority
section 113(2)	Give notice of an application for a permit in accordance with the regulations	CEO		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 113(3)	Receive representations in relation to the granting or refusal of a permit	CEO		relevant authority
section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing	CEO		relevant authority
section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority	CEO		relevant authority
section 113(7)	Allow an applicant to appear personally or by representative before the authority	CEO		relevant authority
section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act	CEO		relevant authority
section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape south Australia Act	CEO		relevant authority
section	Provide for inspection and purchase written representations made under	CEO		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
113(13)	section 113 of the Landscape south Australia Act and the written response of the applicant			
section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer	CEO		council
section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and provide submissions to the Minister on the proposed agreement	CEO		council
clause 89(4)(e) Schedule 5	Consent to property, assets, rights or liabilities vesting in or attaching to the Council	COUNCIL		authority

Instrument of Delegation under the Liquor Licensing Act 1997

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	CEO		council
section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	CEO, Deputy CEO, GMUS		prescribed body
section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	CEO, Deputy CEO, MCD, GMUS		council
section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	CEO, Deputy CEO, MCD, BLP, TLCDS, GMUS		council
section 106(4)	Request that the matter proceed direct to a hearing	CEO, Deputy CEO, MCD, BLP, TLCDS, GMUS		council
section 106(5)	Request that the Commissioner determine the matter	CEO, Deputy CEO, MCD, GMUS		council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	CEO, Deputy CEO, GMUS		council
section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	CEO, MCD, BLP, TLCDS, GMUS		council
section 128E(1)	Prepare a draft local liquor accord	CEO		council
section 128H(3)	Request a variation of a local liquor accord	CEO		council
section 128H(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	CEO		council
section 128H(6)	Request the Commissioner to terminate a local liquor accord	CEO		council
section 128H(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	CEO		council
section 131(1ab)	Prohibit the consumption or possession or both of liquor in a public place within the council area during a specified period by notice	Duty		council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	published in the Gazette			
section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police	Duty		council
section 131(1c)	Vary or revoke a notice published under section 131(1ab)	CEO		council

Instrument of Delegation under the Local Government (Building Upgrade Agreements) Regulations 2017

Local Government (Building Upgrade Agreements) Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8(b)	Send a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act to any ratepayer in respect of the relevant land and any registered mortgagee of the land	Duty		council
regulation 8(c)(i)	Place a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a newspaper circulating throughout the State	Duty		council
regulation 8(c)(ii)	Leave a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a conspicuous place on the relevant land	Duty		council
regulation 8(e)	Set a reserve price for the sale of land by auction	COUNCIL		council
regulation 8(f)	Advertise the auction in a newspaper circulating throughout the State	Duty		council
regulation 8(g)	Cancel an auction	CEO		council

Local Government (Building Upgrade Agreements) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8(h)	Sell land by private contract	COUNCIL		council

Instrument of Delegation under the Local Government (Elections) Act 1999

Local Government (Elections) Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4(2)(d)	Fix a day for a poll	CEO		council
section 8(1)	Appoint a person or persons to the office or officer not filled by a supplementary election which has wholly or partially failed or been declared void	Duty		council
section 8(1a)	Appoint a person or persons to the office or officer that remain unfilled where not all vacancies are filled	COUNCIL		council
section 9(1)	Hold a poll	CEO		council
section 9(3)	Fix a day as polling day for a poll by notice published on the council website	Duty		council
section 9(4)	Fix a day as the day on which the voters roll for the purposes of the poll closes	Duty		council
section 10(3)	Nominate a person as a deputy returning officer of the council area	CEO		council

Local Government (Elections) Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 10(9)	Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the council	CEO		council
section 12(b)	Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area	CEO		council
section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll	CEO		council
section 13A(2)(b)	Arrange advertising Informing potential electors in the council area of the requirements to be enrolled on the voters roll	CEO		council
section 15(14)	Provide copies of the voters roll for the council area for inspection at the principal office of the council	Duty		council
section 15(15)	Provide a copy of the voters roll to a nominated candidate for the election	Duty		council
section 55(1)	Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll	CEO		council

Local Government (Elections) Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 70(3)	Contest a petition to the Court by lodging a reply	CEO		council
section 75(1)(a)	Participate in proceedings as a party pursuant to an order of the Court	CEO		council
section 75(1)(b)	Apply to intervene in proceedings	CEO		council
section 75(3)	Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court directs	CEO		council
section 76	Engage counsel to represent the council in proceedings	CEO		council
section 77	Apply to the court to refer a question of law to the Court of Appeal	CEO		council
section 91A(1)	Prepare and adopt a caretaker policy	COUNCIL		council
section 91A(3)	Apply in writing for an exemption from the prohibition against making a designated decision during an election period	CEO		council

Instrument of Delegation under the Local Government (Financial Management) Regulations 2011

Local Government (Financial Management) Regulations 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(1)	Prepare and consider the reports prescribed in regulation 9(1) of the Local Government (Financial Management) Regulations	COUNCIL		council
regulation 10(1)	Prepare and consider the report prescribed in regulation 10(1) of the Local Government (Financial Management) Regulations	COUNCIL		council
regulation 11(1)	Prepare and maintain all accounting records, accounts and financial statements in accordance with all relevant Australian Accounting Standards	Duty		council
regulation 12	Revalue all material non-current assets in accordance with the requirements of Australian Accounting Standards AASB 116	Duty		council
regulation 22(2)	Engage the council's auditor to certify that a grant or subsidy received by the council has been acquitted in accordance with any conditions required by the provider of the grant or subsidy	CEO		council

Instrument of Delegation under the Local Government (General) Regulations 2013

Local Government (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8AB	Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session	Duty		council
clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	CEO		council

Instrument of Delegation under the Local Government (Members Allowances and Benefits) Regulations 2010

Local Government (Members Allowances and Benefits) Regulations 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5(3)	Aggregate claims for reimbursement of expenses and pay the claim on a quarterly or monthly basis	CEO		council

Instrument of Delegation under the Local Government (Procedures at Meetings) Regulations 2013

Local Government (Procedures at Meetings) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(3)	Review the operation of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	COUNCIL		council

Instrument of Delegation under the Local Government Act 1999

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	Duty		council
section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	Duty		council
section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	Duty		council
section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	Duty		council
section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	Duty		council
section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	ecologically sustainable manner, and to improve amenity			
section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	Duty		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	Duty		council
section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	Duty		council
section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	Duty		council
section 7(j)	Manage, improve and develop resources available to the council	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(k)	Undertake other functions and activities conferred by or under an Act	Duty		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	COUNCIL		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	COUNCIL		council
section 12(3)	Undertake a review under section 12 of the Local Government Act	Duty		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	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	Duty		council
Section 12(7)	Undertake public consultation	Duty		council
section 12(11)	Finalise the council report	Duty		council
section 12(11a)	Refer the report to Electoral Commissioner	Duty		council
section 12(11e)(a)	Take such action as is necessary (including by altering report)	Duty		council
section 12(11e)(b)	Comply with requirements of section 12(7)	Duty		council
section 12(11e)(c)	Refer the report to the Electoral Commissioner under section 12(12)	Duty		council
section 12(12)	Refer report to the Electoral Commissioner	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(12a)	Include with the report copies of any written submissions if received	COUNCIL		council
section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	COUNCIL		council
section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	COUNCIL		council
section 12(16)(b)	Refer report back to the Electoral Commissioner	COUNCIL		council
section 12(17)	Comply with requirements of section 12(7) (unless determine alteration of report is of a minor nature only)	COUNCIL		council
section 12(24)	Undertake a review within period specified by the Electoral Commissioner	Duty		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		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	council or the name of the area of the council, or altering the name of a ward			
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	Duty		council
section 13(2)(b)	Invite written submissions	Duty		council
section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	Duty		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	Duty		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	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Government Grants Commission			
section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	CEO		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	CEO		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	CEO		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	CEO		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	CEO		council
section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	CEO, GMBCS, Deputy CEO, MCA, MCD, MCO, MCP, MCS, MFS, MPS, MCW, MSB, TLE, TLCREATIVE, MGR, TLCF, BLES, CFFS, CPS, BLMAPS, BLPLS, FC, GMCC, TLTT, MIS, TLPRO, GMUS, TLAM	<p>GMUS - No Limit - Subject to conditions of Policy. Some contracts beyond 1% of the previous years rates revenue cannot be entered into during a caretaker period</p> <p>GMCR - No Limit - Subject to conditions of Policy. Some contracts beyond 1% of the previous year rates revenue cannot be entered into during a caretakers period</p> <p>GMCS - No Limit - Subject to conditions of policy. Some contracts beyond 1% of the previous years rates revenue cannot be entered into during a caretaker period.</p> <p>MCA - Subject to conditions of Policy - \$200,000 limit</p> <p>MCP - Subject to conditions of Policy - \$500,000 limit</p>	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>MCO - Subject to conditions of Policy - \$200,000 limit</p> <p>MFS - Subject to conditions of Policy - \$50,000 limit</p> <p>MSB - Subject to conditions of Policy - \$30,000 limit</p> <p>MCD - Subject to conditions of Policy - \$30,000 limit</p> <p>MCS - Subject to conditions of Policy - \$30,000 limit</p> <p>MPS - Subject to conditions of Policy - \$30,000 limit</p> <p>MIS - Subject to conditions of Policy - \$30,000 limit</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>MCW - Subject to conditions of Policy - \$30,000 limit</p> <p>CPS - Subject to conditions of Policy - \$20,000 limit</p> <p>CFFS - Subject to conditions of Policy - \$10,000 limit</p> <p>TLCREATIVE - Subject to conditions of Policy - \$10,000 limit</p> <p>BLPLS - Subject to conditions of Policy - \$10,000 limit</p> <p>MGR - Subject to conditions of Policy - \$30,000 limit</p> <p>TLCF - Subject to conditions of Policy - \$1,000 limit</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			TLPRO - Subject to conditions of Policy - \$15,000 TLE - Subject to conditions of Policy - \$10,000 BLES - Subject to conditions of Policy - \$10,000 TLTT - Subject to conditions of Policy - \$10,000 TLAM - Subject to conditions of Policy - \$10,000 FC & BLMAPS : for the purposes of entering into Novated Lease only	
section 41(1)	Establish a committee	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 41(2)	Determine the role of the committee	COUNCIL		council
section 41(3)	Determine the membership of the committee	COUNCIL		council
section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	COUNCIL		council
section 41(6)	Appoint the principal member as an ex officio member of the committee	COUNCIL		council
section 41(8)	Determine the reporting and other accountability requirements applying to a committee	COUNCIL		council
section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	COUNCIL		council
section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	COUNCIL		council
section 44(6)	Cause a separate record to be kept of all	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	delegations under section 44 of the Local Government Act			
section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	Duty		council
section 45(1)	Nominate a place as the council's principal office	Duty		council
section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	COUNCIL		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	COUNCIL		council
section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	COUNCIL		council
section 46(2)(a)	Establish a business in connection with a commercial project	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	COUNCIL		council
section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest	CEO		council
section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	COUNCIL		council
section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	COUNCIL		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)	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO, GMBCS		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; (c) the use of local goods and services; and (d) the sale or disposal of land or other assets.	COUNCIL		council
section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	COUNCIL		council
section 50(1)	Prepare and adopt a public consultation policy	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(5)	Alter or substitute the public consultation policy	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	Duty		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	Duty		council
section 50(6)(e)	Consider submissions	Duty		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	Duty		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	Duty		council
section 54(1)(d)	Grant a leave of absence from council	COUNCIL		council
section 54(1)(d)	Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council	COUNCIL		council
section 57(6)	Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the members of the councils at the time the contract was made or lease was entered	COUNCIL		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	CEO		council
section 70(a1)	Publish prescribed details contained in the Register	Duty		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	COUNCIL		council
section 75F(5)	Alter or substitute a behavioural support policy	COUNCIL		council
section 75F(6)	Undertake public consultation before adopting, altering or substituting a behavioural support policy	COUNCIL		council
section 75F(7)(a)	Review the operation of the behavioural support policies and consider whether to adopt additional behavioural support policies	Duty		council
section 75F(7)(b)	Consider whether to adopt behavioural support policies	Duty		council
section 77(1)	Provide reimbursement of prescribed expenses of a member of council	CEO		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	against the risks associated with the performance or discharge of official functions or duties by members			
section 80A(1)	Prepare a training and development policy for members	COUNCIL		council
section 80A(2b)	Suspend a member from office of member of the council for failure to comply with the prescribed mandatory requirements	COUNCIL		council
section 80A(2e)	Revoke the suspension if satisfied the member has complied with the prescribed mandatory requirements and give public notice of the revocation	Duty		council
section 80A(2f)	Apply to SACAT for an order disqualifying the member from office of member of the council	Duty		council
section 80A(3)	Alter or substitute a training and development policy for members	COUNCIL		council
section	Suspend a member subject to a relevant interim intervention order from the office of	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
80B(1)(a)	member of the council where person protected by the order is another member			
section 80B(3)	Revoke a suspension	COUNCIL		council
section 80B(9)	Apply to SACAT for an order disqualifying the member from the office of member of the council	COUNCIL		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	Duty		council
section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	COUNCIL		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	Duty		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	CEO		council
section 90A(4)	Order that an information or briefing session be closed to the public	CEO		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)	Duty		council
section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	Duty		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	CEO		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	Duty		council
section 92(2)	Review code of practice	Duty		council
section 92(3)	Alter or substitute a new code of practice	COUNCIL		council
section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	Duty		council
section 93(1)	Convene a meeting of electors of the council area or part of the council area	CEO		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO		council
section 94(6)	Make submissions to the Minister	CEO		council
section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	CEO		council
section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management	COUNCIL		council
section 98(3)	Invite applications including by advertising on website and take other action	Duty		council
section 98(3)	Determine website to advertise invitation for applications	CEO		council
section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	COUNCIL		council
section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	COUNCIL		council
section 106(2)	Pay contribution to another council	Duty		council
section 106(3)	Recover a contribution from another council as a debt	Duty		council
section 106(4)	Provide details of the service of an employees or former employee to another council	Duty		council
section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	Duty		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	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 120A(1)	Prepare and adopt employee behavioural standards	CEO		council
section 120A(4)	Alter or substitute employee behavioural standards	CEO		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	CEO		council
section 120A(6)a)	Review the operation of the employee behavioural standards	CEO		council
section 120A(6)(b)	Consider whether to adopt employee behavioural standards	CEO		council
section 122(1)	Develop a strategic management plan	Duty		council
section 122(1a)(a)	Develop a long-term financial plan	Duty		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	Duty		council
section 122(1c)	Provide information relating to long-term financial plan and infrastructure and asset management plan to designated authority	Duty		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	Duty		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)	Duty		council
section 122(1j)	Provide to the designated authority within time and in manner specified in notice information the designated authority reasonably requires.	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 122(4)	Review strategic management plans	Duty		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	Duty		council
section 123(3)(a)	Prepare a draft annual business plan	Duty		council
section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	Duty		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	Duty		council
section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	the council's website			
section 123(9)(a)(i)	Prepare a summary of the annual business plan	Duty		council
section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	Duty		council
section 124(1)(a)	Keep accounting records	Duty		council
section 125	Implement and maintain appropriate policies, practices and procedures of internal control	Duty		council
section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	Duty		council
section 127(3)	Provide statements to auditor	Duty		council
section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 128(2)	Appoint an auditor on the recommendation of the council's audit committee	COUNCIL		council
section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	Duty		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	CEO		council
section 131(1)	Prepare annual report	Duty		council
section 131(4)	Provide a copy of the annual report to each council member	Duty		council
section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	Duty		council
section 131(7)	Provide an abridged or summary version of the	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	annual report to electors in the council area.			
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	Duty		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	Duty		council
section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act	Duty		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	Duty		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	Duty		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	CEO, GMBCS, Deputy CEO, MCA, MCD, MCO, MCP, MCS, MFS, MPS, MCW, MSB, BLPLS, GMCC, MIS, GMUS	Subject to functional responsibilities	council
section 135(1)	Provide security	CEO		council
section 135(2)(a)	Assign a distinguishing classification to a debenture	CEO		council
section 135(2)(b)	Appoint a trustee for the debenture holders	CEO		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	CEO, GMBCS, Deputy CEO, MCA, MCD, MCO, MCP, MCS, MFS, MPS, MCW, MSB, TLE, TLCS, TLCOMMC, TLCREATIVE, TLL, BLP, TLCC, TLWRR, MGR, TLCF, CCWS, BLES, CFFS, CHS, CPS, ECOMC, BLPLS, CRDL, SW, BLB, TLEH, TLCDS, GMCC,	Business Lead Building: Can authorise purchase orders and expend funds up to \$1,000 per transaction. Powers subject to conditions of Policy. Business Lead Community Partnerships: Can approve grants up to the value of \$5,000. Powers subject to conditions of Policy.	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		TLTT, MIS, WGLM, SM, WGLTI, WGLA, WGLL, WGLCC, WGLCCLEAN, TLPRO, GMUS, TLAM, TLS, TLSP, BLCP	<p>Business Lead Engineering Services: Can authorise purchase orders and expend funds up to \$10,000 per transactions. Powers subject to conditions of Policy.</p> <p>Business Lead Planning: Can authorise purchase orders and expend funds up to \$5,000 per transaction. Powers subject to conditions of Policy.</p> <p>Business Lead Property and Leasing Specialist: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Powers subject to conditions of Policy.</p> <p>CEO: Can authorise petty cash. Can authorise purchase orders - NO LIMIT. Can use credit card with a transaction limit of \$10,000 and monthly limit of \$10,000 subject to any limitations of the signed card agreement and conditions of policy. During a caretaker period, can only</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>expend up to 1% of the previous year rates revenue. Only if funds are available and approved in budget.</p> <p>Collections and Resource Development Librarian: Credit card use, with a transaction limit of \$2,000 and a monthly limit of \$10,000 is only permissible when the individual has signed a credit card agreement. Powers subject to conditions of Policy.</p> <p>Coordinator Civil Works and Services: Can authorise timesheets and expend funds in relation to payroll up to \$5,000 per transactions. Powers subject to conditions of Policy.</p> <p>Coordinator Fleet and Facility Support: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Powers subject to conditions of Policy. Can use credit card with a transaction limit of \$500 and a monthly</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>limit of \$2,000 subject to any limitations of the signed credit card agreement and conditions of policy.</p> <p>Coordinator Horticulture Services: Can authorise timesheets and expend funds in relation to payroll up to \$5,000 per transactions. Powers subject to conditions of Policy.</p> <p>Coordinator Property Services: Can authorise purchase orders and expend funds up to \$20,000 per transaction. Powers subject to conditions of Policy.</p> <p>Executive Coordinator - Office of Mayor and CEO: Credit card with a transaction limit of \$5,000 and a monthly limit of \$15,000 is only permissible when the individual has signed a card agreement. Powers subject to conditions of Policy.</p> <p>General Managers: Can authorise purchase orders and expends funds - NO</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>LIMIT. Only if funds are available and approved in Budget. Can use credit card with a transaction limit of \$10,000 and a monthly limit of \$10,000 subject to any limitations of the signed card agreements and conditions of policy.</p> <p>Manager City Assets: Can authorise purchase orders and expend funds up to \$200,000 per transaction. Powers subject to conditions of Policy.</p> <p>Manager City Development: Can authorise purchase orders and expend funds up to \$30,000 per transaction. Powers subject to conditions of Policy.</p> <p>Manager City Operations: Can authorise purchase orders and expends funds up to \$200,000 per transaction. Powers subject to conditions of Policy.</p> <p>Manager City Property: Can authorise purchase orders and expend funds up to</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>\$500,000 per transaction. Powers subject to conditions of Policy. Can use credit card with a transaction limit of \$2,000 and a monthly limit of \$5,000 card agreement and conditions on Policy.</p> <p>Manager Community Services: Can authorise purchase orders and expends funds up to \$30,000 per transaction. Powers subject to conditions of Policy. Can use credit card with a transaction limit of \$2,000 and a monthly limit of \$2,000 subject to any limitations of the signed credit card agreement and conditions of Policy.</p> <p>Manager Compliance and Waste: Can authorise purchase orders and expends funds up to \$30,000 per transaction. Powers subject to conditions of Policy. Can use credit card with a transactions limit of \$2,500 and a monthly limit of \$5,000 subject to any limitations of the signed credit card agreement and conditions of policy.</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>Manager Financial Services: Can authorise purchase orders and expend funds up to \$50,000 per transaction. Can authorise payroll up to \$900,000 per transaction. Powers subject to conditions of Policy.</p> <p>Manager Governance and Risk: Can authorise purchase orders and expend funds up to \$30,000 per transaction subject to conditions of policy.</p> <p>Manager Information Services: Can authorise purchase orders and expend funds up to \$30,000 per transaction. Powers subject to conditions of Policy. Can use credit card with a transaction limit of \$5,000 and a monthly limit of \$10,000 subject to any limitations of the signed credit card agreement and conditions of policy.</p> <p>Manager People and Safety: Can</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>authorise purchase orders and expend funds up to \$30,000 per transaction. Powers subject to conditions of Policy.</p> <p>Manager Strategy and Business: Can authorise purchase orders and expend funds up to \$30,000 per transaction/ Powers subject to conditions of Policy. Powers subject to conditions of Policy. Can use credit card with a transaction limit of \$2,000 and a monthly limit of \$5,000 subject to any limitations of the signed credit card agreement and conditions of Policy.</p> <p>Senior Mechanic: Credit Card use, with a transaction limit of \$500 and a monthly limit of \$2,000 is only permissible when the individual has signed a credit card agreement. Powers subject to conditions of Policy.</p> <p>Stores Worker: Credit Card use, with a transaction limit of \$500 and a monthly</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>limit of \$2,000 is only permissible when the individual has signed a credit card agreement. Powers subject to conditions of Policy.</p> <p>Team Leader Asset Management: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Powers subject to conditions of Policy.</p> <p>Team Leader Community Connections: Can authorise purchase orders and expend funds up to \$7,500 per transaction. Powers subject to conditions of Policy.</p> <p>Team Leader Community Facilities: Can authorise purchase orders and expend funds up to \$7,500 per transaction. Powers subject to conditions of Policy.</p> <p>Team Leader Community Safety, Team Leader Environmental Health and Team Leader Waste and Resource Recovery:</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>Approval of petty cash up to the amount of \$200.</p> <p>Team Leader Compliance and Development Support: Can authorise purchase orders and expend funds up to \$1,000 per transaction. Powers subject to conditions of Policy.</p> <p>Team Leader Creative Services: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Credit card use, with a transaction limit of \$5,000 and a monthly limit of \$8,000 is only permissible when the individual has signed a credit card agreement. Powers subject to conditions of Policy.</p> <p>Team Leader Customer Contact: Subject to conditions of policy - \$1,000 limit.</p> <p>Team Leader Events: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Credit card use,</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>with a transaction limit of \$1,000 and a monthly limit of \$2,000 is only permissible when the individual has signed a credit card agreement. Powers subject to conditions of Policy.</p> <p>Team Leader Library: Can authorise purchase orders and expend funds up to \$7,500 per transaction. Powers subject to conditions of Policy. Can use credit card with a transaction limit of \$2,000 and a monthly limit of \$10,000 subject to any limitations of the signed credit card agreement and conditions of Policy.</p> <p>Team Leader Procurement: Can authorise purchase orders and expend funds up to \$15,000 per transaction. Powers subject to conditions of Policy.</p> <p>Team Leader Strategic Planning: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Powers subject to conditions of Policy.</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>Team Leader Sustainability: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Powers subject to conditions of Policy.</p> <p>Team Leader Traffic and Transport: Can authorise purchase orders and expend funds up to \$10,000 per transaction. Powers subject to conditions of Policy.</p> <p>Work Group Leader Arboriculture: Can authorise timesheets and expend funds in relation to payroll up to \$2,000 per transactions. Powers subject to conditions of Policy.</p> <p>Work Group Leader City Clean: Can authorise timesheets and expend funds in relation to payroll up to \$2,000 per transactions. Powers subject to conditions of Policy.</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			<p>Work Group Leader Civic Construction: Can authorise timesheets and expend funds in relation to payroll up to \$2,000 per transactions. Powers subject to conditions of Policy.</p> <p>Work Group Leader Landscape: Can authorise timesheets and expend funds in relation to payroll up to \$2,000 per transactions. Powers subject to conditions of Policy.</p> <p>Work Group Leader Maintenance: Can authorise timesheets and expend funds in relation to payroll up to \$2,000 per transactions. Powers subject to conditions of Policy.</p> <p>Work Group Leader Turf and Irrigation: Can authorise timesheets and expend funds in relation to payroll up to \$2,000 per transactions. Powers subject to conditions of Policy.</p>	

