

PLANNING, DEVELOPMENT AND INFRASTRUCTURE
2016
COMBINED INSTRUMENT OF DELEGATION

02 MAY 2022

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument.
2. These delegations for Instruments A and B have been approved by the Council on 19 April 2022.
3. These delegations for Instrument C have been approved by the Council Assessment Panel on 12 April 2022.
4. These delegations for Instrument D have been approved by the Assessment Manager on 26 April 2022.

Instruments of Delegation in this Document

- 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 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
- SA 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 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 (

Delegation Sources

- 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);
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
- 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)
- Planning and Design Code
- State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019
- State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019
- State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019
- Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021
- Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme
- Urban Tree Canopy Off-set Scheme

- 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)
- State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments
- State Planning Commission Practice Direction (Council Inspections) 2020
- State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020

Positions

Abbreviation	Position
AM	Assessment Manager
CAP	Council Assessment Panel
CEO	Chief Executive Officer
COUNCIL	Council
CW	Civil Workers
DA	Development Assistant
Deputy CEO	Deputy CEO
DOB	Development Officer - Building
DOP	Development Officer - Planning
DT3	Development Technician Level 3
DT4	Development Technician Level 4
GMUS	General Manager Urban Services
MCA	Manager City Assets

Abbreviation	Position
MCD	Manager City Development
MCO	Manager City Operations
SDOA	Senior Development Officer - APPS
SDOB	Senior Development Officer - Building
SDOP	Senior Development Officer - Planning
TLB	Team Leader Building
TLCM	Team Leader Compliance and Monitoring
TLP	Team Leader Planning

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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
s7(5)(b)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (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)	2. Functions	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	2.1 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 the PDI Act make submissions or representations.		
s35(1)(a)	<p>3. Planning Agreements</p> <p>3.1 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>3. Planning Agreements</p> <p>3.2 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>3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</p>	COUNCIL	
s35(3)	3. Planning Agreements	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3.2 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>3.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>3.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>3.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>3.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>3.2.2.4 the terms of office of members; and</p> <p>3.2.2.5 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 3.2.2.6 the appointment of deputy members; and</p> <p>3.2.2.7 the procedures of the board; and</p>		

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s35(3)	<p>3. Planning Agreements</p> <p>3.2 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>3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and</p>	COUNCIL	
s35(3)	<p>3. Planning Agreements</p> <p>3.2 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>3.2.4 the staffing and other support issues associated with the operations of the joint planning board; and</p>	COUNCIL	
s35(3)	3. Planning Agreements	COUNCIL	

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	<p>3.2 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>3.2.5 financial and resource issues associated with the operations of the joint planning board, including:</p> <p>3.2.5.1 the formulation and implementation of budgets; and</p> <p>3.2.5.2 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>		
s35(3)	<p>3. Planning Agreements</p> <p>3.2 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>3.2.6 such other matters as the delegate thinks fit.</p>	COUNCIL	
s35(5)(a)	3. Planning Agreements	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.3 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).		
s35(5)(b)	3. Planning Agreements 3.4 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.	COUNCIL	
s44(6)(a)	4. Community Engagement Charter 4.1 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).	CEO	
s44(9)(b)	4. Community Engagement Charter 4.2 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	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.		
s44(10)	<p>4. Community Engagement Charter</p> <p>4.3 The power pursuant to Section 44(10) of the PDI Act to:</p> <p>4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and</p> <p>4.3.2 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>5. Preparation and Amendment of Charter</p> <p>5.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.</p>	CEO	
s73(6)	<p>6. Preparation and Amendment</p> <p>6.1 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,</p>	CEO	

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	<p>after all of the requirements of Section 73 of the PDI Act have been satisfied:</p> <p>6.1.1 to prepare a draft of the relevant proposal; and</p> <p>6.1.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>6.1.3 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 – consult with the joint planning board; and</p> <p>6.1.4 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>6.1.4.1 an owner or occupier of the land; and</p> <p>6.1.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p>		