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 139(1)	Invest money under the council's control	CEO, MFS, BLMAPS, FC, GMCC, ATA	Subject to conditions of Policy and requirements of the Act	council
section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	CEO, GMCC		council
section 140	Review performance of investments at least annually	Duty		council
section 141(1)	Accept a gift	CEO		council
section 141(2)	Carry out the terms of a trust applying to a gift	CEO		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	CEO		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	CEO		council
section 141(6)	Publish an order of the made by the Supreme Court under section 141(5) of the Local	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Government Act in the Gazette			
section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	Duty		council
section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	Duty		council
section 143(1)	Write off bad debts	CEO, GMBCS		council
section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	CEO, MFS, BLMAPS, FC, GMCC, RCO, RRO, RO, DO		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	CEO, MFS, GMCC, RCO, RRO, RO, DO		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	CEO, MFS, GMCC, RCO, RRO, RO, DO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	property			
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	COUNCIL		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	COUNCIL		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	Duty		council
section 156(10)	Extend the time period for lodging an objection	CEO, MFS, GMCC, RCO		council
section 156(11)	Decide an objection to attribution of a particular use to land	CEO, MFS, GMCC, RCO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	CEO, MFS, GMCC		council
section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	Duty		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	Duty		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	Duty		council
section 159(1)	Determine the manner and form of an application for a rebate of rates	CEO, GMCC		council
section 159(3)	Grant a rebate of rates	CEO, MFS, GMCC	Manager Financial Services: Restricted to vacant land rebates under Section 166 (1) (a) and mandatory rebates under Section 160 to 165 inclusive, subject to mandatory	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			rebates being at the specified percentage.	
section 159(4)	Increase a rebate of rates	CEO, GMCC		council
section 159(10)	Determine that proper cause for a rebate of rates no longer applies	CEO, MFS, GMCC, RCO		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	CEO, MFS, GMCC, RCO		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	CEO		council
section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	CEO		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	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	forms of support on a not-for-profit basis			
section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	CEO, GMCC		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	CEO, GMCC		council
section 167(1)	Adopt valuations	COUNCIL		council
section 167(6)	Publish a notice of the adoption of valuations in the Gazette	Duty		council
section 168(1)	Request the Valuer-General to value land in the council area	CEO, MFS, GMCC, RCO		council
section 168(2)	Furnish information to the Valuer-General requested information	Duty		council
section 168(3)(b)	Enter valuation into the assessment record	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	Duty		council
section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	CEO, MFS, GMCC, RCO		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	Duty		council
section 169(7)	Provide written notice to an objector of the outcome of the objection	Duty		council
section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	Duty		council
section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	CEO, GMCC		council
section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 169(16)	Pay the prescribed fee to the Valuer-General	CEO, MFS, GMCC		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	Duty		council
section 173(5)	Determine a review of the outcome of a request to alter the assessment record	CEO, MFS, GMCC		council
section 173(6)	Provide written notice of decision on review	Duty		council
section 173(7)	Participate in a review of decision of council	Duty		council
section 174(1)	Provide the assessment record for inspection at the principal offices of the council	Duty		council
section 174(2)	Provide for the purchase of an entry in the assessment record	Duty		council
section 178(3)	Recover rates as a debt	CEO, MFS, BLMAPS, GMCC, RCO, RRO, RO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO, MFS, GMCC, RCO, RRO		council
section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	CEO, MFS, GMCC, RCO, RRO		council
section 179(2)	Adopt a valuation of land	COUNCIL		council
section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	Duty		council
section 180(1)	Provide a rates notice to the principal ratepayer	Duty		council
section 181(2)	Determine the day on which an instalment of rates falls due	CEO, MFS, GMCC		council
section 181(3)	Adjust the months in which instalments of rates are payable	CEO, MFS, GMCC		council
section	Agree with a principal ratepayer the dates on	CEO, MFS, GMCC, RCO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
181(4)(b)	which instalments of rates are payable			
section 181(5)	Provide rates notice to principal ratepayer	Duty		council
section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	CEO, MFS, GMCC, RCO		council
section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	CEO, MFS, BLMAPS, FC, GMCC, RCO, RRO, RO, DO		council
section 181(11)	Grant discounts or other incentives in relation to the payment of rates	CEO		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	CEO		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	CEO		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	CEO		council
section 182(1)(a)	Postpone payment of rates	CEO, GMCC		council
section 182(1)(b)	Remit the whole or part payment of rates	CEO, GMCC		council
section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	CEO, GMCC		council
section 182(2)(b)	Impose other conditions on the postponement of rates	CEO, GMCC		council
section 182(2)(c)	Revoke a postponement of rates	CEO, GMCC		council
section 182(3)	Postpone the payment of rates	CEO, GMCC		council
section 182(4)	Grant a remission of rates	CEO, GMCC		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	CEO, GMCC		council
section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	CEO, GMCC		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	CEO, GMCC		council
section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	CEO, GMCC		council
section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	CEO, GMCC		council
section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	CEO, GMCC		council
section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Government Act			
section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	COUNCIL		council
section 184(2)	Send a notice to the principal ratepayer	Duty		council
section 184(3)	Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee, the holder of any caveat over the land and, if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.	Duty		council
section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	Duty		council
section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 184(6)	Set a reserve price for the auction	CEO		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	CEO		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	Duty		council
section 184(9)	Call off an auction	Duty		council
section 184(10)	Sell land by private contract	CEO		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)	Duty		council
section 184(12)	Deal with money under the Unclaimed Money Act 1891	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO		council
section 186(2)(a)	Repay an amount of overpaid rates	CEO, MFS, GMCC		council
section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	CEO		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	CEO		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	CEO		council
section 186(5)	Refund an amount to a person ceasing to be a ratepayer	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO		council
section 187A(5)(b)	Receive a report from the Ombudsman	Duty		council
section 187B(5)	Receive a report from the Ombudsman	Duty		council
section 187B(6)	Provide a written response to the Ombudsman and complainant	Duty		council
section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	CEO		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	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	COUNCIL		council
section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	COUNCIL		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.	CEO, GMBCS, MCS, TLCC, TLCCF, GMCC, SCCO, CCO	GMBCS: Limited to the value of a Community Centre bond, library fees or permit fees as outlined in the current Fees and Charges schedule. Customer Contact Officer, Senior Customer Contact Officer, Team Leader Customer Contact, General Manager Corporate and Compliance: Limited to the provision and value of cat cage bonds as outlined in the current Fees and Charges Schedule Team Leader Community Facilities, Manager Community Services: Limited to the provision and value of a Community Centre Bond as outlined in the current	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
			Fees & Charges Schedule.	
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	CEO		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	Duty		council
section 190	Agree to acquire land	COUNCIL		council
section 191(1)	Seek the Minister's consent to acquire land compulsorily	CEO		council
section 191(1)	Acquire land compulsorily	CEO		council
section 191(2)	Acquire land compulsorily	COUNCIL		council
section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	Duty		council
section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	Duty		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	Duty		council
section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	Duty		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	Duty		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 194(4)	Participate in consultation with the Minister	CEO, Deputy CEO, GMUS		council
section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	Duty		council
section 196(1)	Prepare and adopt a management plan for community land	Duty		council
section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Duty		Adelaide City Council
section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	COUNCIL		council
section 197(1)(a)	Make copies of a proposed management plan available for inspection of purchase at the council's principal office	Duty		council
section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 197(3)	Give public notice of the adoption of the management plan	Duty		council
section 198(1)	Amend or revoke a management plan	COUNCIL		council
section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	COUNCIL		council
section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	Duty		council
section 199	Manage community land in accordance with any relevant management plan	Duty		council
section 200(1)	Approve the use of community land for a business purpose	CEO		council
section 200(3)	Impose conditions on an approval to use community land for a business purpose	CEO		council
section 201(1)	Sell or otherwise dispose of an interest in land	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 202(1)	Grant a lease or licence over community land	COUNCIL		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	Duty		council
section 207(1)	Keep a register of community land in the council area	Duty		council
section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	Duty		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	Duty		council
section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	CEO, Deputy CEO, MCA, GMUS		council
section 210(1)	Declare a private road to be a public road	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	Duty		council
section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	Duty		council
section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	Duty		council
section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	Duty		council
section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	Duty		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	CEO		council
section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 212(1)	Carry out roadwork in the council area	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	CEO, Deputy CEO, GMUS		council
section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 212(3)(b)	Consult with the Commissioner of Highways	CEO, Deputy CEO, MCA, GMUS		council
section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	CEO, Deputy CEO, MCA, GMUS		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	CEO, Deputy CEO, MCA, GMUS		council
section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	CEO, Deputy CEO, MCA, GMUS		council
section	Obtain the agreement of the owner of private	CEO, Deputy CEO, MCA,		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
212(3)(d)	land	GMUS		
section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 214(2)(a)	Agree the amount of contribution to roadwork with another council	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	Duty		council
section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS,		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	structure or equipment	GMCC, GMUS		
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	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, GMCC, GMUS		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	COUNCIL		council
section 219(1a)	Assign a name to a public road created by land division	Duty		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	Duty		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	Duty		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	Duty		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	Duty		council
section 219(4)	Provide public notice on the assigning or changing of a road name	Duty		council
section 219(5)	Prepare and adopt a policy on the assigning of road names	COUNCIL		council
section 219(6)	Alter or substitute a policy on the assigning of road names	COUNCIL		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	Duty		council
section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	CEO, GMCC, GMUS		council
section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	Duty		council
section 220(2)	Alter or substitute a new numbering system	Duty		council
section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	Duty		council
section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	CEO, GMBCS, GMCC		council
section 220(6)	Request the owner of land to ensure that the	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council			
section 221(1)	Grant an authorisation to alter a public road	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, CCWS, BLES, TLTT, GMUS		council
section 222(1)	Grant a permit authorising the use of a public road for business purposes	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, CCWS, BLES, TLTT, GMUS		council
section 223(1)	Follow the relevant steps in the council's public consultation policy	Duty		council
section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	Duty		council
section 224(1)	Attach conditions to an authorisation or permit	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, CCWS, BLES, GMCC, TLTT, GMUS		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	Duty		council
section 225(1)	Cancel an authorisation or permit	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	Duty		council
section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	Duty		council
section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	CEO, Deputy CEO, GMCC, GMUS		council
section 231(1)	Keep a register of public roads in the council area	Duty		council
section 232	Plant vegetation on a road	CEO, Deputy CEO, MCA,		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		MCO, MCP, CHS, GMUS		
section 232	Authorise the planting of vegetation on a road	CEO, Deputy CEO, MCA, MCO, MCP, CHS, GMUS		council
section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road of structure belonging to the councils associated with a road	CEO, Deputy CEO, MCA, MCO, MCP, GMCC, GMUS		council
section 234(1)	Remove and dispose of any structure, object or substance from a road	CEO, Deputy CEO, MCA, MCO, MCP, MCW, TLCS, GMCC, SCSO, CSO, AMO, GMUS	Community Safety Officer, Senior Community Safety Officer, Animal Management Officer - Remove only, not dispose of.	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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		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	CEO, Deputy CEO, MCA, MCO, MCP, GMUS		council
section 234A(6)	Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act	Duty		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	CEO, MCW, GMCC		council
section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	Duty		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	State			
section 237(5)	Sell a vehicle by public auction or public tender	CEO, MCW, GMCC		council
section 237(6)	Dispose of a vehicle	CEO, MCW, GMCC		council
section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	Duty		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	Duty		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	Duty		council
section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	Duty		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	Duty		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	CEO, Deputy CEO, MCA, MCO, MCP, CHS, GMUS		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	CEO		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	Duty		council
section	Publish a notice of a determination under	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
246(4a)	section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area			
section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	COUNCIL		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)	Duty		council
section 249(2)	Consider submissions made on a proposed by-law	Duty		council
section 249(4)	Obtain a certificate signed by a legal practitioner	Duty		council
section 249(5)	Publish a by-law in the Gazette	Duty		council
section 249(7)	Publish a notice of making a by-law	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 250(5)	Publish a resolution adopting a model by-law in the Gazette	Duty		council
section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	Duty		council
section 252(1)	Maintain a register of the by-laws made or adopted by the council	Duty		council
section 252(5)	Provide for purchase a certified copy of a by-law	Duty		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	CEO, Deputy CEO, MCA, MCD, MCW, TLCS, GMCC, GMUS		council
section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	Duty		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	Duty		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	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		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	Duty		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 255(11)	Vary an order	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		council
section 255(12)	Make an order	CEO, GMBCS, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS	General Manager Business and Community Services: Only during a declared Emergency Event	council
section 256(3)	Participate in a review of an order by the South Australian Civil and Administrative Tribunal	Duty		council
section 257(1)	Take action required by an order made under section 255 of the Local Government Act	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		council
section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		council
section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS		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	CEO, Deputy CEO, MCA, MCW, GMCC, GMUS		council
section 259(1)	Prepare and adopt policies concerning the operation of Part 2, Chapter 12 of the Local Government Act	COUNCIL		council
section 259(2)(a)	Prepare a draft policy	COUNCIL		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	Duty		council
section 259(3)	Consider submissions	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 259(4)	Amend a policy	COUNCIL		council
section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	Duty		council
section 260(1)	Appoint an authorised person	CEO		council
section 260(2)	Impose conditions or limitations on the appointment of an authorised person	CEO		council
section 260(3)	Issue an identity card to an authorised person	CEO		council
section 260(5)	Revoke the appointment of an authorised person	CEO		council
section 262A(3)	Deal with a complaint in accordance with the council's behavioural management policy	Duty		council
section 262B(1)	Prepare and adopt a behavioural management policy	Duty		council
section	Alter or substitute a behavioural management	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
262B(6)	policy			
section 262B(7)	Review the operation of the behavioural management policy	Duty		council
section 262D	Provide complainant with written reasons for refusal or determination	Duty		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 	COUNCIL		council
section 263B(1)(a) and (3)	To act in accordance with a recommendation of the Ombudsman	COUNCIL		council
section 264(1)(a)	Authorise a person in writing for the purposes of this section to lodge a complaint with SACAT	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	COUNCIL		council
section 270(1)	Establish procedures for the review of decisions	Duty		council
section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision	CEO		council
section 270(3a)	Reduce, waive or refund a fee	CEO		council
section 270(4)	Refuse an application for the review of a decision	CEO		council
section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	CEO, GMBCS		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	CEO		council
section 271(2)	Constitute panels of mediators, conciliators and evaluators	Duty		council
section 271(7)	Pay costs of mediation, conciliation and evaluation	CEO		council
section 271A(1)	Provide requested information to the Minister	CEO		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	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	CEO		council
section 272(3)	Provide an explanation and make submissions to the Minister	CEO		council
section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	CEO		council
section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	CEO		council
section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	CEO		council
section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	CEO		council
section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Court			
section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	CEO		council
section 279(1)	Serve a document	CEO, Deputy CEO, MCA, MCD, MCW, TLCS, GMCC, SCSO, CSO, AMO, GMUS		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	CEO		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	CEO		council
section 282(1)	Approve an occupier of land undertaking work	CEO		council
section 294(1a)	Provide notice to an owner or occupier of land	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	Duty		council
section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	Duty		council
section 294(3)(c)(i)	Remedy damage to land caused by the council	Duty		council
section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	Duty		council
section 294(5)	Erect a fence	Duty		council
section 294(7)	Comply with the relevant requirements of the Mining Act 1971	Duty		council
section 296(1)	Recover the cost or a portion of the costs of works as a debt	CEO		council
section 296(3)	Give notice of a valuation to the owner of land	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 296(5)	Participate in an objection or review to a valuation	Duty		council
section 297	Sell or dispose of rubbish collected by the council	CEO, MCO, CFFS, GMUS		council
section 298(1)	Order action in response to flooding or imminent flooding	CEO, GMBCS, Deputy CEO, MCA, MCO, MCP, GMUS	GMBCS: only during a declared Emergency Event	council
section 300(1)	Pay the cost of advertising	Duty		council
clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	CEO, Deputy CEO, MCA, BLES, GMUS		council
clause 17(1), Schedule 1A	Prepare a stormwater management plan	CEO, Deputy CEO, MCA, BLES, GMUS		council
clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	CEO, Deputy CEO, MCA, BLES, GMUS		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	CEO, Deputy CEO, MCA, BLES, GMUS		council
clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	CEO, Deputy CEO, MCA, BLES, GMUS		council
clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 20(1), Schedule 1A of the Local Government Act	CEO, Deputy CEO, MCA, BLES, GMUS		council
clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	CEO, Deputy CEO, MCA, BLES, GMUS		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	CEO, Deputy CEO, MCA, BLES, GMUS		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	CEO, Deputy CEO, MCA, BLES, GMUS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by:</p> <p>(a) entering and occupying any land;</p> <p>(b) constructing, maintaining or removing any infrastructure;</p> <p>(c) excavating any land;</p> <p>(d) inspecting, examining or surveying any land and for that purpose:</p> <p>(i) fixing posts, stakes or other markers on the land;</p> <p>(ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and</p> <p>(iii) removing samples for analysis; and</p> <p>(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;</p> <p>(f) holding water in a watercourse or lake or by any other means;</p> <p>(g) diverting water to an underground aquifer,</p>			

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner;</p> <p>(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;</p> <p>(i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation);</p> <p>(j) undertaking any testing, monitoring or evaluation; and</p> <p>(k) undertaking any other activity of a prescribed kind.</p>			
clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	CEO		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	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	CEO		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	Duty		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	Duty		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	CEO		public authority
clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	CEO		public authority
clause 2(1), Schedule 1B	Enter a building upgrade agreement	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	CEO		council
clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	CEO		council
clause 6(1), Schedule 1B	Declare a building upgrade charge	CEO		council
clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	CEO		council
clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	CEO		council
clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	CEO		council
clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	CEO		council
clause 7(3)(b), Schedule 1B	Pay money to the finance provider	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	COUNCIL		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	CEO		council
clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891	CEO		council
clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	CEO		council
clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	CEO		council
clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	CEO		council
clause 11(1),	Recover a building upgrade charge in	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
Schedule 1B	accordance with a building upgrade agreement			
clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	Duty		council
clause 13(3), Schedule 1B	Provide the register of building upgrade agreements for inspection at the principal office of the council	CEO		council
clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	CEO		council
clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	Duty		council
clause 3(1), Schedule 2	Prepare a charter for a subsidiary	CEO		council
clause 3(4), Schedule 2	Review a charter for a subsidiary	CEO		council
clause 3(5)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	Duty		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of 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	Duty		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	Duty		council
clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	COUNCIL		council
clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	COUNCIL		council
clause 4(6), Schedule 2	Appoint a deputy of a board member	COUNCIL		council
clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter	CEO		council
clause 5(12), Schedule 2	Direct the board of management as to procedures	CEO		council
clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	CEO		council
clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	CEO		council
clause 8(5), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	CEO		council
clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	CEO		council
clause 9(3),	Approve the amendment by a subsidiary of an	COUNCIL		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
Schedule 2	adopted budget			
clause 9(5), Schedule 2	Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year	CEO		council
clause 10(1), Schedule 2	Give a direction to a subsidiary	CEO		council
clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	CEO		council
clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	CEO		council
clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	CEO		council
clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	CEO		council
clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	CEO		council
clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	COUNCIL		council
clause 14(2), Schedule 2	Approve borrowing by a subsidiary	COUNCIL		council
clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	COUNCIL		council
clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	CEO		council
clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	CEO		council
clause 19(5)(a), Schedule 2	Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister	CEO		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	CEO		council
clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	COUNCIL		council
clause 20(7), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility	CEO		council
clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	meeting			
clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	CEO		council
clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	CEO		council
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in the preparation and adoption of a business plan	CEO		council
clause 24(4), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan	CEO		council
clause 24(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary	CEO		council
clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	COUNCIL		council
clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	CEO		council
clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	CEO		council
clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	CEO		council
clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 28(1), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a subsidiary must furnish to the constituent councils report on the work and operations of the subsidiary	CEO		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	CEO		council
clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	COUNCIL		council
clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	COUNCIL		council
clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	CEO		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	CEO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	payment of money secured by the mortgage			
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	CEO		council

Instrument of Delegation under the Local Nuisance and Litter Control Act 2016

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(2)(a)	Take action to manage local nuisance and littering within the council area	Duty		council
section 7(2)(b)	Cooperate with any other person or body in the administration of the Act	Duty		council
section 7(2)(c)	Provide, or support the provision of, educational information within the council areas to help detect, prevent and manage local nuisance and littering	Duty		council
section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act	Duty		council
section 12(3)	Appoint authorised officers	CEO		council
section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers	CEO		council
section 12(6)	Revoke the appointment of an authorised officer	CEO		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(6)	Vary or revoke a condition applying to the appointment of an authorised officer or impose a further condition	CEO		council
section 13(2)	Issue an identity card to an authorised officer	Duty		council
section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area	CEO		council
section 16(1)(a)	Hold a substance, material or thing seized under Division 3, Part 3 of the Act pending proceedings	CEO, MCD, MCW, TLCS, TLWRR, TLEH, TLCDS, GMCC		council
section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act	CEO, MCD, MCW, TLCS, TLWRR, TLEH, TLCDS, GMCC		council
section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order	CEO, MCD, MCW, TLCS, TLWRR, TLEH, TLCDS, GMCC		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing	CEO, MCW, GMCC		council
section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing	CEO, MCW, GMCC		council
section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16	CEO, MCW, GMCC		council
section 19(1)	Declare a person to be exempt from the application of section 18	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 19(2)	Receive an application for an exemption under section 19	Duty		council
section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19	CEO, MCW, GMCC		council
section 19(4)	Determine conditions to apply to a declaration under section 19	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19(5)	Vary or revoke a declaration under section 19	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 19(6)	Specify a date of expiry in a declaration under section 19	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council	Duty		council
section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind	Duty		council
section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council	CEO, MCW, GMCC		council
section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSO, CSO, AMO		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence	Duty		council
section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm	Duty		council
section 30(1)(a)	Issue a nuisance abatement notice	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSO		council
section 30(1)(b)	Issue a litter abatement notice	CEO, MCW, TLCS, TLWRR, TLEH, GMCC, SCSO		council
section 30(7)	Issue and serve a notice confirming an emergency notice	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 30(8)	Vary or revoke a notice issued under section 30	CEO, MCW, TLCS, TLWRR,		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		TLEH, GMCC		
section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled	Duty		council
section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council	Duty		council
section 32(4)	Participate as a party to any proceedings under section 32	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)	CEO, MCW, GMCC		council
section 33(8)(a)	Serve a copy of an application under section 33 on the Minister	Duty		council
section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person	Duty		council
section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33	CEO, MCW, GMCC		council
section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33	CEO, MCW, GMCC		council
section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention	CEO, MCW, GMCC		council
section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act	CEO, MCW, GMCC		council
section	Serve a notice on a person who the council is satisfied has contravened	Duty		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
34(3)(a)	the Act advising the person that they may elect to be prosecuted for the contravention			
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	CEO, MCW, GMCC		council
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	CEO, MCW, GMCC		council
section 43(1)(d)	Commence proceedings for an offence against the Act	CEO, MCW, GMCC		council
section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act	Duty		council
section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)	CEO, MCW, GMCC		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt	CEO, MCW, GMCC		council
section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information	CEO, MCW, GMCC		council
section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
section 51(9)	Participate in consultation with the Minister in regard to proposed regulations	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council

Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017

Local Nuisance and Litter Control Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(1)(a)(ii)(A)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period not exceeding 24 hours	CEO, GMCC		council
regulation 6(1)(a)(ii)(B)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period of 24 hours or longer	CEO, GMCC		council
regulation 6(1)(b)	Fix a fee for an application under section 19(2) of the Act	COUNCIL		council
regulation 6(2)	Refuse to consider an application for the purposes of section 19(2) of the Local Nuisance and Litter Control Act	CEO, MCW, TLCS, TLWRR, TLEH, GMCC		council
regulation 13(2)(a)	Give notice to the Registrar-General for the purposes of creating a charge on land	Duty		council
regulation 13(2)(g)	Give notice to the Registrar-General for the purposes of cancelling a charge on land	Duty		council

Local Nuisance and Litter Control Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 13(3)	Recover costs or expenses incurred by the council in relation to the creation or cancellation of a charge over land	Duty		council
regulation 15(1)	Allow a fee payment under the Local Nuisance and Litter Control Act or regulations to be paid in instalments	CEO, MCW, GMCC		council
regulation 15(1)	Add a charge by way of interest or an administrative fee to the payment of a fee by instalments	CEO, MCW, GMCC		council
regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	CEO, MCW, GMCC		council
regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	CEO, MCW, GMCC		council

Instrument of Delegation under the Ombudsman Act 1972

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration	Duty		public authority
section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration	Duty		public authority
section 12H(1)(b)	Act on a referral from the Ombudsman	CEO		public authority
section 12H(2)(a)	Produce a specified document or a document relating to a specified matter	CEO		public authority
section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	CEO		public authority
section 18(4)	To comment on the subject matter of a report	CEO		public authority
section 19A(1)	Comply with a notice of the Ombudsman	Duty		agency

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable	CEO		agency
section 25(2)	Act in accordance with a recommendation of the Ombudsman	Duty		public authority
section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction	CEO		agency
section 28A(1)	Comply with directions of the Ombudsman	Duty		public authority
section 28A(2)	Comply with varied or further directions of the Ombudsman	Duty		public authority
section 28A(3)	Provide comments to the Ombudsman	Duty		public authority
section 29(8)	Act on a referral of the inspector	Duty		public authority
section 31(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or	CEO		Agency/ prosecution authority

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	disciplinary investigation or action			

Instrument of Delegation under the Private Parking Areas Act 1986

Private Parking Areas Act 1986				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 9(1)	Enter into an agreement with the owner of a private parking area for council to enforce Part 3 of the Act with respect to the private parking area	CEO, GMCC		council

Instrument of Delegation under the Real Property Act 1886

Real Property Act 1886				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 223LDA(b)(i)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered to, or is in force, as to the variation or termination of the statutory encumbrance	CEO		holder of statutory encumbrance
section 223LH(1)(c)	Issue a certificate certifying the council's consent to the division of land	CEO		holder of statutory encumbrance
section 252	Provide the Registrar-General with a map or plan showing particulars of the new street or road vested in the council	Duty		council

Instrument of Delegation under the Road Traffic (Miscellaneous) Regulations 2014

Road Traffic (Miscellaneous) Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(2)	Participate in consultation with respect to an event management plan	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, TLTT, TTO, GMUS	Must consult with applicant in preparation of event management plan or temporary road closure	council
regulation 7(3)	Participate in consultation with respect to an order to close a road	Duty		council
regulation 8	Provide information supplied by the Minister for the inspection of the public at the office of the council until the event causing a road closure has occurred	Duty		council
regulation 66	Designate an area for parking	CEO, Deputy CEO, MCA, TLTT, GMUS		council

Instrument of Delegation under the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014

Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 17(2)	Determine for the purposes of rule 185 of the Australian Road Rules: (a) the class of permits required for vehicles to stop in the permit zone; (b) the persons entitled to such permits; (c) any fees to be paid for such permits; (d) the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles)	CEO, Deputy CEO, MCA, MCW, GMCC, TLTT, TTO, GMUS	Manager City Assets, Manager Compliance and Waste, Team Leader Traffic and Transport, Traffic and Transport Officer - Cannot set fees under Reg 17 (2) (c)	council
regulation 17(2)	Vary a determination under regulation 17(2)	CEO, Deputy CEO, MCA, MCW, GMCC, TLTT, TTO, GMUS	Manager City Assets, Manager Compliance and Waste, Team Leader Traffic and Transport, Traffic and Transport Officer - Cannot set fees under Reg 17 (2) (c)	council
regulation 17(3)	Issue for the purposes of rule 185 of the Australian Road Rules permits in respect of the permit zone to persons entitled to them	CEO, Deputy CEO, MCW, TLCS, GMCC,		council

Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		SCSAO, GMUS		
regulation 17(3)	Determine conditions to apply to permits issued under regulation 17(3)	CEO, Deputy CEO, MCW, GMCC, GMUS		council
regulation 22(2)	Determine for the purpose of rule 207(2) of the Australian Road Rules the fees payable for parking in the length of road or the area by (a) operation of parking ticket-vending machines or parking meters installed or to be installed in or near the length of road or area; or (b) the use of an electronic device or an electronic method of payment determined by the council that is indicated on or with the sign or a meter, ticket or ticket vending machine	COUNCIL		council
regulation 22(2)	Vary a fee determined under regulation 22(2)	COUNCIL		council
regulation 22(2)(b)	Determine the electronic method of payment	COUNCIL		council

Instrument of Delegation under the Road Traffic Act 1961

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 17(1)	Install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road	CEO, Deputy CEO, MCA, MCO, TLTT, GMUS		road authority
section 17(2)	Remove a traffic control device or cause a traffic control device to be removed	CEO, Deputy CEO, MCA, MCO, TLTT, GMUS		road authority
section 17(3)	Install, display, alter, operate or remove traffic control device: (a) in relation to an area where persons are engaged in work or an area affected by works in progress; (b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or (c) for any temporary purposes.	CEO, Deputy CEO, MCA, MCO, TLTT, GMUS		road authority
section 17(5)	Apply to the Minister for approval to take action under section 17 of the Road Traffic Act	CEO, Deputy CEO, MCA, TLTT, GMUS, TLAM		road authority
section 18(5)	Comply with a direction of the Minister to install, maintain,	Duty		road authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	alter, operate or remove a traffic control device on, above or near a road			
section 18(6)	Carry out a direction with which a road authority has failed to comply at the direction of the Minister	Duty		council
section 18(7)	Recover as a debt from a defaulting road authority any expenses incurred in carrying out a direction under section 18(6)	CEO, Deputy CEO, MCA, TLTT, GMUS		council
section 19(6)	Maintain a traffic control device for which the council is liable to bear the costs in good order	CEO, Deputy CEO, MCA, TLTT, GMUS, TLAM		council
section 19A(3)	Recover any amount due under a requirement under section 19A as a debt	CEO, Deputy CEO, MCA, TLTT, GMUS, TLAM		road authority
section 20(3)	Place speed limit signs on road	Duty		public authority
section 20(4)(b)	Place speed limit signs on road	Duty		public authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 20(5)	Close road pursuant to a permit	CEO, Deputy CEO, MCA, TLTT, GMUS, TLAM		public authority
section 20(6)	Apply to the Minister for a road works permit	CEO, Deputy CEO, MCA, TLTT, GMUS, TLAM		public authority
section 20(9)	Apply to the Minister for an extension of time	CEO, Deputy CEO, MCA, TLTT, GMUS, TLAM		public authority
section 20(13)	Engagement of a contractor to undertake works on behalf of the public authority	CEO, Deputy CEO, MCA, MCO, MCP, GMUS, TLAM		public authority
section 20A(1)	Appeal a decision of the Minister under section 17 or section 20 to the District Court	CEO, Deputy CEO, GMUS		public authority
section 20A(2)	Request the Minister to provide reasons in writing for a decision under section 17 or section 20	CEO, Deputy CEO, GMUS		public authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 21(2)	Certify that there was not proper authority for the installation or display of a specified sign, signal, marking, structure or other device or thing as a traffic control device on, above or near a specified part of a road	CEO, Deputy CEO, MCA, MCO, MCP, GMUS, TLAM		road authority
section 21(3)	Comply with conditions of approval under section 17 or a permit under section 20	CEO, Deputy CEO, MCA, MCO, MCP, GMUS, TLAM		road authority
section 31(2)	Remove any false traffic control device or any device, structure or thing that might constitute a hazard to traffic.	Deputy CEO, MCA, MCO, MCP, MCW, TLCS, GMCC, SCSO, CSO, TLTT, AMO, GMUS		road authority
section 32(1)	Cause a notice of a proposal to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land	Duty		public authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>immediately abutting the road, or portion of road, the subject of the proposal;</p> <p>(c) if the road is a prescribed road, to be given to each affected council; and</p> <p>(e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.</p>			
section 32(2)	Consider written submissions made	Duty		public authority
section 32(6)	<p>Cause a notice of a decision to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be:</p> <p>(a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council;</p> <p>(b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal;</p> <p>(c) if the road is a prescribed road, to be given to each affected council; and</p> <p>(e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.</p>	Duty		public authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 33(2)	Consent to the closure of a road for an event	CEO		council
section 40P(3)	Offer a vehicle for sale by public auction	Duty		council
section 40P(4)	Dispose of a vehicle as the council thinks fit	CEO, Deputy CEO, MCW, GMCC		council
section 40P(6)	Make reasonable enquiries to locate the owner of a vehicle	CEO, Deputy CEO, MCW, TLCS, GMCC, SCSO, SCSAO, CSO, CSAO		council
section 86(a)	Determine that a ticket must be obtained for parking in a length of road or area without the payment of a fee	COUNCIL		council
section 86(a)	Vary or revoke a determination under section 86(a)	COUNCIL		council
section 163ZC(2)	Apply for a compensation order	CEO		road authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 163ZD(2)(c)	Certify that the road authority maintains a road	CEO		road authority
section 163ZD(2)(c)	Certify other matters including: (a) estimating the monetary value of all or any part of the road infrastructure or of the damage to it; (b) estimating the cost of remedying the damage; or (c) estimating the extent of the offender's contribution to the damage	CEO		road authority
section 163ZE(1)	Serve a certificate referred to in section 163ZD on the defendant	Duty		road authority
section 163ZH(1)(b)	Repay payments under an order to the extent that the order is void	CEO, Deputy CEO, GMUS		road authority
section 174A(4)	Issue notice inviting the owner of a vehicle issued with an expiation notice or expiation reminder notice under the Expiation of Offences Act 1996 to provide a nomination setting out the name and address of the driver or the details of the transfer of the vehicle	CEO, MCW, TLCS, GMCC, SCSO, SCSAO		council

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 174A(4a)	Form belief a nomination has been made in error and permit nomination to be withdrawn and new nomination made	CEO, MCW, TLCS, GMCC, SCSAO		council
section 174A(5a)	Require person to verify information by statutory declaration	CEO, MCW, TLCS, GMCC, SCSAO		council
section 174C(1)	Exempt a person or a person of a specified class or any vehicle or any vehicle of a specified class from compliance within the council areas with a prescribed provision of the Road Traffic Act	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, SCSO, GMUS	Team Leader Community Safety and Senior Community Safety Officer - Relevant for Residential and Temporary Parking Permits or Exemptions	council
section 174C(2)	Specify conditions to apply to the granting of an exemption under section 174C(1)	CEO, Deputy CEO, MCA, MCW, TLCS, GMCC, GMUS	Team Leader Community Safety - Relevant for Residential and Temporary Parking Permits or Exemptions	council

Instrument of Delegation under the Roads (Opening and Closing) Act 1991

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4	Make a road process order	COUNCIL		relevant authority
section 5	Commence a road process in relation to a road or a proposed road	COUNCIL		council
section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable enquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	Duty		council
section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the Surveyor-General with the prescribed fee	Duty		council
section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	Duty		relevant authority
section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable enquiry	Duty		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	Duty		relevant authority
section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	CEO, Deputy CEO, GMUS		council
section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	CEO, Deputy CEO, GMUS		council
section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	CEO, Deputy CEO, GMUS		council
section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	COUNCIL		council
section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	Duty		council

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	Duty		council
section 13(3)	Receiving an objection or application in respect of a proposed road process	Duty		relevant authority
section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications	Duty		relevant authority
section 15(1)	Determine whether or not to make a road process order	Duty		relevant authority
section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	Duty		relevant authority
section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	Duty		relevant authority
section	Make an order as part of a road process order for the granting of an	CEO		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
18(1)	easement over land subject to the road closure			
section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3	Duty		relevant authority
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	Duty		relevant authority
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land	Duty		relevant authority
section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council	Duty		relevant authority
section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	Duty		council
section	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant	Duty		council

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
20(3)	to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened			
section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	CEO		relevant authority
section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Duty		relevant authority
section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	Duty		relevant authority
section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	Duty		relevant authority
section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	Duty		council
section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and	Duty		council

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	any person who has an interest in the land over which the road was proposed to be opened			
section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into separate components	Duty		council
section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	COUNCIL		council
section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	COUNCIL		council
section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	COUNCIL		council
section 33(4)	Sell or otherwise deal with additional land acquired under section 33	COUNCIL		council
section	Apply the proceeds from the sale of additional land to defraying	COUNCIL		council

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
33(4)	expenses incurred by the council in connection with the road opening			
section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	CEO		council
section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	CEO		council
section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	CEO		council
section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement	CEO		council
section 34B(2)(c)	Make written submissions on the proposal to open or close a road	CEO		council
section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act	CEO, Deputy CEO, GMUS		Adelaide City Council or council adjoining the City of Adelaide
section	Give public notice of the proposal, in accordance with the regulations, if	Duty		Adelaide City Council or

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
34G(4)(a)	the Minister determines that the application under section 34G(1) should be considered			council adjoining the City of Adelaide
section 34G(4)(b)	Give notice of the proposal to any State authority or council specified by the Minister	Duty		Adelaide City Council or council adjoining the City of Adelaide
section 34G(4)(c)	Give notice of the proposal to the Adelaide Park Lands Authority	Duty		Adelaide City Council or council adjoining the City of Adelaide
section 34G(6)	Forward to the Surveyor-General any representation in relation to the proposal made to the council within the period under section 34G(5) and any response that the council wishes to make in relation to those representations	Duty		Adelaide City Council or council adjoining the City of Adelaide
section 34G(9)	Consult with the Surveyor-General regarding survey plans and other documents to be prepared as required by the Registrar-General	CEO, Deputy CEO, GMUS		Adelaide City Council or council adjoining the City of Adelaide
section 34G(9)	Submit survey plans and other documents as required by the Registrar-General to the Minister	CEO, Deputy CEO,		Adelaide City Council or council adjoining the City of Adelaide

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMUS		
section 34G(14)	Provide any documentation required by the Registrar-General to the Registrar-General	CEO, Deputy CEO, GMUS		Adelaide City Council or council adjoining the City of Adelaide
section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	COUNCIL		relevant authority
section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	COUNCIL		council
section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in the boundary of the road and abutting the land	Duty		council