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	<p>6.1.5 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>6.1.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>6.1.7 to comply with any requirement prescribed by the regulations.</p>		
s73(8)	<p>6. Preparation and Amendment</p> <p>6.2 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>6. Preparation and Amendment</p> <p>6.3 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</p>	CEO	

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	(subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).		
s74(8)(c)	<p>7. Parliamentary Scrutiny</p> <p>7.1 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	
s75(3)	<p>8. Complying Changes – Planning and Design Code</p> <p>8.1 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	
s82(d)	<p>9. Entities Constituting Relevant Authorities</p> <p>9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.</p>	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s83(1)	<p>10. Panels Established by Joint Planning Boards or Councils</p> <p>10.1 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>10.1.1 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>10.1.2 determine:</p> <p>10.1.2.1 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>10.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>10.1.2.3 the terms of office of members; and</p> <p>10.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their</p>	COUNCIL	

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	remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and 10.1.2.5 the appointment of deputy members; and 10.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.		
s83(1)(h)	10. Panels Established by Joint Planning Boards or Councils 10.2 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.	CEO, AM	
s83(1)(i)	10. Panels Established by Joint Planning Boards or Councils 10.3 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.	COUNCIL	
s83(2)	10. Panels Established by Joint Planning Boards or Councils	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	10.4 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 council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.		
s86(2)(a)	11. Substitution of Local Panels 11.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	COUNCIL	
s89(b)	12. Notification of Acting 12.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
s102(1)(c)(iv)	13. Matters Against which Development Must be Assessed	CEO, Deputy CEO, MCA, MCD, TLP,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	13.1 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.	SDOP, CAP, SDOA, DOP, AM, GMUS	
s102(1)(d)(iv)	13. Matters Against which Development Must be Assessed 13.2 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, TLP, SDOP, CAP, SDOA, DOP, AM, GMUS	
s102(11)(b)	13. Matters Against which Development Must be Assessed 13.3 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.	CEO, Deputy CEO, MCA, MCD, AM, GMUS	
s110(2)(b)	14. Restricted Development	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	14.1 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.		
s110(c)(ii)	14. Restricted Development 14.2 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, TLP, AM, GMUS	
s110(7)	14. Restricted Development 14.3 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)	15. Level of Detail 15.1 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.	CEO, Deputy CEO, MCD, TLP, AM, GMUS	

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s130(6)	<p>16. Essential Infrastructure – Alternative Assessment Process</p> <p>16.1 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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s130(14)	<p>16. Essential Infrastructure – Alternative Assessment Process</p> <p>16.2 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 proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s131(7)	<p>17. Development Assessment – Crown Development</p> <p>17.1 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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s131(15)	17. Development Assessment – Crown Development	CEO, Deputy CEO, MCD, TLP, SDOP,	

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	17.2 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.	SDOA, DOP, AM, GMUS	
s138(1)	18. Land Division Certificate 18.1 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, TLP, TLCM, SDOP, SDOA, DOP, AM, GMUS	
s138(2)	18. Land Division Certificate 18.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	CEO, Deputy CEO, MCD, TLP, TLCM, SDOP, SDOA, DOP, AM, GMUS	
s141(1)	19. Action if Development Not Completed 19.1 The power pursuant to Section 141(1) of the PDI Act, if:	CEO	

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	<p>19.1.1 an approval is granted under the PDI Act; but</p> <p>19.1.2 -</p> <p>19.1.2.1 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>19.1.2.2 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>		
s141(5)	<p>19. Action if Development Not Completed</p> <p>19.1.3 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 order to be carried out, and to recover the costs of that work, as a debt from the person.</p>	CEO, Deputy CEO, MCD, TLMC, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s141(6)	<p>19. Action if Development Not Completed</p> <p>19.1.4 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>19.1.4.1 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, TLMC, AM, GMUS	
s142(1)	<p>20. Completion of Work</p> <p>20.1 The power pursuant to Section 142(1) of the PDI Act, if:</p> <p>20.1.1 an approval is granted under the PDI Act; but</p> <p>20.1.2 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, TLB, TLMC, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s142(2)	<p>20. Completion of Work</p> <p>20.2 The power pursuant to Section 142(2) of the PDI Act, if an 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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s142(3)	<p>20. Completion of Work</p> <p>20.3 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, TLB, TLCM, AM, GMUS	
s142(4)	<p>20. Completion of Work</p> <p>20.4 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>20.4.1 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, TLB, TLCM, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s146(3)	<p>21. Notification During Building</p> <p>21.1 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 authorised officer who holds prescribed qualifications.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s151(2)	<p>22. Classification of Buildings</p> <p>22.1 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s151(3)	<p>22. Classification of Buildings</p> <p>22.2 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s152(2)	23. Certificates of Occupancy 23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s152(3)(a)	23. Certificates of Occupancy 23.2 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, TLB, SDOB, DOB, AM, GMUS	
s152(5)	23. Certificates of Occupancy 23.4 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.	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s152(6)	23. Certificates of Occupancy 23.5 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)	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s152(10)	<p>23. Certificates of Occupancy</p> <p>23.6 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>23.6.1 the refusal; and</p> <p>23.6.2 the reasons for the refusal; and</p> <p>23.6.3 the applicant's right of appeal under the PDI Act.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s152(12)	<p>23. Certificates of Occupancy</p> <p>23.7 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s152(13)	<p>23. Certificates of Occupancy</p> <p>23.8 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.</p>	CEO, Deputy CEO, MCD, TLB, AM, GMUS	
s153(1)	<p>24. Temporary Occupation</p> <p>24.1 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.</p>	CEO, Deputy CEO, MCD, TLB, AM, GMUS	
s153(2)	<p>24. Temporary Occupation</p> <p>24.2 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.</p>	CEO, Deputy CEO, MCD, TLB, AM, GMUS	
s153(3)	<p>24. Temporary Occupation</p> <p>24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:</p>	CEO, Deputy CEO, MCD, TLB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	24.3.1 the refusal; and 24.3.2 the reasons for the refusal; and 24.3.3 the applicant's right of appeal under the PDI Act.		
s155(5)	25. Emergency Orders 25.1 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, TLB, AM, GMUS	
s155(6)	25. Emergency Orders 25.2 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, TLB, AM, GMUS	
s155(7)	25. Emergency Orders 25.3 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	CEO, Deputy CEO, MCD, TLB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.		
s157(16)	<p>26. Fire Safety</p> <p>26.1 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>26. Fire Safety</p> <p>26.2 The power pursuant to Section 157(17) of the PDI Act to:</p> <p>26.2.1 appoint to the appropriate authority:</p> <p>26.2.1.1 a person who holds prescribed qualifications in building surveying; and</p> <p>26.2.1.2 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>26.2.1.3 a person with expertise in the area of fire safety; and</p>	CEO, COUNCIL	<p>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.</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	26.2.1.4 if so determined by the delegate, a person selected by the delegate;		
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.2 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;	CEO, COUNCIL	
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.3 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)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to:	CEO, Deputy CEO, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	26.2.4 appoint deputy members;		
s157(17)	<p>26. Fire Safety</p> <p>26.2 The power pursuant to Section 157(17) of the PDI Act to:</p> <p>26.2.5 determine the appropriate authority's procedures (including as to quorum).</p>	COUNCIL	
s166(1)(c)	<p>27. Consideration of Proposed Scheme</p> <p>27.1 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.</p>	CEO	
s169(2)(b)	<p>28. Funding Arrangements</p> <p>28.1 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	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s169(9)	<p>28. Funding Arrangements</p> <p>28.2 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	
s180(7)	<p>29. Imposition of Charge by Councils</p> <p>29.1 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>30. Authorised Works</p> <p>30.1 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)	30. Authorised Works	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>30.2 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 involves disturbing the surface of a road, or that otherwise relates to a road to:</p> <p>30.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and</p> <p>30.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and</p> <p>30.2.3 ensure that proper consideration is given to the views of the road maintenance authority.</p>		
s187(5)(b)	<p>30. Authorised Works</p> <p>30.3 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)	30. Authorised Works	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	30.4 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.		
s188(1)	<p>31. Entry onto Land</p> <p>31.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:</p> <p>31.1.1 enter and pass over any land; and</p> <p>31.1.2 bring onto any land any vehicles, plant or equipment; and</p> <p>31.1.3 temporarily occupy land; and</p> <p>31.1.4 do anything else reasonably required in connection with the exercise of the power.</p>	CEO	
s188(4)	<p>31. Entry onto Land</p> <p>31.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	caused by the exercise of a power under Section 188(1) of the PDI Act.		
s192(1)	<p>32. Land Management Agreements</p> <p>32.1 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>32. Land Management Agreements</p> <p>32.2 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>32. Land Management Agreements</p> <p>32.3 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</p>	CEO	