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 - Instrument A

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s5(5)(b)	<p>1. Planning Regions and Greater Adelaide</p> <p>1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act.</p>	CEO	
s6(3)(b)	<p>2. Subregions</p> <p>2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action.</p>	CEO	
s7(5)(b)	<p>3. Environment and Food Production Areas – Greater Adelaide</p> <p>3.1 The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.</p>	COUNCIL	
s22(4)(a)(i)	<p>4. Functions</p> <p>4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the PDI Act make submissions or representations.		
s35(1)(a)	<p>5. Planning Agreements</p> <p>5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.</p>	COUNCIL	
s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</p>	COUNCIL	
s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.2 the constitution of a joint planning board including, in relation</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>to such a board:</p> <p>5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>5.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>5.2.2.4 the terms of office of members; and</p> <p>5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and</p> <p>5.2.2.6 the appointment of deputy members; and</p> <p>5.2.2.7 the procedures of the board; and</p>		
s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Act); and		
s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.4 the staffing and other support issues associated with the operations of the joint planning board; and</p>	COUNCIL	
s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.5 financial and resource issues associated with the operations of the joint planning board, including:</p> <p>5.2.5.1 the formulation and implementation of budgets; and</p> <p>5.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s35(3)	<p>5. Planning Agreements</p> <p>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>5.2.6 such other matters as the delegate thinks fit.</p>	COUNCIL	
s35(5)(a)	<p>5. Planning Agreements</p> <p>5.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).</p>	COUNCIL	
s35(5)(b)	<p>5. Planning Agreements</p> <p>5.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.</p>	COUNCIL	
s41(2)(a)	<p>6. Appointment of Administrator</p> <p>6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of the PDI Act.</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s44(6)(a)	<p>7. Community Engagement Charter</p> <p>7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).</p>	CEO	
s44(9)(b)	<p>7. Community Engagement Charter</p> <p>7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.</p>	CEO	
s44(10)	<p>7. Community Engagement Charter</p> <p>7.3 The power pursuant to Section 44(10) of the PDI Act to:</p> <p>7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and</p> <p>7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.</p>	CEO	
s45(2)(c)	<p>8. Preparation and Amendment of Charter</p> <p>8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.		
s73(2)(b)(iv)	<p>9. Preparation and Amendment</p> <p>9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:</p> <p>9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and</p> <p>9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission.</p>	CEO	
s73(6)	<p>9. Preparation and Amendment</p> <p>9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:</p> <p>9.2.1 to prepare a draft of the relevant proposal; and</p> <p>9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>9.2.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board –</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>consult with the joint planning board; and</p> <p>9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:</p> <p>9.2.4.1 an owner or occupier of the land; and</p> <p>9.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p> <p>9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and</p> <p>9.2.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>9.2.7 to comply with any requirement prescribed by the regulations.</p>		
s73(7)	<p>9. Preparation and Amendment</p> <p>9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	be made) and furnish a copy of the report to the Minister.		
s73(8)	<p>9. Preparation and Amendment</p> <p>9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.</p>	CEO	
s73(9)	<p>9. Preparation and Amendment</p> <p>9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).</p>	CEO	
s74(8)(c)	<p>10. Parliamentary Scrutiny</p> <p>10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s75(1)	<p>11. Complying Changes – Planning and Design Code</p> <p>11.1 The power pursuant to Section 75(1) of the PDI Act to submit to the Minister a proposal to agree to an amendment to the Planning and Design Code under Section 75 of the PDI Act if:</p> <p>11.1.1 the amendment comprises a change to:</p> <p>11.1.1.1 the boundary of a zone or subzone; or</p> <p>11.1.1.2 the application of an overlay; and</p> <p>11.1.2 the amendment is consistent with a recommendation in the relevant regional plan that, through the use of:</p> <p>11.1.2.1 specific maps or other spatial information; and</p> <p>11.1.2.2 specific information about the changes that are being proposed,</p> <p>clearly and specifically identifies (in the opinion of the Minister) the changes that are considered to be appropriate.</p>	CEO	
s75(3)	<p>11. Complying Changes – Planning and Design Code</p> <p>11.2 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s82(d)	<p>12. Entities Constituting Relevant Authorities</p> <p>12.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.</p>	COUNCIL	
s83(1)	<p>13. Panels Established by Joint Planning Boards or Councils</p> <p>13.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:</p> <p>13.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;</p> <p>13.1.2 determine:</p> <p>13.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and</p> <p>13.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>13.1.2.3 the terms of office of members; and</p> <p>13.1.2.4 conditions of appointment of members, or the method by</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and</p> <p>13.1.2.5 the appointment of deputy members; and</p> <p>13.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.</p>		
s83(1)(h)	<p>13. Panels Established by Joint Planning Boards or Councils</p> <p>13.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.</p>	CEO, AM	
s83(1)(i)	<p>13. Panels Established by Joint Planning Boards or Councils</p> <p>13.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.</p>	COUNCIL	
s83(2)	<p>13. Panels Established by Joint Planning Boards or Councils</p> <p>13.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.		
s84(1)(c)(ii)(A)	<p>14. Panels Established by Minister</p> <p>14.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined areas of the Council and one or more other Councils.</p>	CEO	
s84(1)(c)(ii)(B)	<p>14. Panels Established by Minister</p> <p>14.2 The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas).</p>	CEO	
s86(2)(a)	<p>15. Substitution of Local Panels</p> <p>15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.</p>	COUNCIL	
s89(b)	<p>16. Notification of Acting</p> <p>16.1 The power pursuant to Section 89(b) of the PDI Act to require</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB,	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	an accredited professional to provide such information or documentation as the delegate may require.	DOP, DOB, DSO, AM, GMUS	
s94(1)(g)	17. Relevant Authority - Commission 17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development.	CEO	
s102(1)(c)(iv)	18. Matters Against which Development Must be Assessed 18.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.	CEO, Deputy CEO, MCA, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s102(1)(d)(iv)	18. Matters Against which Development Must be Assessed 18.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.	CEO, Deputy CEO, MCA, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s102(11)(b)	18. Matters Against which Development Must be Assessed	CEO, Deputy CEO, MCA, MCD, AM,	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.	GMUS	
s110(2)(b)	19. Restricted Development 19.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.	CEO, Deputy CEO, MCD, AM, GMUS	
s110(c)(ii)	19. Restricted Development 19.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s110(7)	19. Restricted Development 19.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.	CEO	
s112(b)	20. Level of Detail	CEO, Deputy CEO, MCD, BLP, AM,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	20.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.	GMUS	
s113(5)(a)(iii)	21. EIS Process 21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s114(2)(b)	22. Amendment of EIS 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s130(6)	23. Essential Infrastructure – Alternative Assessment Process 23.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s130(14)	23. Essential Infrastructure – Alternative Assessment Process 23.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.		
s131(7)	24. Development Assessment – Crown Development 24.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s131(15)	24. Development Assessment – Crown Development 24.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s138(1)	25. Land Division Certificate 25.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.	CEO, Deputy CEO, MCD, BLP, TLCDS, SDOP, DOP, AM, GMUS, DOC	
s138(2)	25. Land Division Certificate 25.2 The power pursuant to Section 138(2) of the PDI Act to furnish	CEO, Deputy CEO, MCD, BLP,	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	TLCDS, SDOP, DOP, AM, GMUS, DOC	
s141(1)	<p>26. Action if Development Not Completed</p> <p>26.1 The power pursuant to Section 141(1) of the PDI Act, if:</p> <p>26.1.1 an approval is granted under the PDI Act; but</p> <p>26.1.2 -</p> <p>26.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or</p> <p>26.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval,</p> <p>to apply to the Court for an order under Section 141 of the PDI Act.</p>	CEO	
s141(5)	<p>26. Action if Development Not Completed</p> <p>26.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the</p>	CEO, Deputy CEO, MCD, TLCDS, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	order to be carried out, and to recover the costs of that work, as a debt from the person.		
s141(6)	<p>26. Action if Development Not Completed</p> <p>26.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act:</p> <p>26.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	CEO, Deputy CEO, MCD, TLCDS, AM, GMUS	
s142(1)	<p>27. Completion of Work</p> <p>27.1 The power pursuant to Section 142(1) of the PDI Act, if:</p> <p>27.1.1 an approval is granted under the PDI Act; but</p> <p>27.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval,</p> <p>to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s142(2)	<p>27. Completion of Work</p> <p>27.2 The power pursuant to Section 142(2) of the PDI Act, if an</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.		
s142(3)	<p>27. Completion of Work</p> <p>27.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s142(4)	<p>27. Completion of Work</p> <p>27.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act:</p> <p>27.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s146(3)	<p>28. Notification During Building</p> <p>28.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	authorised officer who holds prescribed qualifications.		
s151(2)	29. Classification of Buildings 29.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s151(3)	29. Classification of Buildings 29.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s152(2)	30. Certificates of Occupancy 30.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s152(3)(a)	30. Certificates of Occupancy 30.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s152(5)	<p>30. Certificates of Occupancy</p> <p>30.3 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s152(6)	<p>30. Certificates of Occupancy</p> <p>30.4 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s152(10)	<p>30. Certificates of Occupancy</p> <p>30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:</p> <p>30.5.1 the refusal; and</p> <p>30.5.2 the reasons for the refusal; and</p> <p>30.5.3 the applicant's right of appeal under the PDI Act.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s152(12)	30. Certificates of Occupancy 30.6 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s152(13)	30. Certificates of Occupancy 30.7 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s153(1)	31. Temporary Occupation 31.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s153(2)	31. Temporary Occupation 31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s153(3)	31. Temporary Occupation	CEO, Deputy CEO, MCD, BLB, AM,	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 31.3.1 the refusal; and 31.3.2 the reasons for the refusal; and 31.3.3 the applicant’s right of appeal under the PDI Act.	GMUS	
s155(5)	32. Emergency Orders 32.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s155(6)	32. Emergency Orders 32.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s155(7)	32. Emergency Orders 32.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which	CEO, Deputy CEO, MCD, BLB, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the amount must be paid by the person.		
s157(16)	<p>33. Fire Safety</p> <p>33.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.</p>	COUNCIL	
s157(17)	<p>33. Fire Safety</p> <p>33.2 The power pursuant to Section 157(17) of the PDI Act to:</p> <p>33.2.1 appoint to the appropriate authority:</p> <p>33.2.1.1 a person who holds prescribed qualifications in building surveying; and</p> <p>33.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and</p> <p>33.2.1.3 a person with expertise in the area of fire safety; and</p> <p>33.2.1.4 if so determined by the delegate, a person selected by the delegate;</p>	CEO, COUNCIL	CEO - limits the delegation to the power pursuant to section 157(17)(a)(iv) of the Act to select and appoint City of West Torrens staff members as a member and as deputy members of the City of West Torrens Building Fire Safety Committee.
s157(17)	33. Fire Safety	CEO, COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;		
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.3 remove a member of the appropriate authority from office for any reasonable cause;	CEO	CEO - limits the delegation to the power pursuant to section 157(17)(a)(iv) of the Act to select and appoint City of West Torrens staff members as a member and as deputy members of the City of West Torrens Building Fire Safety Committee.
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.4 appoint deputy members;	CEO, Deputy CEO, GMUS	
s157(17)	33. Fire Safety 33.2 The power pursuant to Section 157(17) of the PDI Act to: 33.2.5 determine the appropriate authority's procedures (including as to quorum).	COUNCIL	
s163(3)(b)	34. Initiation of Scheme	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	34.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act.		
s163(10)	34. Initiation of Scheme 34.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline.	CEO	
s164(3)	35. Initiation of Scheme 35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act.	CEO	
s164(12)	35. Initiation of Scheme 35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline.	CEO	
s166(1)(c)	36. Consideration of Proposed Scheme 36.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s167(7)	<p>37. Adoption of Scheme</p> <p>37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme.</p>	CEO	
s169(2)(b)	<p>38. Funding Arrangements</p> <p>38.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.</p>	CEO	
s169(9)	<p>38. Funding Arrangements</p> <p>38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.</p>	CEO	
s177(4)	<p>39. Contributions by Constituent Councils</p> <p>39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share.</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s177(5)	<p>39. Contributions by Constituent Councils</p> <p>39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act.</p>	CEO	
s180(7)	<p>40. Imposition of Charge by Councils</p> <p>40.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.</p>	CEO	
s187(1)	<p>41. Authorised Works</p> <p>41.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.</p>	CEO	
s187(5)	<p>41. Authorised Works</p> <p>41.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>involves disturbing the surface of a road, or that otherwise relates to a road to:</p> <p>41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and</p> <p>41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and</p> <p>41.2.3 ensure that proper consideration is given to the views of the road maintenance authority.</p>		
s187(5)(b)	<p>41. Authorised Works</p> <p>41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.</p>	CEO	
s187(6)	<p>41. Authorised Works</p> <p>41.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.</p>	CEO	
s188(1)	<p>42. Entry onto Land</p> <p>42.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:</p> <p>42.1.1 enter and pass over any land; and</p> <p>42.1.2 bring onto any land any vehicles, plant or equipment; and</p> <p>42.1.3 temporarily occupy land; and</p> <p>42.1.4 do anything else reasonably required in connection with the exercise of the power.</p>		
s188(4)	<p>42. Entry onto Land</p> <p>42.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.</p>	CEO	
s189(1)	<p>43. Acquisition of Land</p> <p>43.1 The power pursuant to Section 189(1) of the PDI Act, to:</p> <p>43.1.1 seek the consent of the Minister to acquire land for a purpose associated with infrastructure works under and in accordance with the Land Acquisition Act 1969; and</p> <p>43.1.2 with the consent of the Minister, acquire land for a purpose associated with infrastructure works under and in accordance with</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Land Acquisition Act 1969.		
s192(1)	<p>44. Land Management Agreements</p> <p>44.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.</p>	CEO	
s192(2)	<p>44. Land Management Agreements</p> <p>44.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.</p>	CEO	
s192(4)	<p>44. Land Management Agreements</p> <p>44.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:</p> <p>44.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and</p> <p>44.3.2 the principle that the entering into of an agreement under</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.		
s192(5)	44. Land Management Agreements 44.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.	CEO	
s192(8)	44. Land Management Agreements 44.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.	CEO	
s192(9)	44. Land Management Agreements 44.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s192(10)	<p>44. Land Management Agreements</p> <p>44.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.</p>	CEO	
s192(11)	<p>44. Land Management Agreements</p> <p>44.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.</p>	CEO	
s192(12)	<p>44. Land Management Agreements</p> <p>44.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s192(15)	<p>44. Land Management Agreements</p> <p>44.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.		
s192(16)	44. Land Management Agreements 44.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.	CEO	
s192(17)	44. Land Management Agreements 44.12 The power pursuant to Section 192(17) of the PDI Act to seek the Minister's consent to providing in an agreement under Section 192 of the PDI Act entered into by the Council for the remission of rates or taxes payable to the Crown.	CEO	
s192(17)	44. Land Management Agreements 44.13 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.	CEO	
s192(18)	44. Land Management Agreements 44.14 The power pursuant to Section 192(18) of the PDI Act to take	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.		
s193(1)	<p>45. Land Management Agreements – Development Applications</p> <p>45.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:</p> <p>45.1.1 the person; and</p> <p>45.1.2 any other person who has the benefit of the development authorisation; and</p> <p>45.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).</p>	CEO	
s193(2)	<p>45. Land Management Agreements – Development Applications</p> <p>45.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the assessment of the development under the PDI Act).		
s193(3)	<p>45. Land Management Agreements – Development Applications</p> <p>45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:</p> <p>45.3.1 the provisions of the Planning and Design Code; and</p> <p>45.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.</p>	CEO	
s193(5)	<p>45. Land Management Agreements – Development Applications</p> <p>45.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.</p>	CEO	
s193(10)	<p>45. Land Management Agreements – Development Applications</p> <p>45.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s193(11)	45. Land Management Agreements – Development Applications 45.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.	CEO	
s193(13)	45. Land Management Agreements – Development Applications 45.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s193(15)	45. Land Management Agreements – Development Applications 45.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s193(16)	45. Land Management Agreements – Development Applications 45.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect	CEO, Deputy CEO, MCD, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.		
s197(1)(b)	<p>46. Off-setting Contributions</p> <p>46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act.</p>	CEO	
s197(2)	<p>46. Off-setting Contributions</p> <p>46.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:</p> <p>46.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or</p> <p>46.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or</p> <p>46.2.3 any other initiative or policy:</p> <p>46.2.3.1 designated by the Planning and Design Code for the</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>purposes of Section 197(2)(c)(i) of the PDI Act;</p> <p>46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.</p>		
s197(3)	<p>46. Off-setting Contributions</p> <p>46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:</p> <p>46.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act):</p> <p>46.3.1.1 to make a contribution to a fund established as part of the scheme; or</p> <p>46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or</p> <p>34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,</p> <p>in order to provide for or address a particular matter identified by the scheme; and</p> <p>46.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and</p> <p>46.3.3 an ability for any relevant authority to act under or in</p>	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	connection with Sections 197(3)(a) or (b) of the PDI Act.		
s197(4)	46. Off-setting Contributions 46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.	CEO	
s197(4)(c)	46. Off-setting Contributions 46.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.	CEO	
s197(7)	46. Off-setting Contributions 46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and 46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister.	CEO	
s198(1)	47. Open Space Contribution Scheme 47.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the	CEO, Deputy CEO, MCD, CAP, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:</p> <p>47.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>47.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or</p> <p>47.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,</p> <p>according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.</p>		
s198(3)	<p>47. Open Space Contribution Scheme</p> <p>47.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.</p>	CEO	
s198(4)(a)	<p>47. Open Space Contribution Scheme</p> <p>47.3 The power pursuant to Section 198(4)(a) of the PDI Act to</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	concur with an area being vested in the Council.		
s198(11)	47. Open Space Contribution Scheme 47.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.	CEO	
s198(12)	47. Open Space Contribution Scheme 47.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.	CEO, Deputy CEO, MCD, BLP, CAP, AM, GMUS	
s200(1)	48. Urban Trees Fund 48.1 The power pursuant to Section 200(1) of the PDI Act to, 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and 48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area).	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s200(2)	48. Urban Trees Fund 48.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.	CEO	
s200(3)	48. Urban Trees Fund 48.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.	COUNCIL	
s200(5)	48. Urban Trees Fund 48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	CEO	
s200(6)	48. Urban Trees Fund 48.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 48.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 48.5.2 to purchase land within the designated area in order to	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.		
s200(7)	48. Urban Trees Fund 48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).	CEO	
s210(1)	49. Appointment of Authorised Officers 49.1 The power pursuant to Section 210(1) of the PDI Act to: 49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 49.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.	CEO	
s210(2)	49. Appointment of Authorised Officers 49.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s210(3)	<p>49. Appointment of Authorised Officers</p> <p>49.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:</p> <p>49.3.1 containing a photograph of the authorised officer; and</p> <p>49.3.2 stating any conditions of appointment limiting the authorised officer's appointment.</p>	CEO	
s210(5)	<p>49. Appointment of Authorised Officers</p> <p>49.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.</p>	CEO	
s213(1)	<p>50. Enforcement Notices</p> <p>50.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:</p> <p>50.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOP, SDOB, DOP, DOB, AM, GMUS, DOC	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>50.1.3 take such urgent action as is required because of any situation resulting from the breach</p>		
s213(2)	<p>50. Enforcement Notices</p> <p>50.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOP, SDOB, DOP, DOB, AM, GMUS, DOC</p>	
s213(5)	<p>50. Enforcement Notices</p> <p>50.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.</p>	<p>CEO, Deputy CEO, MCD, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC</p>	
s213(6)	<p>50. Enforcement Notices</p> <p>50.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action</p>	<p>CEO, Deputy CEO, MCD, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC</p>	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s213(7)	<p>50. Enforcement Notices</p> <p>50.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC	
s214(1)	<p>51. Applications to Court</p> <p>51.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s214(2)	<p>51. Applications to Court</p> <p>51.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s214(4)	<p>51. Applications to Court</p> <p>51.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	should not be made under Section 214 of the PDI Act.		
s214(6)	51. Applications to Court 51.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s214(9)	51. Applications to Court 51.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s214(10)	51. Applications to Court 51.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s214(11)	51. Applications to Court 51.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s214(12)	<p>51. Applications to Court</p> <p>51.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s214(13)	<p>51. Applications to Court</p> <p>51.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s214(17)	<p>51. Applications to Court</p> <p>51.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLB, TLCDS, AM, GMUS	
s219(1)	<p>52. Proceedings for Offences</p> <p>52.1 The power pursuant to Section 219(1) of the PDI Act to</p>	CEO, Deputy CEO, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	commence proceedings for an offence against the PDI Act.		
s223(2)	53. Adverse Publicity Orders 53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.	CEO, Deputy CEO, GMUS	
s223(4)	53. Adverse Publicity Orders 53.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to: 53.2.1 take the PDI Action or actions specified in the order; and 53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	CEO, Deputy CEO, GMUS	
s223(5)	53. Adverse Publicity Orders 53.3 The power pursuant to Section 223(5) of the PDI Act, if: 53.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 53.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,	CEO, Deputy CEO, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.		
s223(6)	53. Adverse Publicity Orders 53.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.	CEO, Deputy CEO, GMUS	
s225(1)	54. Civil Penalties 54.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.	CEO, Deputy CEO, GMUS	
s225(2)	54. Civil Penalties 54.2 The power pursuant to Section 225(2) of the PDI Act, in	CEO, Deputy CEO, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.		
s225(3)	54. Civil Penalties 54.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.	CEO, Deputy CEO, GMUS	
s225(13)	54. Civil Penalties 54.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.	CEO, Deputy CEO, GMUS	
s225(17)	54. Civil Penalties 54.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.	CEO, Deputy CEO, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s228(7)	55. Make Good Order 55.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.	CEO, Deputy CEO, MCD, TLCDS, AM, GMUS	
s229(5)	56. Recovery of Economic Benefit 56.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.	CEO	
s230(1)	57. Enforceable Voluntary Undertakings 57.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.	CEO, Deputy CEO, MCD, AM, GMUS	
s230(4)	57. Enforceable Voluntary Undertakings 57.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of	CEO, Deputy CEO, MCD, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the undertaking.		
s230(7)	57. Enforceable Voluntary Undertakings 57.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 57.3.1 vary the undertaking; or 57.3.2 withdraw the undertaking.	CEO, Deputy CEO, MCD, AM, GMUS	
s230(11)	57. Enforceable Voluntary Undertakings 57.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.	CEO, Deputy CEO, MCD, AM, GMUS	
s230(12)	57. Enforceable Voluntary Undertakings 57.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.	CEO, Deputy CEO, MCD, AM, GMUS	
s230(14)	57. Enforceable Voluntary Undertakings	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	57.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.		
s231(1)	<p>58. Advertisements</p> <p>58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:</p> <p>58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or</p> <p>58.1.2 is contrary to the character desired for a locality under the Planning and Design Code,</p> <p>to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).</p>	CEO, Deputy CEO, MCD, TLCDS, AM, GMUS	
s231(3)	<p>58. Advertisements</p> <p>58.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI</p>	CEO, Deputy CEO, MCD, TLCDS, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.		
s235(1)	<p>59. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s235(2)	<p>59. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>59.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s239(1)	<p>60. Charges on Land</p> <p>60.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.		
s239(6)	60. Charges on Land 60.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.	CEO, Deputy CEO, MCD, AM, GMUS	
s240(1)	61. Registering Authorities to Note Transfer 61.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.	CEO	
cl13(3)(b) sch2	62. Reporting 62.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the	COUNCIL	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	delegate.		
cl3(3)	<p>63. Review of Performance</p> <p>63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.</p>	CEO	
cl3(14)	<p>63. Review of Performance</p> <p>63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based.</p>	CEO	
cl3(15)	<p>63. Review of Performance</p> <p>63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister.</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl3(16) sch4	63. Review of Performance 63.4 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.	CEO, Deputy CEO, MCD, AM, GMUS	
cl9(6)(a)	64. Planning and Design Code 64.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act.	CEO	
cl30(3)	65. General Schemes 65.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme.	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r11B(1)	67. Mutual Liability Scheme – Rights of Indemnity	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:</p> <p>67.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and</p> <p>67.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.</p>		
r11B(5)	<p>67. Mutual Liability Scheme – Rights of Indemnity</p> <p>67.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>67.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and</p> <p>67.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	their functions, powers or duties under the PDI Act in their role as an assessment manager.		
r47(4)(d)	<p>68. Performance Assessed Development and Restricted Development</p> <p>68.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.</p>	CEO	
r78(1)	<p>69. Underground Main Areas</p> <p>69.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
r78(2)	<p>69. Underground Main Areas</p> <p>69.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
r81(4)	<p>70. Width of Roads and Thoroughfares</p> <p>70.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r81(5)	<p>70. Width of Roads and Thoroughfares</p> <p>70.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r81(6)	<p>70. Width of Roads and Thoroughfares</p> <p>70.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r82(1)	<p>71. Road Widening</p> <p>71.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r83(1)	<p>72. Requirement as to Forming of Roads</p> <p>72.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r83(2)	72. Requirement as to Forming of Roads	CEO, Deputy CEO, MCA, MCD, BLP,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	72.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.	CAP, AM, GMUS	
r83(4)	72. Requirement as to Forming of Roads 72.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r83(5)	72. Requirement as to Forming of Roads 72.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r83(6)	72. Requirement as to Forming of Roads 72.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r84(1)	73. Construction of Roads, Bridges, Drains and Services 73.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and sealed with bitumen, tar or asphalt or other material approved by the delegate.		
r85(1)	<p>74. Supplementary Provisions</p> <p>74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r85(2)	<p>74. Supplementary Provisions</p> <p>74.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	
r85(4)	<p>74. Supplementary Provisions</p> <p>74.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation and any other water industry entity identified under Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made.</p>	CEO, Deputy CEO, MCA, MCD, BLP, CAP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r89(1)	<p>75. General Provisions</p> <p>75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.</p>	CEO, Deputy CEO, MCA, MCD, BLP, TLCDS, AM, GMUS	
r89(3)	<p>75. General Provisions</p> <p>75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:</p> <p>75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and</p> <p>75.2.2 sets out:</p> <p>75.2.2.1 the date on which any relevant building was erected (if known); and</p> <p>75.2.2.2 the postal address of the site.</p>	CEO, Deputy CEO, MCD, BLP, TLCDS, SDOP, DOP, AM, GMUS	
r89(6)(b)	<p>75. General Provisions</p> <p>75.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.</p>	CEO, Deputy CEO, MCD, BLP, TLCDS, SDOP, DOP, AM, GMUS, DOC	
r89(8)	<p>75. General Provisions</p> <p>75.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period</p>	CEO, Deputy CEO, MCD, BLP, TLCDS, SDOP, DOP, AM,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	prescribed by Regulation 89(7).	GMUS	
r93(1)(b)	<p>76. Notifications During Building Work</p> <p>76.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r93(1)(c)	<p>76. Notifications During Building Work</p> <p>76.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r94(13)	<p>77. Essential Safety Provisions</p> <p>77.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:</p> <p>77.1.1 the essential safety provisions were installed</p> <p>77.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or</p> <p>77.1.1.2 as part of a performance solution under the Building Code; or</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	77.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.		
r102(3)	<p>78. Classification of Buildings</p> <p>78.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:</p> <p>78.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r102(4)	<p>78. Classification of Buildings</p> <p>78.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r102(5)	<p>78. Classification of Buildings</p> <p>78.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	present or intended use).		
r102(6)	<p>78. Classification of Buildings</p> <p>78.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:</p> <p>78.4.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>78.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103A(1)	<p>79. Required Documentation</p> <p>79.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation:</p> <p>79.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;</p> <p>79.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show –</p> <p>79.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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	79.1.2.2 in any other case – that the building is suitable for occupation.		
Regulation 103A(2)	<p>79. Required Documentation</p> <p>79.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 July 2022 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:</p> <p>79.2.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103A(3)	<p>79. Required Documentation</p> <p>79.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –</p> <p>79.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>79.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation	80. Statement of site suitability	CEO, Deputy CEO,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
103C(1)(c)	80.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.	MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103D(1)	81. Report from fire authority 81.1 The power pursuant to Regulation 103D(1) of the General Regulations, if – 81.1.1 a building is – 81.1.1.1 to be equipped with a booster assembly for use by a fire authority; or 81.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 81.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103D(2)	81. Report from fire authority 81.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 103D(3)	81. Report from fire authority 81.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103E(1)(b)	82. Issue of certificate of occupancy 82.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103E(3)(c)	82. Issue of certificate of occupancy 82.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
Regulation 103F	83. Revocation 83.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy – 83.1.1 if – 83.1.1.1 there is a change in the use of the building; or 83.1.1.2 the classification of the building changes; or 83.1.1.3 building work involving an alteration or extension to the building that will increase	CEO, Deputy CEO, MCD, BLB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>the floor area of the building by more than 300m² is about to commence, or is being or has been carried out; or</p> <p>83.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p> <p>83.1.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</p> <p>83.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or</p> <p>83.1.4 if the delegate considers –</p> <p>83.1.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</p> <p>83.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</p>		
r109(1)(b)	<p>84. Mining Production Tenements</p> <p>84.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.</p>	COUNCIL	
r111(2)	<p>85. Register of Land Management Agreements (Section 193)</p> <p>85.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a</p>	CEO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	register of agreements entered into by the Council under Section 193 of the PDI Act.		
r111(3)	85. Register of Land Management Agreements (Section 193) 85.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r112(1)	86. Authorised Officers and Inspections 86.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act: 86.1.1 who is an accredited professional who is: 86.1.1.1 an Accredited professional - building level 1; or 86.1.1.2 an Accredited professional - building level 2; or 86.1.1.3 an Accredited professional - building level 3; or 86.1.1.4 an Accredited professional - building level 4; or 86.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 86.1.3 who holds an approval from the Chief Executive.	CEO	

Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r8(1)(c)	<p>66. Adoption of DPAs</p> <p>66.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.</p>	CEO	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>87. Calculation of Assessment of Fees</p> <p>87.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):</p> <p>87.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</p> <p>87.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(2)	<p>87. Calculation of Assessment of Fees</p> <p>87.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
r5(3)	<p>87. Calculation or Assessment of Fees</p> <p>87.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
r7	<p>88. Waiver or Refund of Fee</p> <p>88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>88.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>88.1.2 refund the whole or a part of the fee.</p>	CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>89. Requirements in Relation to Preparing an Engagement Plan</p> <p>89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that:</p> <p>89.1.1 meets the principles and performance outcomes of the Charter;</p> <p>89.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p> <p>89.1.2.3 who must be consulted with under the Charter;</p> <p>89.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>89.1.4 describes the evaluation framework for the engagement.</p>	COUNCIL	
cl5(2)	<p>89. Requirements in Relation to Preparing an Engagement Plan</p> <p>89.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal.</p>	COUNCIL	
cl6(1)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.1 The power pursuant to clause 6(1) of PD2, at the completion of engagement on a draft of a proposal to prepare or amend a designated instrument to provide an engagement report to the Minister.</p>	CEO	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(2)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:</p> <p>90.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;</p> <p>90.1.2 the outcome of the engagement including a summary of the written submission or feedback made;</p> <p>90.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:</p> <p>90.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>90.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>	COUNCIL	
cl7(1)	<p>91. Initiating a Code Amendment</p> <p>91.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets out:</p> <p>91.1.1 Code Policy – an outline of:</p> <p>91.1.1.1 any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or</p> <p>91.1.1.2 the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;</p>	CEO	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>91.1.2 Affected Area</p> <p>91.1.2.1 a map or description of the Affected Area;</p> <p>91.1.3 State Planning Policies</p> <p>91.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment’s alignment with those State Planning Policies;</p> <p>91.1.4 Regional Plan</p> <p>91.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by</p> <p>the proposed Code Amendment will relate to the relevant regional plan;</p> <p>91.1.5 Consultation -</p> <p>91.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;</p> <p>91.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;</p> <p>91.1.6 Investigations -</p> <p>91.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment</p> <p>91.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;</p> <p>91.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;</p>		

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>91.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment</p> <p>91.1.7 Timetable</p> <p>91.1.7.1 identification of a consultation start date;</p> <p>91.1.7.2 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.</p>		
cl7(1) and (3)	<p>91. Initiating a Code Amendment</p> <p>91.2 The power pursuant to clauses 7(1) and (3) of PD2 to lodge the SA Planning Portal Publication Instructions – for Initiation that sets out:</p> <p>91.2.1 identification of a consultation start date, consistent with the Proposal to Initiate timetable;</p> <p>91.2.2 an outline of the consultation approach including period of consultation, key audience and consultation methods (noting the Commission may also recommend specific conditions); and</p> <p>91.2.3 a summary of the Code Amendment in plain English.</p>	CEO	
cl7(4)	<p>91.3 Initiating a Code Amendment</p> <p>The power pursuant to clause 7(4) of PD2, in addition to a Code Amendment which is intended to</p>	CEO	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>designate a place as a place of local heritage value, to provide a report which:</p> <p>91.3.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <p>91.3.1.1 all relevant property details and descriptions (including images);</p> <p>91.3.1.2 historical background and thematic analysis;</p> <p>91.3.1.3 a statement of heritage value;</p> <p>91.3.1.4 an assessment against the Local Heritage Criteria; and</p> <p>91.3.1.5 the extent of listing (including any exclusions);</p> <p>91.3.2 includes an analysis of historic themes of importance to the area;</p> <p>91.3.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>91.3.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.</p>		
cl 7(5)	<p>91. Initiating a Code Amendment</p> <p>91.4 The power pursuant to clause 7(5) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which:</p> <p>91.4.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)</p> <p>91.4.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;</p> <p>91.4.3 is prepared by an urban planner, arborist or person with</p>	CEO	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	qualifications, skills or experience relevant to the assessment in the report.		
cl8(1)	<p>92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>92.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:</p> <p>92.1.1 carry out investigations and obtain such information:</p> <p>92.1.1.1 as provided in the Proposal to Initiate approved by the Minister;</p> <p>92.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and</p> <p>92.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;</p> <p>92.1.2 provide the Department with:</p> <p>92.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>92.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;</p> <p>92.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;</p> <p>92.1.4 provide the Department with written instructions (in a form acceptable to the Department) to</p>	CEO	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>prepare the SA Planning Portal for consultation on the draft Code Amendment; and</p> <p>92.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.</p>		
cl8(2)	<p>92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>92.2 The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal</p>	CEO	
cl9(1)	<p>93. Requirements For a Draft Code Amendment</p> <p>93.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>93.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)</p> <p>93.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>93.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;</p> <p>93.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>93.1.5 an explanation of any infrastructure or services required to support development facilitated by the</p>	CEO	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.		
cl11(1)	<p>94. Complying Changes to the Code</p> <p>94.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department:</p> <p>94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p> <p>94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>	CEO	
cl12(1)	<p>95. Early Commencement of a Code Amendment</p> <p>95.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:</p>	COUNCIL	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:</p> <p>95.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and</p> <p>95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;</p> <p>95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>		
cl6(3)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.3 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether:</p> <p>90.3.1 the principles of the Charter have been achieved; and</p> <p>90.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).</p>	CEO	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(3)(b)	<p>96. Responsibility to Undertake Notification</p> <p>96.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority’s reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.</p>	CEO	

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl2(2)	<p>97. Mandatory Inspections</p> <p>97.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:</p> <p>97.1.1 primary structural elements;</p> <p>97.1.2 structural framing and roof trusses;</p> <p>97.1.3 wet areas and waterproofing;</p> <p>97.1.4 barriers to prevent falls;</p> <p>97.1.5 cladding;</p> <p>97.1.6 egress provisions;</p> <p>97.1.7 bushfire protection systems;</p>	CEO, BLB, SDOB, DOB	

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	97.1.8 passive and active fire safety elements; 97.1.9 private bushfire shelters; and 97.1.10 performance solutions.		
cl3(2)	98. Additional Inspections 98.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.	CEO, BLB, SDOB, DOB	
cl4(3)	99. Inspections Generally 99.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.	CEO, BLB, SDOB, DOB	
cl1(2)	100. General Requirements 100.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(2)	<p>101. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building</p> <p>101.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.</p>	CEO, Deputy CEO, MCD, BLB, AM, GMUS	

Urban Tree Canopy Off-set Scheme			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 9	<p>83. Use of Money from Fund</p> <p>83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose):</p> <p>83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>83.1.2 the purchase of land within a designated local government area to ensure:</p> <p>83.1.2.1 the preservation of trees; or</p> <p>83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>	CEO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 - Instrument B

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	COUNCIL	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</p>	COUNCIL	
s99(2)(b)(ii)	<p>2. Related Provisions</p> <p>2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s99(3)	<p>2. Related Provisions</p> <p>2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP,	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.	SDOB, DOP, DOB, AM, GMUS	
s102(1)	3. Matters Against Which Development Must be Assessed 3.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the relevant provisions of the Building Rules (building consent).	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s102(8)	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s118(1)	4. Building Consent 4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of	CEO, Deputy CEO, MCD, BLB, SDOB, DOB,	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of a Council as a Relevant Authority (Instrument B);**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.	AM, GMUS	
s118(2)	<p>4. Building Consent</p> <p>4.3 The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if:</p> <p>4.3.1 the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied:</p> <p>4.3.1.1 that:</p> <p>(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and</p> <p>(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>4.3.1.2 in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s118(4)	<p>4. Building Consent</p> <p>4.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s118(6)	<p>4. Building Consent</p> <p>4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s118(7)	<p>4. Building Consent</p> <p>4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s118(8)	<p>4. Building Consent</p> <p>4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act,</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	accept that proposed building work complies with the Building Rules to the extent that: 4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or 4.7.2 such compliance is certified by a building certifier.	AM, GMUS	
s118(10)	4. Building Consent 4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s118(11)	4. Building Consent 4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document): 4.9.1 the variance; and 4.9.2 the grounds on which the decision is being made.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s119(1)(b)	5. Application and Provision of Information 5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to	CEO, Deputy CEO, MCD, BLP, BLB, SDOP,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	SDOB, DOP, DOB, DSO, AM, GMUS	
s119(3)	5. Application and Provision of Information 5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant: 5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application; 5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act; 5.2.3 to consult with an authority or body prescribed by the regulations; 5.2.4 to comply with any other requirement prescribed by the regulations.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
s119(6)(b)	5. Application and Provision of Information 5.3 The power pursuant to Section 119(6)(b) of the PDI Act if a request is made under Section 119(3) of the PDI Act and the request is not complied with within the time specified by the Regulations, subject to Section 119(6)(b)(ii), to refuse the application.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s119(7)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.1 permit an applicant: 5.5.1.1 to vary an application; 5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS	
s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to:	CEO, Deputy CEO, MCD, BLP, BLB, SDOP,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	5.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	SDOB, DOP, DOB, DSO, AM, GMUS	
s119(10)	5. Application and Provision of Information 5.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
s119(12)	5. Application and Provision of Information 5.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, AM, GMUS	
s119(14)	5. Application and Provision of Information 5.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS	
s120(1)	6. Outline Consent	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.		
s120(3)	<p>6. Outline Consent</p> <p>6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>6.2.1 grant any consent contemplated by the outline consent; and</p> <p>6.2.2 not impose a requirement that is inconsistent with the outline consent.</p>	CEO	
s122(1)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>7.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p> <p>7.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s122(5)(b)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>7.2.1 to refuse the application; or</p> <p>7.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)</p> <p>where the regulations so provide.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s122(7)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</p>	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s122(10)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.</p>	CEO, Deputy CEO, MCD, BLB, AM, GMUS	
s124(1)	8. Proposed Development Involving Creation of Fortifications	CEO, Deputy CEO, MCD, BLP, BLB, SDOP,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	SDOB, DOP, DOB, AM, GMUS	
s124(5)	8. Proposed Development Involving Creation of Fortifications 8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: 8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application; 8.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s124(6)	8. Proposed Development Involving Creation of Fortifications 8.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s124(7)	8. Proposed Development Involving Creation of Fortifications 8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred	CEO, Deputy CEO, MCD, BLP, BLB, AM,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.	GMUS	
s126(1)	<p>9. Determination of Application</p> <p>9.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s126(3)	<p>9. Determination of Application</p> <p>9.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s127(1)	<p>10. Conditions</p> <p>10.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s127(2)(c)	<p>10. Conditions</p> <p>10.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	condition in accordance with an application under Part 7 of the PDI Act.	AM, GMUS	
s128(1) and (2)	<p>11. Variation of Authorisation</p> <p>11.1 The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variation of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).</p>	Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s128(2)(d)	<p>11. Variation of Authorisation</p> <p>11.2 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
s133(3)	<p>12. Saving Provisions</p> <p>12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s134(1)	<p>13. Requirement to Up-grade</p> <p>13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s134(1)	<p>13. Requirement to Up-grade</p> <p>13.2 The power pursuant to Section 134(1) of the PDI Act, if:</p> <p>13.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or</p> <p>13.2.1.2 a change of classification of a building; and</p> <p>13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,</p> <p>to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s134(2)	<p>13. Requirement to Up-grade</p> <p>13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s134(3)	<p>13. Requirement to Up-grade</p> <p>13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:</p> <p>13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>building consent; and</p> <p>13.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed</p>		
s134(4)	<p>13. Requirement to Up-grade</p> <p>13.5 The power pursuant to Section 134(4) of the PDI Act if:</p> <p>13.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and</p> <p>13.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,</p> <p>to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
s134(5)	<p>13. Requirement to Up-grade</p> <p>13.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:</p> <p>13.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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	<p>other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and</p> <p>13.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.</p>		
s135(2)(d)	<p>14. Urgent Building Work</p> <p>14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOP, SDOB, DOP, DOB, AM, GMUS, DOC	
s143(1)	<p>15. Cancellation of Development Authorisation</p> <p>15.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.</p>	CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS	
s143(2)	<p>15. Cancellation of Development Authorisation</p> <p>15.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.</p>	CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS	
s235(1)	16. Professional Advice to be Obtained in Relation to Certain Matters	CEO, Deputy CEO, MCD, BLB, SDOB, DOB,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	16.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	AM, GMUS	
s235(2)	16. Professional Advice to be Obtained in Relation to Certain Matters 16.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
cl18(2) sch8	17. Continuation of Processes 17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to: 17.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 17.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and 17.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	17.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.		

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r25(7)(c)	18. Accredited Professionals 18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.1 determine the nature of the development; and</p>	DOB, DSO, AM, GMUS	
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.2 if the application is for planning consent - determine:</p> <p>19.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>	CEO	
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>19.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>19.1.4.2 confirm the prescribed fees required to be paid at that point ; and</p> <p>19.1.4.3 provide an appropriate notice via the SA planning portal; and</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS</p>	
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>19.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>any practice direction; and</p> <p>19.1.5.2 provide an appropriate notice via the SA planning portal.</p>		
r35(3)	<p>20. Amended Applications</p> <p>20.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS</p>	
r35(4)	<p>20. Amended Applications</p> <p>20.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS</p>	
r38(1)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>21.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r38(2)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
r38(3)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to:</p> <p>21.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>21.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
r40	<p>22. Court Proceedings</p> <p>22.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</p>	CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS	
r42(1)	<p>23. Additional Information or Amended Plans</p> <p>23.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	report obtained as part of the referral process, to repeat the referral process.		
r45(1)	<p>24. Building Matters</p> <p>24.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that:</p> <p>24.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or</p> <p>24.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or</p> <p>24.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,</p> <p>refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r45(2)	<p>24. Building Matters</p> <p>24.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r45(3)	<p>24. Building Matters</p> <p>24.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to</p>	CEO, Deputy CEO, MCD, BLB, SDOB,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any report received from a fire authority under Regulation 45 of the General Regulations.	DOB, AM, GMUS	
r45(4)	<p>24. Building Matters</p> <p>24.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:</p> <p>24.4.1 recommends against the granting of building consent; or</p> <p>24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate:</p> <p>24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,</p> <p>to:</p> <p>24.4.5 refer the application to the Commission; and</p> <p>24.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r45(5)	<p>24. Building Matters</p> <p>24.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the PDI Act.		
r57(4)(a)	<p>25. Notice of Decision (Section 126(1))</p> <p>25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
r60	<p>26. Consideration of Other Development Authorisations</p> <p>26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, AM, GMUS	
r61(4)(c)	<p>27. Certificate of Independent Technical Expert in Certain Cases</p> <p>27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.</p>	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r63(1)	<p>28. Urgent Work</p> <p>28.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.		
r63(2)	28. Urgent Work 28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC	
r63(3)	28. Urgent Work 28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC	
r65(1)(a)	29. Variation of Authorisation (Section 128) 29.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.	CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS	
r99(4)	30. Construction Industry Training Fund 30.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing	CEO, Deputy CEO, MCD, BLB, SDOB,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.</p>	<p>DOB, AM, GMUS</p>	
<p>r99(5)</p>	<p>30. Construction Industry Training Fund</p> <p>30.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed.</p>	<p>CEO, Deputy CEO, MCD, BLB, SDOB, DOB, AM, GMUS</p>	
<p>cl4(3) sch8</p>	<p>31. Plans for Building Work</p> <p>31.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if:</p> <p>31.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or</p> <p>31.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOB, DOB, DSO, AM, GMUS</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	those requirements as will ensure that the building is safe and conforms to a proper structural standard.		

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>32. Calculation or Assessment of Fees</p> <p>32.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):</p> <p>32.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>32.1.2 to make any other determination for the purposes of the Fees Regulations a related set of regulations or a fee notice (even if the Council is not a relevant authority)</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	
r5(2)	<p>32. Calculation or Assessment of Fees</p> <p>32.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
5(3)	<p>32. Calculation or Assessment of Fees</p> <p>32.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, SDOP, SDOB, DOP, DOB, DSO, AM, GMUS</p>	
r7	<p>33. Waiver or Refund of Fee</p> <p>33.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>33.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>33.1.2 refund the whole or a part of the fee.</p>	<p>CEO, Deputy CEO, MCD, BLP, BLB, AM, GMUS</p>	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 - Instrument C

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	CAP	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</p>	CAP	
s85(1)	<p>2. Appointment of Additional Members</p> <p>2.1 The power pursuant to Section 85(1) of the PDI Act to appoint 1 or 2 members to act as additional members of the assessment panel for the purposes of dealing with a matter that the assessment panel</p>	CAP	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	must assess as a relevant authority under the PDI Act.		
s94(3)(a)	<p>3. Relevant Authority – Commission</p> <p>3.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, AM, GMUS	
s99(1)	<p>4. Relevant Provisions</p> <p>4.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:</p> <p>4.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or</p> <p>4.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.</p>	CAP	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of,</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM,	The delegation of the power to grant or refuse planning consent or refuse planning consent pursuant to Section 102(1)(a) of the Act is limited to

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.1 -</p> <p>5.1.1.1 the relevant provisions of the Planning Rules; and</p> <p>5.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development,</p> <p>(planning consent);</p>	<p>GMUS</p>	<p>applications in relation to which:</p> <p>1. Planning consent is not sought for one or more of:</p> <p>1.1 within the Historic Area Overlay:</p> <p>1.1.1 demolition of a building (except an outbuilding); or</p> <p>1.1.2 one or more new dwellings; or</p> <p>1.1.3 land division creating one or more additional allotments; or</p> <p>1.2 residential development of three or more storeys above finished ground level; or</p> <p>1.3 mixed use development involving residential development, of three or more storeys above finished ground level; and</p> <p>2. One or more of the following are satisfied:</p> <p>a. no valid representations are received; or</p> <p>b. all valid representations are withdrawn; or</p> <p>c. no representor who has lodged a valid representation wishes to be heard.</p> <p>[The below only applies to the AM and CEO]</p>

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>except in cases where:</p> <p>A. a deemed consent notice has been served on the CAP; or</p> <p>B. the applicant has not agreed to extend the statutory timeframe within which the CAP must determine the application pursuant to Regulation 53 of the Regulations, and that timeframe will expire before the next meeting of the CAP is scheduled to occur,</p> <p>in which cases the limitation does not apply, and the delegates are delegated the power pursuant to Section 102(1)(a)(i) of the PDI Act to grant or refuse consent in respect of the relevant provisions of the Planning Rules without limitation.</p>
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.2 the relevant provisions of the Building Rules (building consent);</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>5.1.3.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>5.1.3.3 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>5.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>5.1.3.5 requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	<p>The delegation of the power to grant or refuse planning consent or refuse planning consent pursuant to Section 102(1)(ca) of the Act is limited to applications in relation to which:</p> <p>1. Planning consent is not sought for one or more of:</p> <p>1.1 within the Historic Area Overlay:</p> <p>1.1.1 demolition of a building (except an outbuilding); or</p> <p>1.1.2 one or more new dwellings; or</p> <p>1.1.3 land division creating one or more additional allotments; or</p> <p>1.2 residential development of three or more storeys above finished ground level; or</p> <p>1.3 mixed use development involving residential development, of three or more storeys above finished ground level; and</p> <p>2. One or more of the following are satisfied:</p> <p>a. no valid representations are received; or</p> <p>b. all valid representations are withdrawn; or</p> <p>c. no representor who has lodged a valid representation</p>

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>wishes to be heard.</p> <p>[The below only applies to the AM and CEO]</p> <p>except in cases where:</p> <p>A. a deemed consent notice has been served on the CAP; or</p> <p>B. the applicant has not agreed to extend the statutory timeframe within which the CAP must determine the application pursuant to Regulation 53 of the Regulations, and that timeframe will expire before the next meeting of the CAP is scheduled to occur, in which cases the limitation does not apply, and the delegates are delegated the power pursuant to Section 102(1)(a)(i) of the PDI Act to grant or refuse consent in respect of the relevant provisions of the Planning Rules without limitation.</p>
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	<p>The delegation of the power to grant or refuse planning consent or refuse planning consent pursuant to Section 102(1)(ca) of the Act is limited to applications in relation to which:</p>

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>particular development):</p> <p>5.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>5.1.4.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>5.1.4.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>5.1.4.3 any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p> <p>5.1.4.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>5.1.4.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;</p> <p>5.1.4.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;</p> <p>5.1.4.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the</p>		<p>1. Planning consent is not sought for one or more of:</p> <p>1.1 within the Historic Area Overlay:</p> <p>1.1.1 demolition of a building (except an outbuilding); or</p> <p>1.1.2 one or more new dwellings; or</p> <p>1.1.3 land division creating one or more additional allotments; or</p> <p>1.2 residential development of three or more storeys above finished ground level; or</p> <p>1.3 mixed use development involving residential development, of three or more storeys above finished ground level; and</p> <p>2. One or more of the following are satisfied:</p> <p>a. no valid representations are received; or</p> <p>b. all valid representations are withdrawn; or</p> <p>c. no representor who has lodged a valid representation wishes to be heard.</p> <p>[The below only applies to the AM and CEO]</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>provision of water supply and sewerage services are satisfied;</p> <p>5.1.4.8 any building situated on the land complies with the Building Rules;</p> <p>5.1.4.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;</p>		<p>except in cases where:</p> <p>A. a deemed consent notice has been served on the CAP; or</p> <p>B. the applicant has not agreed to extend the statutory timeframe within which the CAP must determine the application pursuant to Regulation 53 of the Regulations, and that timeframe will expire before the next meeting of the CAP is scheduled to occur,</p> <p>in which cases the limitation does not apply, and the delegates are delegated the power pursuant to Section 102(1)(a)(i) of the PDI Act to grant or refuse consent in respect of the relevant provisions of the Planning Rules without limitation.</p>
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.5 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.6 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.7 such other matters as may be prescribed.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s102(3)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, reserve the delegate's decision on a specified matter or reserve the delegate's decision to grant a planning consent:</p> <p>5.2.1 until further assessment of the relevant development under the</p>	<p>CEO, Deputy CEO, MCD, BLP, AM, GMUS</p>	

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	<p>PDI Act; or</p> <p>5.2.2 until further assessment or consideration of the proposed development under another Act; or</p> <p>5.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.</p>		
s102(4)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.3 The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of Section 102(4) of the PDI Act to be reserved on the application of the applicant.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s107(2)(c)	<p>6. Performance Assessed Development</p> <p>6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s107(3)	<p>6. Performance Assessed Development</p> <p>6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.</p>	CEO, AM	

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s107(4)	<p>6. Performance Assessed Development</p> <p>6.3 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s118(1)	<p>7. Building Consent</p> <p>7.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).</p>	<p>CEO, AM</p>	
s118(2)(a)	<p>7. Building Consent</p> <p>7.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.</p>	<p>CEO, AM</p>	
s118(2)	<p>7. Building Consent</p> <p>7.3 The power pursuant to Section 118(2) of the PDI Act, subject to</p>	<p>CEO, AM</p>	

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	<p>Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if:</p> <p>7.3.1 the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied:</p> <p>7.3.1.1 that:</p> <p>(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and</p> <p>(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>7.3.1.2 in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.</p>		
s118(4)	<p>7. Building Consent</p> <p>7.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it</p>	CEO, AM	

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	complies with the performance requirements of the Building Code or a Ministerial building standard.		
s118(6)	<p>7. Building Consent</p> <p>7.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.</p>	CEO, AM	
s118(7)	<p>7. Building Consent</p> <p>7.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.</p>	CEO, AM	
s118(8)	<p>7. Building Consent</p> <p>7.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the</p>	CEO, AM	

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	Building Rules to the extent that: 7.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or 7.7.2 such compliance is certified by a building certifier.		
s118(10)	7. Building Consent 7.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification	CEO, AM	
s118(11)	7. Building Consent 7.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document): 7.9.1 the variance; and 7.9.2 the grounds on which the decision is being made.	CEO, AM	

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s119(1)(b)	<p>8. Application and Provision of Information</p> <p>8.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
s119(3)	<p>8. Application and Provision of Information</p> <p>8.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>8.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</p> <p>8.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>8.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>8.2.4 to comply with any other requirement prescribed by the regulations.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
s119(6)	<p>8. Application and Provision of Information</p> <p>8.3 The power pursuant to Section 119(6) of the PDI Act if a request</p>	<p>CEO, Deputy CEO, MCD, BLP,</p>	

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	<p>is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to</p> <p>8.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and</p> <p>8.3.2 refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).</p>	<p>SDOP, DOP, AM, GMUS</p>	
s119(7)	<p>8. Application and Provision of Information</p> <p>8.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.1 permit an applicant:</p> <p>8.5.1.1 to vary an application;</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.1 permit an applicant:</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	

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	8.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);		
s119(9)	8. Application and Provision of Information 8.5 The power pursuant to Section 119(9) of the PDI Act to: 8.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
s119(9)	8. Application and Provision of Information 8.5 The power pursuant to Section 119(9) of the PDI Act to: 8.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s119(9)	8. Application and Provision of Information 8.5 The power pursuant to Section 119(9) of the PDI Act to: 8.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

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	given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.		
s119(10)	8. Application and Provision of Information 8.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
s119(12)	8. Application and Provision of Information 8.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	CEO, Deputy CEO, MCD, BLP, SDOP, AM, GMUS	
s119(14)	8. Application and Provision of Information 8.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s120(1)	9. Outline Consent 9.1 The power pursuant to Section 120(1) of the PDI Act and subject	CEO, Deputy CEO, MCD, BLP,	BLP: The delegation of the power to grant an outline consent

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	to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	AM, GMUS	<p>pursuant to Section 120(1) of the Act is limited to applications in relation to which:</p> <ol style="list-style-type: none"> 1. Consent is not sought for one or more of: <ol style="list-style-type: none"> 1.1 within the Historic Area Overlay: <ol style="list-style-type: none"> 1.1.1 demolition of a building (except an outbuilding); or 1.1.2 one or more new dwellings; or 1.1.3 land division creating one or more additional allotments; or 1.2 residential development of three or more storeys above finished ground level; or 1.3 mixed use development involving residential development, of three or more storeys above finished ground level; and 2. One or more of the following are satisfied: <ol style="list-style-type: none"> a. no valid representations are received; or b. all valid representations are withdrawn; or c. no representor who has lodged a valid representation wishes to be heard.

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s120(3)	<p>9. Outline Consent</p> <p>9.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>9.2.1 grant any consent contemplated by the outline consent; and</p> <p>9.2.2 not impose a requirement that is inconsistent with the outline consent.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, AM, GMUS</p>	
s121(7)	<p>10. Design Review</p> <p>10.1 The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, AM, GMUS</p>	
s122(1)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>11.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>11.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made</p> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>		
s122(5)(b)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>11.2.1 to refuse the application; or</p> <p>11.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)</p> <p>where the regulations so provide.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s122(7)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	

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s122(10)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s123(2)	<p>12. Preliminary Advice and Agreement</p> <p>12.1 The power pursuant to Section 123(2) of the PDI Act, if:</p> <p>12.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and</p> <p>12.1.2 the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and</p> <p>12.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),</p> <p>to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	

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	plans and other documentation).		
s123(4)	<p>12. Preliminary Advice and Agreement</p> <p>12.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s124(1)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s124(5)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:</p> <p>13.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or</p> <p>13.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

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	creation of the fortifications		
s124(6)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s124(7)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s125(6)	<p>14. Time Within Which Decision Must be Made</p> <p>14.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.</p>	CEO, Deputy CEO, MCD, AM, GMUS	<p>The delegation of the power to apply to the Court for an order quashing the consent pursuant to Section 125(6) of the Act is limited to situations in which the time within which the application must be commenced will expire before the next scheduled meeting of the CAP.</p>

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s125(7)	<p>14. Time Within Which Decision Must be Made</p> <p>14.2 The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s126(1)	<p>15. Determination of Application</p> <p>15.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s126(3)	<p>15. Determination of Application</p> <p>15.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s127(1)	<p>16. Conditions</p> <p>16.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

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s127(2)(c)	<p>16. Conditions</p> <p>16.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s127(4)	<p>16. Conditions</p> <p>16.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s127(6)	<p>16. Conditions</p> <p>16.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s127(8)(b)	<p>16. Conditions</p> <p>16.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</p> <p>16.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</p> <p>16.5.2 to seek the Minister’s concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
s128(1) and (2)	<p>17. Variation of Authorisation</p> <p>17.1 The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variations of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).</p>	<p>Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS</p>	
s128(2)(d)	<p>17. Variation of Authorisation</p> <p>17.2 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s134(1)	18. Requirement to Up-grade 18.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.	CEO, Deputy CEO, MCD, AM, GMUS	
s134(1)	18. Requirement to Up-grade 18.2 The power pursuant to Section 134(1) of the PDI Act, if: 18.2.1 an application for a building consent relates to: 18.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or 18.2.1.2 a change of classification of a building; and 18.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	CEO, Deputy CEO, MCD, AM, GMUS	
s134(2)	18. Requirement to Up-grade 18.3 The power pursuant to Section 134(2) of the PDI Act, when	CEO, Deputy CEO, MCD, AM,	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.</p>	GMUS	
s134(3)	<p>18. Requirement to Up-grade</p> <p>18.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:</p> <p>18.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and</p> <p>18.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s134(4)	<p>18. Requirement to Up-grade</p> <p>18.5 The power pursuant to Section 134(4) of the PDI Act if:</p> <p>18.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and</p> <p>18.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,</p> <p>to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).</p>		
s134(5)	<p>18. Requirement to Up-grade</p> <p>18.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:</p> <p>18.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and</p> <p>18.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s135(2)(d)	<p>19. Urgent Building Work</p> <p>19.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS,	

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 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any direction.	SDOP, SDOB, DOP, DOB, AM, GMUS, DOC	
s143(1)	20. Cancellation of Development Authorisation 20.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s143(2)	20. Cancellation of Development Authorisation 20.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s235(1)	21. Professional Advice to be Obtained in Relation to Certain Matters 21.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	CEO, Deputy CEO, MCD, AM, GMUS	
s235(2)	21. Professional Advice to be Obtained in Relation to Certain Matters 21.2 The power pursuant to Section 235(2) of the PDI Act to seek	CEO, Deputy CEO, MCD, AM,	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	GMUS	
cl12(7) sch8	<p>22. General Transitional Schemes for Panels</p> <p>22.1 The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to</p> <p>22.1.1 adopt any findings or determinations of a council development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and</p> <p>22.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and</p> <p>22.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>22.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and</p> <p>22.1.5 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.</p> <p>(Only applicable to assessment panels appointed by a council or a</p>	CAP	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	joint planning board)		
cl13(5) sch8	<p>23. Regional Assessment Panels</p> <p>23.1 The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:</p> <p>23.1.1 adopt any findings or determinations of a council development assessment panel or a regional development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and</p> <p>23.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and</p> <p>23.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>23.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and</p> <p>23.1.5 deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.</p> <p>(Relevant to regional assessment panels only)</p>	CAP	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Panel (Instrument C)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl18(2) sch8	<p>24. Continuation of Processes</p> <p>24.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>24.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>24.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>24.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>24.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>24.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 3(6)(b)	<p>25. Interpretation</p> <p>25.1 The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r25(7)(c)	<p>26. Accredited Professionals</p> <p>26.1 The power pursuant to Regulation 25(7)(c) of the General Regulations to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.1 determine the nature of the development; and</p> <p>27.1.2 if the application is for planning consent - determine:</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>27.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>27.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p> <p>27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p> <p>27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>27.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>27.1.4.2 confirm the prescribed fees required to be paid at that point; and</p> <p>27.1.4.3 provide an appropriate notice via the SA planning portal; and</p> <p>27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>27.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>27.1.5.2 provide an appropriate notice via the SA planning portal.</p>		
r31(1)	27. Verification of Application	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.2 if the application is for planning consent - determine:</p> <p>27.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>27.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>	AM, GMUS	
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>27.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>27.1.4.2 confirm the prescribed fees required to be paid at that point; and</p> <p>27.1.4.3 provide an appropriate notice via the SA planning portal; and</p>		
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>27.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>26.1.5.2 provide an appropriate notice via the SA planning portal.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r 32A(1)	28. Site Contamination – Detailed Site Investigation Report	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>28.1 The power pursuant to Regulation 32A(1) of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:</p> <p>28.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and</p> <p>28.1.2 the delegate considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to:</p> <p>28.1.2.1 site contamination; and</p> <p>28.1.2.2 if remediation is required, the extent of that remediation; and</p> <p>28.1.3 the application is not required to be referred to the Environment Protection Authority under Item 9A or 9AB of the table in Schedule 9 clause 3.</p>	AM, GMUS	
r 32A(2)	<p>28. Site Contamination – Detailed Site Investigation Report</p> <p>28.2 The power pursuant to Regulation 32A(2) of the General Regulations to require that a detailed site investigation report be prepared by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r 32B	<p>29. Site Contamination – Statement of Suitability</p> <p>29.1 The power pursuant to Regulation 32B of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority issues a planning consent in relation to the application.		
r33(4)	<p>30. Application and Further Information</p> <p>30.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r35(3)	<p>31. Amended Applications</p> <p>31.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r35(4)	<p>31. Amended Applications</p> <p>31.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r38(1)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.1 The power pursuant to Regulation 38(1) of the General Regulations if an application</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>32.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>32.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations,</p> <p>of the withdrawal.</p>	AM, GMUS	
r38(2)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r38(3)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:</p> <p>32.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>32.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r40	<p>33. Court Proceedings</p> <p>33.1 The power pursuant to Regulation 40 of the General Regulations to, subject to</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</p>		
r42(1)	<p>34. Additional Information or Amended Plans</p> <p>34.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
r45(1)	<p>35. Building Matters</p> <p>35.1 The power pursuant to Regulation 45(1) of the General Regulations to, if in assessing an application for building consent, the delegate considers that:</p> <p>35.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or</p> <p>35.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or</p> <p>35.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,</p> <p>refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the delegate that a referral is not required.</p>	<p>CEO, Deputy CEO, MCD, AM, GMUS</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r45(2)	<p>35. Building Matters</p> <p>35.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r45(3)	<p>35. Building Matters</p> <p>35.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r45(4)	<p>35. Building Matters</p> <p>35.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:</p> <p>35.4.1 recommends against the granting of building consent; or</p> <p>35.4.2 concurs in the granting of consent on conditions specified in its report,</p> <p>but the delegate:</p> <p>35.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>35.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>consent,</p> <p>to:</p> <p>35.4.5 refer the application to the Commission; and</p> <p>35.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>		
r45(5)	<p>35. Building Matters</p> <p>35.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r46(6)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>36.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</p> <p>36.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,</p> <p>to refer the application (unless withdrawn) to the prescribed body:</p> <p>36.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>36.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(7)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>36.2.1 an application is withdrawn by the applicant; and</p> <p>36.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify relevant prescribed body of the withdrawal.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
r46(8)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.3 The power pursuant to Regulation 46(8) of the General Regulations, if:</p> <p>36.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</p> <p>36.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify the relevant prescribed body of the lapsing.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
r46(9)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</p> <p>36.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>36.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.		
r48	<p>37. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>37.1 The power pursuant to Regulation 48 of the General Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:</p> <p>37.1.1 give the owner notice of the application within 5 business days after the application is made; and</p> <p>37.1.2 give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r49(3)	<p>38. Public Inspection of Applications</p> <p>38.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOP, SDOB, DA, DOP, DOB, DSO, AM, GMUS, DOC	
r50(5)	<p>39. Representations</p> <p>39.1 The power pursuant to Regulation 50(5) of the General Regulations to, if the delegate considers that it would assist the delegate in making a decision on the application, allow a person:</p> <p>39.1.1 who has made a representation under Regulation 50(1) of the General</p>	CAP	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Regulations in relation to development being assessed under Section 107 of the PDI Act; and</p> <p>39.1.2 who has indicated an interest in appearing before the delegate, an opportunity (at a time determined by the delegate) to appear personally or by representative before the delegate to be heard in support of the representation that has been made under Regulation 50(1) of the General Regulations.</p>		
r51(1)	<p>40. Response by Applicant</p> <p>40.1 The power pursuant to Regulation 51(1) of the General Regulations to allow a response to a representation by the applicant to be made within such longer period as the delegate may allow.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r57(4)(a)	<p>41. Notice of Decision (Section 126(1))</p> <p>41.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r60	<p>42. Consideration of Other Development Authorisations</p> <p>42.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r61(4)(c)	<p>43. Certificate of Independent Technical Expert in Certain Cases</p> <p>43.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r63(1)	<p>44. Urgent Work</p> <p>44.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>44.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>44.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r63(2)	<p>44. Urgent Work</p> <p>44.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC	
r63(3)	<p>44. Urgent Work</p> <p>44.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r65(1)(a)	<p>45. Variation of Authorisation (Section 128)</p> <p>45.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r76(2)	<p>46. Advice from Commission</p> <p>46.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r78(3)	<p>47. Underground Mains Area</p> <p>47.1 The power pursuant to Regulation 78(3) of the General Regulations, if an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant authority), to require, as a condition on its decision on the application, that any electricity mains be placed underground.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r99(4)	48. Construction Industry Training Fund	CEO, Deputy CEO, MCD,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>48.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.</p>	AM, GMUS	
r99(5)	<p>48. Construction Industry Training Fund</p> <p>48.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification is given under Regulation 99(4) of the General Regulations, if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification, to, if the delegate thinks fit, determine that the application has lapsed.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
cl 2(1)(b)	<p>49. New Dwellings</p> <p>49.1 The power pursuant to clause 2(1)(b) of Schedule 6B of the General Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than a previous use or activity that was for residential purposes.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
cl4(3)	<p>50. Plans for Building Work</p> <p>50.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>an alteration to a building, if:</p> <p>50.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or</p> <p>50.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,</p> <p>to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.</p>		

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>51. Calculation or Assessment of Fees</p> <p>51.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</p> <p>51.1.1 to require the applicant to provide such information as the delegate may reasonably</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	require to calculate a prescribed fee; and 51.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations or a fee notice (even if the assessment panel is not a relevant authority).		
r5(2)	51. Calculation or Assessment of Fees 51.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r5(3)	51. Calculation or Assessment of Fees 51.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	54. Administrative Terms and Definition 54.1 The power pursuant to and in accordance with Part 8 of the PD Code to for the purposes of	Deputy CEO, MCD, BLP, SDOP, CAP,	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Table 5 – Procedural Matters (PM) – Notification and the definition of ‘Excluded Building’, form the opinion that:</p> <p>54.1.1 the building, structure or landscape feature (or part thereof) does not contribute to the building or features of identified heritage value within the State Heritage Area;</p> <p>54.1.2 the building (or part thereof) does not demonstrate the historic characteristics as expressed in the Historic Area Statement.</p>	DOP, AM, GMUS	
PD Code	<p>52 Procedural Matter</p> <p>52.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	<p>52. Procedural Matter</p> <p>52.2 The power pursuant to and in accordance with the PD Code to determine that the variation to one or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.</p>	Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>53. Procedural Referrals</p> <p>53.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the referral.		
PD Code	<p>53. Procedural Referrals</p> <p>53.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:</p> <p>53.2.1 alteration to an existing access or public road junction;</p> <p>53.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	<p>53. Procedural Referrals</p> <p>53.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	<p>53. Procedural Referrals</p> <p>53.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	<p>53. Procedural Referrals</p> <p>53.5 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	53. Procedural Referrals 53.6 The power pursuant to and in accordance with the PD Code to form the opinion alterations to an existing access or public road junction are minor.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	53. Procedural Referrals 53.7 The power pursuant to and in accordance with the PD Code to form the opinion development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access is minor.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	55. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001 55.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
PD Code	53. Procedural Referrals 53.9 The power pursuant to and in accordance with the PD Code to form the opinion development materially affects the context within which the State Heritage Place is situated.	Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	53. Procedural Referrals 53.8 The power pursuant to and in accordance with the PD Code to form the opinion the variation to an application is minor in nature or would not warrant a referral when considering the purpose of the referral.	Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(4)	<p>56. Responsibility to Undertake Notification</p> <p>56.1 The power pursuant to clause 6(4) of the State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019 (PD3), should the applicant request the relevant authority to place the notice on the land and pay the relevant fee, to (either personally or by engagement of a contractor) give notice of the application to members of the public by notice placed on the relevant land in accordance with Section 107(3)(a)(ii) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
cl8	<p>57. Preparing for Notification</p> <p>57.1 The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:</p> <p>57.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and</p> <p>57.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land; and</p> <p>57.1.3 advise the applicant of the position and number of notice(s) to be erected on the land in accordance with clause 10 of PD3.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
cl10(1)(a)	<p>58. Notice on Land</p> <p>58.1 The power pursuant to clause 10(2) of PD3, in relation to clause 10(1)(a) of PD3, to determine the most appropriate position for the notice on the land in order to provide for</p>	CEO, Deputy CEO, MCD, MCO, BLP, SDOP, DOP, DSO,	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>maximum visibility from a public road, and in cases where the relevant land has more than 1 frontage to a public road, to determine that more than 1 notice must be erected on each of the public road frontages to ensure that notice of the development is reasonably apparent to members of the public.</p>	AM, CW, GMUS	

State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl4(6)	<p>59. Qualifications and Experience of Additional members</p> <p>59.1 The power pursuant to clause 4(6) of the State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019 (PD5) where the delegate forms the view that additional expert advice is required for an application which requires assessment of a matter listed in Column 1 of PD5, to engage an additional assessment panel member provided that person maintains both the minimum experience detailed in Column 2 of PD5, as well as the minimum qualification listed in Column 3 of PD5.</p>	CAP	
cl4(7)	<p>59. Qualifications and Experience of Additional members</p> <p>59.2 The power pursuant to clause 4(7) of PD5 to be satisfied of the minimum experience and qualifications of an additional assessment panel member.</p>	CAP	

State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>60. Scheme Provisions</p> <p>60.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019 (PD6), to in undertaking a planning assessment or imposing controls, including through the imposition of conditions of planning consent, ensure that such assessment or controls do not conflict or duplicate matters dealt with or addressed under licencing or regulatory regimens under another Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
cl5(3)	<p>60. Scheme Provisions</p> <p>60.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	<p>61. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>61.1 The power pursuant to clause 12 of the State Planning Commission Practice Direction (Site Contamination Assessment) 2021 (PD14) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant.		
cl 13	<p>62. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>62.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:</p> <p>A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(2)	<p>63. Reserved Matter</p> <p>63.1 The power pursuant to clause 6(2) of State Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme (PD16) to where an applicant has elected to</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM,	

Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>reserve consideration of the DTS/DPF Policy in the Overlay, as provided for in the Code and under Section 102(4) of the PDI Act, to require the applicant to provide documents which are considered by the delegate as sufficient to confirm whether the relevant development site includes a Designated Soil Type.</p>	GMUS	
cl 7	<p>64. Process for Payments to the Fund</p> <p>64.1 The power pursuant to clause 7 of PD16 where an applicant has elected to make a payment into the Fund, in lieu of planting a tree (or trees) as provided in the DTS/DPF Policy in the Overlay, to verify the payment as being correct in accordance with the Scheme, prior to the granting of development authorisation under the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
cl 8(3)	<p>65. Development within Council Fund Designated Areas</p> <p>65.1 The power pursuant to clause 8(3) of PD16, where a development application relates to a site which is located both within a Council Fund Designated Area and within the Overlay to impose a condition requiring payment into a Council Fund, irrespective of an election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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Urban Tree Canopy Off-set Scheme			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>66. Payment into Fund</p> <p>66.1 The power pursuant to clause 6(4) of the Urban Tree Canopy Off-set Scheme (UTCOS) where an applicant has elected to make a contribution to the fund under this scheme to impose a condition on the relevant development authorisation for planning consent requiring that payment of the amount specified in clause 6(1) of the UTCOS be made into the fund before the issue of development approval for the subject development application.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS</p>	
cl 9	<p>67. Use of Money from Fund</p> <p>67.1 The power pursuant to clause 9 of the UTCOS to use money distributed from the fund for any of the following purposes (and for no other purpose):</p> <p>67.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>67.1.2 the purchase of land within a designated local government area to ensure:</p> <p>67.1.2.1 the preservation of trees; or</p> <p>67.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>	<p>CEO</p>	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016 - Instrument D