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	<p>an agreement is to be entered into, in considering the terms of the agreement, to have regard to:</p> <p>32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and</p> <p>32.3.2 the principle that the entering into of an agreement under 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.</p>		
s192(5)	<p>32. Land Management Agreements</p> <p>32.4 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.</p>	CEO	
s192(8)	<p>32. Land Management Agreements</p> <p>32.5 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.</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s192(9)	<p>32. Land Management Agreements</p> <p>32.6 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.</p>	CEO	
s192(10)	<p>32. Land Management Agreements</p> <p>32.7 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>32. Land Management Agreements</p> <p>32.8 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	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s192(12)	<p>32. Land Management Agreements</p> <p>32.9 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, TLP, SDOP, SDOA, DOP, AM, GMUS	
s192(15)	<p>32. Land Management Agreements</p> <p>32.10 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 been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s192(16)	<p>32. Land Management Agreements</p> <p>32.11 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.</p>	CEO	
s192(17)	32. Land Management Agreements	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	32.12 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.		
s192(18)	<p>32. Land Management Agreements</p> <p>32.13 The power pursuant to Section 192(18) of the PDI Act to take 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.</p>	CEO	
s193(1)	<p>33. Land Management Agreements – Development Applications</p> <p>33.1 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>33.1.1 the person; and</p>	CEO	

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	<p>33.1.2 any other person who has the benefit of the development authorisation; and</p> <p>33.1.3 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>		
s193(2)	<p>33. Land Management Agreements – Development Applications</p> <p>33.2 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 the assessment of the development under the PDI Act).</p>	CEO	
s193(3)	<p>33. Land Management Agreements – Development Applications</p> <p>33.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:</p> <p>33.3.1 the provisions of the Planning and Design Code; and</p> <p>33.3.2 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</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.		
s193(5)	33. Land Management Agreements – Development Applications 33.4 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.	CEO	
s193(10)	33. Land Management Agreements – Development Applications 33.5 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.	CEO	
s193(11)	33. Land Management Agreements – Development Applications 33.6 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	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s193(13)	<p>33. Land Management Agreements – Development Applications</p> <p>33.7 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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s193(15)	<p>33. Land Management Agreements – Development Applications</p> <p>33.8 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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s193(16)	<p>33. Land Management Agreements – Development Applications</p> <p>33.9 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 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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s197(2)	<p>34. Off-setting Contributions</p> <p>34.1 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>34.1.1 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>34.1.2 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>34.1.3 any other initiative or policy:</p> <p>34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;</p> <p>34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.</p>	COUNCIL	
s197(3)	34. Off-setting Contributions	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>34.2 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>34.2.1 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>34.2.1.1 to make a contribution to a fund established as part of the scheme; or</p> <p>34.2.1.2 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>34.2.2 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>34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.</p>		

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s197(4)	<p>34. Off-setting Contributions</p> <p>34.3 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.</p>	CEO	
s197(4)(c)	<p>34. Off-setting Contributions</p> <p>34.4 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.</p>	CEO	
s198(1)	<p>35. Open Space Contribution Scheme</p> <p>35.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the 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>35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p>	CEO, Deputy CEO, MCD, CAP, AM, GMUS	