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	Not Delegated	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</p>	Not Delegated	
s94(3)(a)	<p>2. Relevant Authority – Commission</p> <p>2.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, GMUS	
s99(1)	3. Relevant Provisions	Not Delegated	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Manager (Instrument D)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:</p> <p>3.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or</p> <p>3.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.</p>		
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.1 -</p> <p>4.1.1.1 the relevant provisions of the Planning Rules; and</p> <p>4.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development,</p> <p>(planning consent);</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Manager (Instrument D)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>as they are relevant to the particular development):</p> <p>4.1.2 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>4.1.2.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>4.1.2.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>4.1.2.3 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>4.1.2.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>4.1.2.5 requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;</p>		
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.3 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Manager (Instrument D)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>4.1.3.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>4.1.3.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>4.1.3.3 any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p> <p>4.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>4.1.3.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;</p> <p>4.1.3.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;</p> <p>4.1.3.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>4.1.3.8 any building situated on the land complies with the Building Rules;</p> <p>4.1.3.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;</p>		
s102(1)	4. Matters Against Which Development Must Be Assessed	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP,	

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	<p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.4 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p>	AM, GMUS	
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.5 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.6 such other matters as may be prescribed.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s102(3)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a</p>	CEO, Deputy CEO, MCD, BLP, CAP, AM, GMUS	

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	<p>planning consent, on the delegate’s own initiative or on application, reserve the delegate’s decision on a specified matter or reserve the delegate’s decision to grant a planning consent:</p> <p>4.2.1 until further assessment of the relevant development under the PDI Act; or</p> <p>4.2.2 until further assessment or consideration of the proposed development under another Act; or</p> <p>4.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.</p>		
s102(4)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.3 The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of Section 102(4) of the PDI Act to be reserved on the application of the applicant.</p>	CEO, Deputy CEO, MCD, BLP, CAP, AM, GMUS	
s106(2)	<p>5. Deemed-to-satisfy Assessment</p> <p>5.1 The power pursuant to Section 106(2) of the PDI Act to form the opinion and be satisfied that development is deemed-to-satisfy development except for 1 or more minor variations and assess it as being deemed-to-satisfy.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s107(2)(c)	<p>6. Performance Assessed Development</p> <p>6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP,	

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	development is seriously at variance with the Planning and Design Code (disregarding minor variations).	AM, GMUS	
s107(3)	<p>6. Performance Assessed Development</p> <p>6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.</p> <p>6.2.1 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s119(1)(b)	<p>7. Application and Provision of Information</p> <p>7.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	
s119(3)	<p>7. Application and Provision of Information</p> <p>7.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>7.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	

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	7.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act; 7.2.3 to consult with an authority or body prescribed by the regulations; 7.2.4 to comply with any other requirement prescribed by the regulations.		
s119(6)	7. Application and Provision of Information 7.3 The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to 7.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and 7.3.2 refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
s119(7)	7. Application and Provision of Information 7.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	
s119(9)	7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.1 permit an applicant:	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	

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	7.5.1.1 to vary an application; 7.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);		
s119(9)	7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
s119(9)	7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s119(9)	7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

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	already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.		
s119(10)	7. Application and Provision of Information 7.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	
s119(12)	7. Application and Provision of Information 7.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, AM, GMUS	
s119(14)	7. Application and Provision of Information 7.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s120(1)	8. Outline Consent 8.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	CEO, Deputy CEO, MCD, BLP, CAP, AM, GMUS	

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s120(3)	<p>8. Outline Consent</p> <p>8.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>8.2.1 grant any consent contemplated by the outline consent; and</p> <p>8.2.2 not impose a requirement that is inconsistent with the outline consent.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, AM, GMUS	
s121(7)	<p>9. Design Review</p> <p>9.1 The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, AM, GMUS	
s122(1)	<p>10. Referrals to Other Authorities or Agencies</p> <p>10.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>10.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p> <p>10.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	

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	where the regulations so provide, subject to Section 122 of the PDI Act.		
s122(5)(b)	<p>10. Referrals to Other Authorities or Agencies</p> <p>10.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>10.2.1 to refuse the application; or</p> <p>10.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)</p> <p>where the regulations so provide.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s122(7)	<p>10. Referrals to Other Authorities or Agencies</p> <p>10.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s122(10)	<p>10. Referrals to Other Authorities or Agencies</p> <p>10.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

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s123(2)	<p>11. Preliminary Advice and Agreement</p> <p>11.1 The power pursuant to Section 123(2) of the PDI Act, if:</p> <p>11.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and</p> <p>11.1.2 the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and</p> <p>11.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),</p> <p>to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s123(4)	<p>11. Preliminary Advice and Agreement</p> <p>11.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s124(1)	12. Proposed Development Involving Creation of Fortifications	CEO, Deputy CEO, MCD,	

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	12.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	BLP, SDOP, CAP, DOP, AM, GMUS	
s124(5)	12. Proposed Development Involving Creation of Fortifications 12.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: 12.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or 12.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s124(6)	12. Proposed Development Involving Creation of Fortifications 12.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s124(7)	12. Proposed Development Involving Creation of Fortifications 12.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred	CEO, Deputy CEO, MCD, BLP, CAP, AM, GMUS	

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	to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal.		
s125(6)	<p>13. Time Within Which Decision Must be Made</p> <p>13.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s125(7)	<p>13. Time Within Which Decision Must be Made</p> <p>13.2 The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s126(1)	<p>14. Determination of Application</p> <p>14.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s126(3)	<p>14. Determination of Application</p> <p>14.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

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	Act.		
s127(1)	15. Conditions 15.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s127(2)(c)	15. Conditions 15.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s127(4)	15. Conditions 15.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s127(6)	15. Conditions 15.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP,	

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	applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.	AM, GMUS	
s127(8)(b)	<p>15. Conditions</p> <p>15.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</p> <p>15.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</p> <p>15.5.2 to seek the Minister’s concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s128(1) & (2)	<p>16. Variation of Authorisation</p> <p>16.1 The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variations of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
s128(2)(d)	<p>16. Variation of Authorisation</p> <p>16.2 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

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s135(2)	17. Urgent Building Work 17.1 The power pursuant to Section 135(2) of the PDI Act to issue any direction.	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOP, SDOB, DOP, DOB, AM, GMUS, DOC	
s143(1)	18. Cancellation of Development Authorisation 18.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s143(2)	18. Cancellation of Development Authorisation 18.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
s235(1)	19. Professional Advice to be Obtained in Relation to Certain Matters 19.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	CEO, Deputy CEO, MCD, AM, GMUS	
s235(2)	19. Professional Advice to be Obtained in Relation to Certain Matters 19.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that	CEO, Deputy CEO, MCD, AM, GMUS	

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	purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.		
cl18(2)	<p>20. Continuation of Processes</p> <p>20.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>20.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>20.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>20.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>20.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>20.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 3(6)(b)	<p>21. Interpretation</p> <p>21.1 The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure Regulations 2017 (the General Regulations) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r22(2)	<p>22. Prescribed Scheme (Section 93)</p> <p>22.1 The power pursuant to Regulation 22(2) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations), to, in connection with Regulation 22(1)(a)(ii) of the General Regulations act as a relevant authority for the purposes of:</p> <p>22.1.1 making a decision in accordance with a practice direction under Section 107(3)(a) of the PDI Act; and</p> <p>22.1.2 determining whether a proposed development the subject of an application falls within a specified class of development excluded from the operation of Section 107(3) and (4) of the PDI Act by the Planning and Design Code.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

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	<p>been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.1 determine the nature of the development; and</p>		
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.2 if the application is for planning consent - determine:</p> <p>23.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>23.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>23.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>23.1.4.2 confirm the prescribed fees required to be paid at that; and</p> <p>23.1.4.3 provide an appropriate notice via the SA planning portal; and</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>23.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>with any practice direction; and</p> <p>23.1.5.2 provide an appropriate notice via the SA planning portal.</p>		
r 32A(1)	<p>24. Site Contamination – Detailed Site Investigation Report</p> <p>24.1 The power pursuant to Regulation 32A(1) of the General Regulations to for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:</p> <p>24.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and</p> <p>24.1.2.1 site contamination; and</p> <p>24.1.2.2 if remediation is required, the extent of that remediation; and</p> <p>24.1.3 the application is not required to be referred to the Environment Protection Authority under item 9A or 9AB of the table in Schedule 9 clause 3.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	
r 32A(2)	<p>24. Site Contamination – Detailed Site Investigation Report</p> <p>24.2 The power pursuant to Regulation 32A(2) of the General Regulations to require that a detailed site investigation report be prepared by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 32B	<p>25. Site Contamination – Statement of Site Suitability</p> <p>25.1 The power pursuant to Regulation 32B of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority issues a planning consent in relation to the application.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	
r33(4)	<p>26. Application and Further Information</p> <p>26.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS	
r35(3)	<p>27. Amended Applications</p> <p>27.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r35(4)	<p>27. Amended Applications</p> <p>27.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r38(1)	<p>28. Withdrawing/Lapsing Applications</p> <p>28.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>28.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>28.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r38(2)	<p>28. Withdrawing/Lapsing Applications</p> <p>28.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	
r38(3)	<p>28. Withdrawing/Lapsing Applications</p> <p>28.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:</p> <p>28.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>28.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r40	<p>29. Court Proceedings</p> <p>29.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</p>	CEO, Deputy CEO, MCD, BLP, AM, GMUS	
r42(1)	<p>30. Additional Information or Amended Plans</p> <p>30.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r46(6)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>31.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</p> <p>31.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,</p> <p>to refer the application (unless withdrawn) to the prescribed body:</p> <p>31.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>31.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(7)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>31.2.1 an application is withdrawn by the applicant; and</p> <p>31.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify relevant prescribed body of the withdrawal.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
r46(8)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.3 The power pursuant to Regulation 46(8) of the General Regulations, if:</p> <p>31.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</p> <p>31.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify the relevant prescribed body of the lapsing.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	
r46(9)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</p> <p>31.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>31.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.		
r48	<p>32. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>32.1 The power pursuant to Regulation 48 of the General Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:</p> <p>32.1.1 give the owner notice of the application within 5 business days after the application is made; and</p> <p>32.1.2 give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r49(3)	<p>33. Public Inspection of Applications</p> <p>33.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOP, SDOB, DA, DOP, DOB, DSO, AM, GMUS, DOC	
r57(4)(a)	<p>34. Notice of Decision (Section 126(1))</p> <p>34.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r60	<p>35. Consideration of Other Development Authorisations</p> <p>35.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r61(4)(c)	<p>36. Certificate of Independent Technical Expert in Certain Cases</p> <p>36.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r63(1)	<p>37. Urgent Work</p> <p>37.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>37.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>37.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
r63(2)	<p>37. Urgent Work</p> <p>37.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOB,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	DOB, AM, GMUS, DOC	
r63(3)	<p>37. Urgent Work</p> <p>37.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	CEO, Deputy CEO, MCD, BLP, BLB, TLCDS, SDOB, DOB, AM, GMUS, DOC	
r65(1)(a)	<p>38. Variation of Authorisation (Section 128)</p> <p>38.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r76(2)	<p>39. Advice from Commission</p> <p>39.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
r78(3)	<p>40. Underground Mains Area</p> <p>40.1 The power pursuant to Regulation 78(3) of the General Regulations, if an</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant authority), to require, as a condition on its decision on the application, that any electricity mains be placed underground.</p>	AM, GMUS	
r99(4)	<p>41. Construction Industry Training Fund</p> <p>41.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.</p>	Not Delegated	
r99(5)	<p>41. Construction Industry Training Fund</p> <p>41.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed</p>	Not Delegated	
cl 2(1)(b)	<p>42. New Dwellings</p> <p>42.1 The power pursuant to clause 2(1)(b) of Schedule 6B of the General Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than a previous use or activity that was for residential purposes.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl4(3)	<p>43. Plans for Building Work</p> <p>43.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building, if:</p> <p>43.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or</p> <p>43.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.</p>	Not Delegated	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	44. Calculation or Assessment of Fees	CEO, Deputy CEO, MCD, BLP, SDOP,	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>44.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</p> <p>44.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>44.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations or a fee notice (even if the assessment manager is not a relevant authority).</p>	DOP, DSO, AM, GMUS	
r5(2)	<p>44. Calculation or Assessment of Fees</p> <p>44.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	
r5(3)	<p>44. Calculation or Assessment of Fees</p> <p>44.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, DOP, DSO, AM, GMUS	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>45. Procedural Matter</p> <p>45.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>45. Procedural Matter</p> <p>45.2 The power pursuant to and in accordance with the PD Code to determine that the variation to one or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.</p>	Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:</p> <p>46.2.1 alteration to an existing access or public road junction; or</p> <p>46.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	46. Procedural Matters: Referrals	CEO, Deputy CEO, MCD, BLP, SDOP,	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	46.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.	CAP, DOP, AM, GMUS	
PD Code	46. Procedural Matters: Referrals 46.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
Part 9.4 PD Code	48. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 201 48.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	46. Procedural Matters: Referrals 46.5 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	46. Procedural Matters: Referrals 46.6 The power pursuant to and in accordance with the PD Code to form the opinion alterations to an existing access or public road junction are minor.	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.8 The power pursuant to and in accordance with the PD Code to form the opinion the variation to an application is minor in nature or would not warrant a referral when considering the purpose of the referral.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.9 The power pursuant to and in accordance with the PD Code to form the opinion development materially affects the context within which the State Heritage Place is situated.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>47. Administrative Terms and Definition</p> <p>47.1 The power pursuant to and in accordance with Part 8 of the PD Code to for the purposes of Table 5 – Procedural Matters (PM) – Notification and the definition of ‘Excluded Building’, form the opinion that:</p> <p>47.1.1 the building, structure or landscape feature (or part thereof) does not contribute to the building or features of identified heritage value within the State Heritage Area;</p> <p>47.1.2 the building (or part thereof) does not demonstrate the historic characteristics as expressed in the Historic Area Statement.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.7 The power pursuant to and in accordance with the PD Code to form the opinion development that changes the nature of vehicular movements or increase the number or</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM,	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	frequency of movements through an existing access is minor.	GMUS	

State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>49. Scheme Provisions</p> <p>49.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019 (PD6), to in undertaking a planning assessment or imposing controls, including through the imposition of conditions of planning consent, ensure that such assessment or controls do not conflict or duplicate matters dealt with or addressed under licencing or regulatory regimens under another Act.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
cl5(3)	<p>49. Scheme Provisions</p> <p>49.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021			
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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	<p>50. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>50.1 The power pursuant to clause 12 of the State Planning Commission Practice Direction (Site Contamination Assessment) 2021 (PD14) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	
cl 13	<p>51. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>51.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:</p> <p>A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.</p>	CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS	

Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(2)	<p>52. Reserved Matter</p> <p>52.1 The power pursuant to clause 6(2) of State Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme (PD16) to where an applicant has elected to reserve consideration of the DTS/DPF Policy in the Overlay, as provided for in the Code and under Section 102(4) of the PDI Act, to require the applicant to provide documents which are considered by the delegate as sufficient to confirm whether the relevant development site includes a Designated Soil Type.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS</p>	
cl 7	<p>53. Process for Payments to the Fund</p> <p>53.1 The power pursuant to clause 7 of PD16 where an applicant has elected to make a payment into the Fund, in lieu of planting a tree (or trees) as provided in the DTS/DPF Policy in the Overlay, to verify the payment as being correct in accordance with the Scheme, prior to the granting of development authorisation under the PDI Act.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, DSO, AM, GMUS</p>	
cl 8(3)	<p>54. Development within Council Fund Designated Areas</p> <p>54.1 The power pursuant to clause 8(3) of PD16, where a development application relates to a site which is located both within a Council Fund Designated Area and within the Overlay to impose a condition requiring payment into a Council Fund, irrespective of an election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS</p>	

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>55. Payment into Fund</p> <p>55.1 The power pursuant to clause 6(4) of the Urban Tree Canopy Off-set Scheme (UTCOS) where an applicant has elected to make a contribution to the fund under this scheme to impose a condition on the relevant development authorisation for planning consent requiring that payment of the amount specified in clause 6(1) of the UTCOS be made into the fund before the issue of development approval for the subject development application.</p>	<p>CEO, Deputy CEO, MCD, BLP, SDOP, CAP, DOP, AM, GMUS</p>	
cl 9	<p>56. Use of Money from Fund</p> <p>56.1 The power pursuant to clause 9 of the UTCOS to use money distributed from the fund for any of the following purposes (and for no other purpose):</p> <p>56.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>56.1.2 the purchase of land within a designated local government area to ensure:</p> <p>56.1.2.1 the preservation of trees; or</p> <p>56.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>	<p>CEO</p>	

Instrument of Delegation under the Safe Drinking Water Act 2011

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(1)	Notify the Minister if the council ceases to be engaged in the supply of drinking water	Delegation Not Required		drinking water provider
section 8(3)	Apply to the Minister for a variation in a condition on the council's registration as a drinking water provider	Delegation Not Required		drinking water provider
section 8(5)	Comply with a condition on the council's registration as a drinking water provider	Delegation Not Required		drinking water provider
section 9(3)	Receive notice from the Minister proposing the suspension of the council's registration as a drinking water provider	Delegation Not Required		drinking water provider
section 9(5)	Lodge a written objection with the Minister regarding a proposed suspension of the council's registration as a drinking water provider	Delegation Not Required		drinking water provider
section 9(6)	Make submissions to the Minister regarding a proposed suspension of the council's registration as a drinking water provider	Delegation Not Required		drinking water provider
section 9(10)	Apply to the Minister for the cancellation of a suspension to the council's registration as a drinking water provider	Delegation Not Required		drinking water provider

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 10(1)	<p>Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of:</p> <p>a condition imposed by the Minister in relation to a registration under Part 2 of the Act;</p> <p>a variation of a condition of registration made by the Minister on the Minister's own initiative;</p> <p>a decision of the Minister to refuse to grant an application to vary a condition of registration;</p> <p>a decision of the Minister to suspend a registration under Part 2.</p>	Delegation Not Required		drinking water provider
section 11(3)	Receive a notice of registration of a drinking water provider from the Minister	CEO		council
section 12(1)(a)	Prepare a risk management plan in relation to the supply of drinking water	Delegation Not Required		drinking water provider
section 12(1)(b)	Keep the risk management plan in relation to the supply of drinking water under continuous review	Delegation Not Required		drinking water provider
section 12(1)(c)	Revise the risk management plan	Delegation Not Required		drinking water provider

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(3)	Adopt a standard risk management plan published for the purposes of section 12	Delegation Not Required		drinking water provider
section 14(2)	Furnish a copy of its monitoring program and incident identification and notification protocol to the Minister	Delegation Not Required		drinking water provider
section 14(3)(b)	Participate in consultation with the Minister in regard to proposed alterations to the program or protocol	Delegation Not Required		drinking water provider
section 14(4)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of proposed alterations to the program or protocol	Delegation Not Required		drinking water provider
section 14(7)	Implement the council's risk management plan	Delegation Not Required		drinking water provider
section 20(4)	Ensure that an audit or inspection is carried out by an approved auditor or approved inspector in accordance with a determination of the Chief Executive of the State government department administering the Act	Delegation Not Required		drinking water provider
section 22(6)	Receive a copy of a report provided to the Chief Executive of the State government department administering the Act under section 20(1) or 20(4)	Delegation Not Required		drinking water provider

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 23(1)	Comply with a reasonable request or requirement of an auditor or inspector in or in connection with an audit or inspection under Division 2, Part 4	Delegation Not Required		drinking water provider
section 25(1)	Ensure drinking water supplied by the council is collected and tested in accordance with prescribed requirements	Delegation Not Required		drinking water provider
section 27(1)	Make available to the public the results of any monitoring program that the drinking water provider conducts on drinking water for the purpose of the council's risk management plan	Delegation Not Required		drinking water provider
section 34(1)	Appoint a person with appropriate qualification or experience to be an authorised officer	CEO		enforcement agency
section 34(2)	Prepare and maintain a list of authorised officers	CEO		enforcement agency
section 35(1)	Provide each authorised officer with a certificate of authority	CEO		enforcement agency
section 35(2)	Determine limits on the powers of an authorised officer	CEO		enforcement agency
section	Receive a surrendered certificate of authority	CEO		enforcement agency

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
35(4)				
section 37(2)	Approve the removal or interference with a thing subject to a seizure order under section 37	CEO		enforcement agency
section 37(3)(a)	Hold a thing subject to a seizure order pending proceedings	CEO		enforcement agency
section 37(3)(a)(i)	Authorise the release of a thing subject to a seizure order ending proceedings subject to conditions which the council thinks fit	CEO		enforcement agency
section 37(3)(a)(ii)	Order that a thing subject to a seizure order be forfeited to the council	CEO		enforcement agency
section 37(3)(b)(i)	Receive a thing forfeited to the council by court order	CEO		enforcement agency
section 37(3)(d)	Dispose of a thing forfeited to the council under section 37	CEO		enforcement agency
section 38(1)	Issue a notice to secure compliance with a requirement imposed by or under the Act or to avert, eliminate or minimise a risk, or a perceived risk, to the public in relation to drinking water	CEO		enforcement agency

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 38(5)	Issue a notice confirming an emergency notice issued by an authorised officer	CEO		enforcement agency
section 38(6)	Vary or revoke a notice to secure issued under section 38	CEO		enforcement agency
section 39(1)	Take action required by a notice issued under Division 3, Part 7 which has not been undertaken	CEO		enforcement agency
section 39(2)	Authorise a person to take action under section 39(1) on behalf of the council	CEO		enforcement agency
section 39(3)	Enter relevant land in order to take action under section 39	CEO		enforcement agency
section 39(4)	Recover the reasonable costs and expenses in taking action under section 39	CEO		enforcement agency
section 39(5)	Fix a period from the date of a notice issued under section 39 within which an amount under section 39(4) must be paid	CEO		enforcement agency
section 40(5)	Recover the reasonable costs and expenses incurred by an authorised officer taking action under section 40	CEO		enforcement agency

Safe Drinking Water Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 41(1)	Require a person to furnish information relating to the quality or supply of drinking water or any other matter associated with the administration or operation of the Act	CEO		enforcement agency
section 42(3)	Act as a party in proceedings under section 42	CEO		enforcement agency
section 52(1)	Furnish a report to the Minister on or by 30 September on the activities of the council under the Act during the financial year ending on the preceding 30 June	CEO		enforcement agency

Instrument of Delegation under the Safe Drinking Water Regulations 2012

Safe Drinking Water Regulations 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 4	Observe the Australian Drinking Water Guidelines 2011 prepared by the National Health and Medical Research Council and the Natural Resources Management Ministerial Council in relation to the quality and supply of drinking water	Delegation Not Required		drinking water provider
regulation 9(5)	Keep copies of each risk management plan prepared or adopted by the council and all documents generated in the implementation of the risk management plan	Delegation Not Required		drinking water provider
regulation 15(2)	Determine the fee payable for an authorised officer appointed by the council carrying out an inspection of any premises or vehicle reasonably required in connection with the administration or enforcement of the Safe Drinking Water Act	COUNCIL		enforcement agency

Instrument of Delegation under the South Australia Public Health (General) Regulations 2013

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5B(2)	Deliver a notice to the Registrar-General setting out the amount recoverable under section 93 of the South Australian Public Health Act, setting out the land in relation to which the relevant action was taken and requesting the registrar-General to make a notation under regulation 5B in relation to the relevant land	CEO		local public health authority
regulation 5B(7)	Recover an amount under section 93 of the South Australian Public Health Act as if it were a rate constituting a charge on land under section 144(2) of the Local Government Act	CEO		local public health authority
regulation 8(1)	Operate and maintain a public pool in accordance with regulation 8(1)	Delegation Not Required		public pool/spa pool operator
regulation 8(2)	Take prescribed steps to monitor compliance with regulation 8(1)	Delegation Not Required		public pool/spa pool operator
regulation 8(3)	Maintain records made under regulation 8(2)	Delegation Not Required		public pool/spa pool operator

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8(4)	Close public pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	Delegation Not Required		public pool/spa pool operator
regulation 9(1)	Operate and maintain a public spa pool in accordance with regulation 9(1)	Delegation Not Required		public pool/spa pool operator
regulation 9(2)	Take prescribed steps to monitor compliance with regulation 9(1)	Delegation Not Required		public pool/spa pool operator
regulation 9(3)	Maintain records made under regulation 9(2)	Delegation Not Required		public pool/spa pool operator
regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	Delegation Not Required		public pool/spa pool operator
regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee	CEO		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
				(Wastewater) Regulations 2013
regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction	CEO		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013

Instrument of Delegation under the South Australia Public Health (Legionella) Regulations 2013

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system	Duty		relevant authority
regulation 5(3)	Receive fee for registration of a high risk manufactured water system	Duty		relevant authority
regulation 5(3)	Register a high risk manufactured water system	Duty		relevant authority
regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system	Duty		relevant authority
regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system	Duty		relevant authority
regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system	Duty		relevant authority
regulation 6(1)	Keep a register of high risk manufactured water system	Duty		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(2)	Determine manner and form of keeping a register of high risk manufactured water system	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk manufactured water systems registered with the council	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 15(1)(b)	Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water and each warm water system	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 15(2)(a)	Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements	CEO, MCW, TLEH, GMCC		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 16(1)(d)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding microbiological testing	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	CEO, MCW, TLEH, GMCC, EHO		relevant authority
regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing	CEO, MCW, TLEH, GMCC, EHO		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid	CEO, MCW, TLEH, GMCC, EHO		relevant authority

Instrument of Delegation under the South Australia Public Health (Wastewater) Regulations 2013

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(1)(b)	Agree to act as a relevant authority in respect of a wastewater systems or wastewater works being undertaken by another council or a person in conjunction with another council	CEO		council
regulation 8(1)	Give notice to the owners of land in the area affected by the proposed establishment of a community wastewater management system by the council	CEO		council
regulation 8(2)	Consider any submissions received regarding the proposed establishment of a community wastewater management system by the council	CEO		council
regulation 8(3)	Obtain a wastewater works approval from the Minister	CEO		council
regulation 9(1)	Require the operator of an on-site wastewater system to connect the system to a community wastewater management system and submit an application for the connection to the relevant authority	CEO		council
regulation 9(1)(b)	Receive an application for connection of an on-site wastewater system to a community wastewater management system	CEO		relevant authority

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(4)	Grant approval for wastewater works for the connection of an on-site wastewater system to a community wastewater management system	CEO		relevant authority
regulation 9(6)	Cause the requirements of an approval under regulation 9 for wastewater works to be carried out	CEO		relevant authority
regulation 9(7)	Recover the costs and expenses reasonably incurred in exercising power under regulation 9(6) and the application fee which would have been payable	CEO		relevant authority
regulation 10(1)	Determine application for an exemption from regulation 9	CEO		council
regulation 10(3)	Impose conditions on an exemption from regulation 9	CEO		council
regulation 10(4)	Vary or revoke an exemption granted under regulation 10(3)	CEO		council
regulation 11(1)	Ensure that the requirements of regulation 11(1) are met	Delegation Not Required		CWMS operator
regulation 11(2)	Receive a certificate indicating that wastewater works have been undertaken in accordance with the wastewater works approval and detailed drawings as	CEO		relevant authority

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	prescribed			
regulation 12(1)	Ensure that the wastewater system is operated, maintained and serviced in accordance with the conditions of any wastewater works approval and any prescribed code	Delegation Not Required		CWMS operator
regulation 13(1)	Ensure that wastewater from the wastewater system is not reused or disposed of to land unless authorised by conditions of the wastewater works approval	Delegation Not Required		CWMS operator
regulation 15(1)	Receive an application for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	CEO		relevant authority
regulation 15(1)	Apply for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	Delegation Not Required		CWMS operator
regulation 15(3)	Determine conditions to apply to an exemption from a prescribed code	CEO		relevant authority
regulation 15(5)	Vary or revoke an exemption from a prescribed code	CEO		relevant authority
regulation	Receive an application for a wastewater works approval	CEO		relevant authority

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
23(1)				
regulation 23(2)	Request applicant for a wastewater works approval to provide further technical specifications, information or documents	CEO		relevant authority
regulation 23(1)	Apply for a wastewater works approval	Delegation Not Required		CWMS operator
regulation 23(2)	Provide further technical specifications, information or documents requested by the relevant authority	Delegation Not Required		CWMS operator
regulation 24(1)	Refuse to grant a wastewater approval	CEO		relevant authority
regulation 24(2)	Provide SA Water with a reasonable opportunity to comment on an application for a wastewater works approval involving the connection of a community wastewater management system to SA Water sewerage infrastructure	CEO		relevant authority
regulation 25(1)	Specify conditions applying to a wastewater works approval	CEO		relevant authority
regulation	Comply with conditions applying to a wastewater works approval	Delegation		CWMS operator

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
25(1)		Not Required		
regulation 25(4)	Provide a copy of a code referred to in a condition of approval for inspection and the council's office	CEO		relevant authority
regulation 25(6)	Vary or revoke a condition of a wastewater approval	CEO		relevant authority
regulation 25(6)	Apply for a variation or revocation of a condition of a wastewater approval	Delegation Not Required		CWMS operator
regulation 25(7)	Vary or revoke a condition of a wastewater approval or impose a further condition	CEO		relevant authority
regulation 25(7)	Consent to the variation or revocation of a condition of a wastewater approval or the imposition of a further condition	Delegation Not Required		CWMS operator
regulation 26(2)	Postpone the expiry of a wastewater approval	CEO		relevant authority
regulation 27(1)	Keep a register of wastewater approvals	Duty		relevant authority

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 27(5)	Enable the inspection of the register of wastewater works approvals at the council's offices and the provision of extracts of the register by electronic means	CEO		relevant authority
regulation 29(1)	Notify the operator of a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health to provide a report from an independent wastewater engineer	CEO		council
regulation 29(1)	Provide a report from an independent wastewater engineer to the Minister or relevant authority as requested under regulation 29(1)	Delegation Not Required		CWMS operator
regulation 29(3)	Obtain a report from an independent wastewater engineer regarding a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health	CEO		council
regulation 29(3)	Recover the costs and expenses reasonably incurred in obtaining a report from an independent wastewater engineer	CEO		council

Instrument of Delegation under the South Australian Public Health Act 2011

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18(2)	Provide a report as required by the Minister on any matter relevant to the administration or operation of the Act	CEO, GMCC		designated authority
section 22(2)	Respond to a request from the Chief Public Health Officer under section 22(1)	CEO, GMCC		public authority
section 36	Enter an arrangement with the South Australian Public Health Council for the use of the staff, equipment or facilities of the council	CEO, GMCC		public authority
section 37(2)(a)	Take action to preserve, protect and promote public health in the council area	Duty		local public health authority
section 37(2)(b)	Cooperate with other authorities involved in the administration of the Act	Duty		local public health authority
section 37(2)(c)	Ensure that adequate sanitation measures are in place in the council area	Duty		local public health authority
section 37(2)(d)	Implement adequate measures in the council area (insofar as reasonably practicable) to ensure that activities do not adversely affect public health	Duty		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 37(2)(e)	Identify risks to public health within the council area	Duty		local public health authority
section 37(2)(f)	Take remedial action to reduce or eliminate adverse impacts or risks to public health	Duty		local public health authority
section 37(2)(g)	Assess activities and development, or proposed activities or development, within the council area in order to determine and respond to public health impacts (or potential public health impacts)	Duty		local public health authority
section 37(2)(h)	Provide, or support the provision of, educational information about public health and to provide or support activities within the council area to preserve, protect or promote public health	Duty		local public health authority
section 38(1)	Provide, or support the provision of, immunisation programs within the council area	Duty		local public health authority
section 39(1)	Act in conjunction or partnership with, or cooperate or coordinate the council's activities, with one or more other councils	CEO, GMCC		local public health authority
section 39(3)	Furnish a written report to the Chief Public Health Officer responding to a request from the Chief Public Health Officer to cooperate with one or more other councils	Duty		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 40(2)	Participate in consultation with the Chief Public Health Officer regarding the Chief Public Health officer exercising powers of the council under the Act	CEO, GMCC		local public health authority
section 41(1)	Participate in consultation with the Minister regarding the Minister's opinion that the council has failed to perform a function under the Act	CEO		local public health authority
section 41(6)(a)(ii)	Make submissions to the Minister regarding the proposed withdrawal of council powers under the Act	CEO		local public health authority
section 42(1)	Request that a function of the council under the Act be performed by the Chief Public Health Officer	CEO		local public health authority
section 42(10)	Enter into an agreement with the Chief Public Health Officer	CEO		local public health authority
section 42(11)	Request that a notice issued by the Minister under section 42(4) vesting a council function in the Chief Public Health Officer be varied or revoked	CEO		local public health authority
section 42(11)	Participate in consultation the Minister regarding the proposed variation or revocation of the vesting of a council function in the	CEO		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	Chief Public Health Officer			
section 44(1)	Appoint a suitably qualified person as a local authorised officer	CEO		local public health authority
section 44(2)	Impose conditions on the appointment of a local authorised officer	CEO		local public health authority
section 44(4)	Issue directions to a local authorised officer	CEO		local public health authority
section 44(6)	Vary or revoke the appointment of a local authorised officer	CEO		local public health authority
section 44(7)	Notify the Chief Public Health Officer of an appointment or the revocation of an appointment of a local authorised officer	CEO		local public health authority
section 46(1)	Issue an identity card of a local authorised officer	CEO		local public health authority
section 49(1)	Require a person to furnish information relating to public health as may be reasonably required for the purposes of the Act	CEO, MCW, TLEH, GMCC,		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		EHO		
section 51(1)	Prepare and maintain a regional public health plan	CEO		local public health authority
section 51(10)	Amend a regional public health plan	CEO		local public health authority
section 51(11)(a)	Prepare a draft regional public health plan	CEO		local public health authority
section 51(11)(b)(i)	Provide a copy of a draft regional public health plan to the Minister, any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region, any relevant public health partner authority and any other prescribed body or group	CEO		local public health authority
section 51(11)(b)(ii)	Consult with the public in regard to a draft regional public health plan	CEO		local public health authority
section 51(12)	Participate in consultation with the Minister, or any other person or body specified by the Minister, before releasing a draft regional health plan under section 51(12)	CEO		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 51(13)	Submit a regional public health plan to the Chief Public Health Officer for consultation before bringing the plan into operation	CEO		local public health authority
section 51(15)	Take into account any comments of the Chief Public Health Officer, South Australian Public Health Council and any other body determined by the Chief Public Health Officer	CEO		local public health authority
section 51(16)	Adopt a regional public health plan either with or without amendment	CEO		local public health authority
section 51(17)	Incorporate a regional public health plan into the councils strategic management plan under the Local Government Act 1999	CEO		local public health authority
section 51(19)	Review a regional public health plan at least every 5 years	CEO		local public health authority
section 52(1)	Prepare a report to the Chief Public Health Officer that contains a comprehensive assessment of the extent to which the council has in the reporting period succeeded in implementing its regional public health plan	CEO		local public health authority
section 64(3)	Receive a report from the Chief Public Health Officer regarding a suspected death from a notifiable condition in the council area	CEO		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 65(a)	Receive a report from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area and any problems or issues caused by or arising on account of such diseases of medical conditions in the council area	CEO		local public health authority
section 65(b)	Receive information from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area that constitutes, or may constitute, a threat to public health	CEO		local public health authority
section 66(6)	Recover costs and expenses reasonably incurred in an authorised officer taking action in accordance with a direction or requirement issued under section 66(1) which has not been complied with by the person subject to the direction or requirement	CEO, MCW, TLEH, GMCC		local public health authority
section 66(9)	Take action reasonably open to the council to prevent the spread of a disease constituting a notifiable condition	Duty		local public health authority
section 92(1)	Issue a notice for the purpose of securing compliance with the Act or averting, eliminating or minimising a risk, or a perceived risk, to public health	CEO, MCW, TLEH, GMCC		relevant authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 92(2)(b)	Give a preliminary notice to a person to whom it is proposed that a notice under section 91(1) will be given	CEO, MCW, TLEH, GMCC, EHO		relevant authority
section 92(8)	Confirm an emergency notice given by an authorised officer under section 92(6)	CEO, MCW, TLEH, GMCC		relevant authority
section 92(9)	Vary or revoke a notice issued by the council under section 92	CEO, MCW, TLEH, GMCC, EHO		relevant authority
section 93(1)	Take action required by a notice issued under Part 12 if the requirements of the notice have not been fulfilled	CEO, MCW, GMCC		relevant authority
section 93(2)	Authorise a person to take action on behalf of the council under section 93(1)	CEO, MCW, TLEH, GMCC		relevant authority
section 93(3)	Enter any relevant premises at any reasonable time to take action under section 93	CEO, MCW, TLEH, GMCC,		relevant authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		EHO		
section 93(4)	Recover the reasonable costs and expenses incurred by the council in taking action under section 93 from the person who failed to comply with the requirements of the notice	CEO, MCW, GMCC		relevant authority
section 93(5)	Fix a period from the date of a notice issued under section 93 within which an amount under section 93(4) must be paid	CEO, MCW, GMCC		relevant authority
section 94(5)(b)	Recover the reasonable costs and expenses of a local authorised officer taking action under section 94 from any person who caused the risk to which the action relates	CEO, GMBCS, GMCC	General Manager Business and Community Services - Only during a declared emergency event	local public health authority
section 96(5)	Apply to the South Australian Civil and Administrative tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the outcome of review proceedings by the Review panel under section 95	CEO, GMCC		local public health authority
section 96(5)	Participate as a party to proceedings under section 96	CEO, GMCC		relevant authority

Instrument of Delegation under the State Records Act 1997

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 13	Maintain official records in the council's custody in good order and condition	Duty		agency
section 15(2)	Afford the manager of State records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	Duty		agency
section 18(1)	Deliver records voluntarily into the custody of State Records	CEO, GMCC, MIS		agency
section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	Duty		agency
section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason	CEO, GMCC, MIS		agency
section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	CEO, GMCC, MIS		agency

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records	Duty		agency
section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	CEO, GMCC, MIS		agency
section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	CEO, GMCC, MIS		agency
section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	CEO, GMCC, MIS		agency
section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	CEO, GMCC, MIS		agency
section 24(3)	Consent to the disposal of a record under section 24(1)	CEO, GMCC, MIS		agency

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25(3)	Apply to the Minister to determine a dispute as to access under section 24	CEO, GMCC, MIS		agency
section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	CEO, GMCC, MIS		agency
section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	CEO, GMCC, MIS		agency

Instrument of Delegation under the Strata Titles Act 1988

Strata Titles Act 1988				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(2)(c)	Consent to an amendment of a deposited strata plan	CEO		council (as holder of a statutory encumbrance)
section 12(3a)(d)(i)	Consent to an encroachment over public land	CEO		council
section 12A(b)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance	CEO		council (as holder of a statutory encumbrance)
section 28(1)(c)	Specify work to be carried out by a unit holder	CEO		council

Summary Procedure Act 1921

Summary Procedure Act 1921			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
1	The power pursuant to section 49(2) to make a complaint on the Council's behalf to Court.	CEO, GMBCS, Deputy CEO, MCW, TLCS, GMCC, GMUS	

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	Duty		council
section 9(1)(b)	Licence supported residential facilities situated in the council area	Duty		council
section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	Duty		council
section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	Duty		council
section 9(2)	Delegate a power or function under the Supported Residential Facilities Act	CEO		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		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		council
section	Undertake a delegation to discuss with the Minister the vesting of council	CEO		council

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
9(8)(b)	powers or functions in another person or body			
section 21(1)	Appoint an authorised officer	CEO		council
section 21(2)	Issue an identity card to an authorised officer	Duty		council
section 21(4)	Revoke the appointment of an authorised officer	CEO		council
section 24(1)	Receive an application from a proprietor of a supported residential facility for a licence	CEO		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, MCW, TLEH, GMCC		licensing authority
section 24(5)	Require information provided by an applicant to be verified by statutory declaration	CEO, MCW, TLEH, GMCC		licensing authority
section	Conditionally approve the issue of a licence	CEO		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
24(9)				
section 24(9)	Grant a licence	CEO		licensing authority
section 24(10)	Refuse an application for a licence	CEO		licensing authority
section 24(10)	Notify the applicant of a refusal of an application for a licence	Duty		licensing authority
section 25(1)	Determine matters to be taken into account in determining an application for a licence	Duty		licensing authority
section 25(2)	Determine matters to be taken into account in determining whether the applicant is suitable to be granted a licence	Duty		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	Duty		licensing authority
section 27(3)	Determine to consider a late application for renewal of a licence	CEO		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	Duty		licensing authority
section 28	Refuse to renew a licence	CEO		licensing authority
section 29(1)(b)	Impose conditions on a licence	CEO		licensing authority
section 29(3)(b)	Vary or revoke a condition on a licence	CEO		licensing authority
section 30(1)	Receive an application for the transfer of a licence	Duty		licensing authority
section 30(3)	Request further information from an applicant for a transfer of a licence	Duty		licensing authority
section 30(4)	Transfer a licence	Duty		licensing authority
section 30(5)	Receive a surrendered licence	Duty		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 31(1)	Cancel a licence	CEO		licensing authority
section 31(2)(a)	Notify the holder of a licence of a proposed cancellation of the licence	Duty		licensing authority
section 31(2)(b)	Receive submissions from the holder of a licence regarding a proposed cancellation of the licence	Duty		licensing authority
section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility	CEO		licensing authority
section 31(4)(a)	Appoint an administrator to a facility	CEO, GMCC		licensing authority
section 31(4)(b)	Take steps to secure the proper care of the residents of a facility	CEO		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		licensing authority
section 31(6)(g)(ii)	Revoke the appointment of an administrator	CEO		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	Duty		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		licensing authority
section 32(4)(a)	Impose conditions on an order given under section 32(3)	CEO		licensing authority
section 32(4)(b)	Vary or revoke an order given under section 32(3)	CEO		licensing authority
section 33(1)	Grant licence	Duty		licensing authority
section 34(1)	Approve a manager of a facility	CEO, GMCC		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, GMCC		licensing authority
section 35	Approval of a person to be the licence holder if a licence holder dies	CEO, GMCC		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 37	Receive a copy of the prospectus and any alterations to the prospectus	Duty		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, GMCC		licensing authority
section 43(1)(a)	Receive an application in regard to disputes between a resident of a supported residential facility and the proprietor	Duty		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	Duty		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	Duty		licensing authority
section 43(2)	Explore avenues of conciliation between the resident and the proprietor	CEO, MCW, TLEH, GMCC		licensing authority
section 43(3)(a)	Make recommendations as to the settlement of a dispute between a resident and the proprietor	CEO		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
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		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		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		licensing authority
section 43(3)(e)	Take any action appropriate in the circumstances	CEO		licensing authority
section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application	CEO, MCW, TLEH, GMCC		licensing authority
section 43(6)(b)	Require an applicant to verify any information by statutory declaration	CEO, MCW, TLEH, GMCC		licensing authority
section 43(7)	Notify the applicant and respondent of the time and place of any hearing of the application	Duty		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 43(8)	Investigate or determine the subject matter of an application	CEO		licensing authority
section 43(9)	Make an interim order pending final resolution of the matter	CEO, MCW, TLEH, GMCC		licensing authority
section 43(10)(a)	Determine the time period (not exceeding 2 months) during which the interim order will operate	CEO		licensing authority
section 43(11)	Vary or revoke an order	CEO		licensing authority
section 43(12)(a)	Specify procedures for the resolution of the dispute	CEO, MCW, TLEH, GMCC		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, MCW, TLEH, GMCC		licensing authority
section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law	CEO, MCW, TLEH,		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMCC		
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, MCW, TLEH, GMCC		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	Duty		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, MCW, TLEH, GMCC		licensing authority
section 49(1)(a)	Receive complaints regarding the management of a supported residential facility or any residential-only premises	CEO, MCW, TLEH, GMCC		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, MCW, TLEH, GMCC		licensing authority
section 49(2)	Determine whether a complaint must be reduced to writing	CEO, MCW, TLEH,		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMCC		
section 49(3)	Take appropriate action in regard to a complaint	CEO, MCW, TLEH, GMCC		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, MCW, TLEH, GMCC		licensing authority
section 56(4)	Pay prescribed percentage of licence fees into the Supported Residential Facilities Indemnity Fund	CEO		licensing authority
section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility	CEO, MCW, TLEH, GMCC		licensing authority
section 57(6)	Attach conditions to an exemption granted under section 57(5)	CEO, MCW, TLEH, GMCC		licensing authority
section 57(7)(a)	Revoke an exemption granted under section 57(5)	CEO, MCW, TLEH,		licensing authority

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		GMCC		
section 57(7)(b)	Vary or revoke condition applying to an exemption granted under section 57(5)	CEO, MCW, TLEH, GMCC		licensing authority

Instrument of Delegation under the Supported Residential Facilities Regulations 2009

Supported Residential Facilities Regulations 2009				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 17(2)	Approve an acting manager of a facility	CEO		licensing authority
regulation 18(1)	Approve a registered nurse to oversee the provision of nursing care at a facility	CEO, MCW, GMCC		licensing authority
regulation 18(2)	Revoke the approval of a registered nurse to overseeing the provision of nursing care at a facility	CEO		licensing authority
regulation 18(2)	Require a new appointment of a registered nurse to oversee the provision of nursing care at a facility	CEO		licensing authority
regulation 21(1)(b)	Approve a kitchen at a facility which does not meet the prescribed requirements	CEO, MCW, GMCC		licensing authority
regulation 21(3)(e)	Require the fitting of handrails, ramps and lifts at a facility	CEO		licensing authority
regulation 24(1)	Direct a proprietor of a supported residential facility to install a communication system at the facility	CEO		licensing authority