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	<p>35.1.2 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>35.1.3 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>35. Open Space Contribution Scheme</p> <p>35.2 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>35. Open Space Contribution Scheme</p> <p>35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s198(11)	<p>35. Open Space Contribution Scheme</p> <p>35.4 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.</p>	CEO	
s198(12)	<p>35. Open Space Contribution Scheme</p> <p>35.5 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.</p>	CEO, Deputy CEO, MCD, TLP, CAP, AM, GMUS	
s200(2)	<p>36. Urban Trees Fund</p> <p>36.1 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.</p>	CEO	
s200(3)	36. Urban Trees Fund	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	36.2 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.		
s200(5)	<p>36. Urban Trees Fund</p> <p>36.3 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.</p>	CEO	
s200(6)	<p>36. Urban Trees Fund</p> <p>36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:</p> <p>36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or</p> <p>36.4.2 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 the PDI Act.</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s200(7)	<p>36. Urban Trees Fund</p> <p>36.5 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).</p>	CEO	
s210(1)	<p>37. Appointment of Authorised Officers</p> <p>37.1 The power pursuant to Section 210(1) of the PDI Act to:</p> <p>37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and</p> <p>37.1.2 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.</p>	CEO	
s210(2)	<p>37. Appointment of Authorised Officers</p> <p>37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.</p>	CEO	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s210(3)	<p>37. Appointment of Authorised Officers</p> <p>37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:</p> <p>37.3.1 containing a photograph of the authorised officer; and</p> <p>37.3.2 stating any conditions of appointment limiting the authorised officer's appointment.</p>	CEO	
s210(5)	<p>37. Appointment of Authorised Officers</p> <p>37.4 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>38. Enforcement Notices</p> <p>38.1 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</p>	CEO, Deputy CEO, MCD, TLP, TLB, TLCM, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>the following as the delegate considers necessary or appropriate in the circumstances:</p> <p>38.1.1 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> <p>38.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>38.1.3 take such urgent action as is required because of any situation resulting from the breach.</p>		
s213(2)	<p>38. Enforcement Notices</p> <p>38.2 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, TLP, TLB, TLCM, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS</p>	
s213(5)	<p>38. Enforcement Notices</p>	<p>CEO, Deputy CEO, MCD, TLB, TLCM,</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	38.3 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.	SDOB, DOB, AM, GMUS	
s213(6)	38. Enforcement Notices 38.4 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	CEO, Deputy CEO, MCD, TLB, TLM, SDOB, DOB, AM, GMUS	
s213(7)	38. Enforcement Notices 38.5 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.	CEO, Deputy CEO, MCD, TLB, TLM, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s214(1)	<p>39. Applications to Court</p> <p>39.1 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>39. Applications to Court</p> <p>39.2 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>39. Applications to Court</p> <p>39.3 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 should not be made under Section 214 of the PDI Act.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s214(6)	39. Applications to Court 39.4 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, TLB, TLCM, AM, GMUS	
s214(9)	39. Applications to Court 39.5 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, TLB, TLCM, AM, GMUS	
s214(10)	39. Applications to Court 39.6 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, TLB, TLCM, AM, GMUS	
s214(11)	39. Applications to Court 39.7 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, TLB, TLCM, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s214(12)	<p>39. Applications to Court</p> <p>39.8 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, TLB, TLCM, AM, GMUS	
s214(13)	<p>39. Applications to Court</p> <p>39.9 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, TLB, TLCM, AM, GMUS	
s214(17)	<p>39. Applications to Court</p> <p>39.10 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, TLB, TLCM, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s219(1)	40. Proceedings for Offences 40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	CEO, Deputy CEO, GMUS	
s223(2)	41. Adverse Publicity Orders 41.1 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)	41. Adverse Publicity Orders 41.2 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: 41.2.1 take the PDI Action or actions specified in the order; and 41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	CEO, Deputy CEO, GMUS	
s223(5)	41. Adverse Publicity Orders	CEO, Deputy CEO, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>41.3 The power pursuant to Section 223(5) of the PDI Act, if:</p> <p>41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and</p> <p>41.3.2 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,</p> <p>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.</p>		
s223(6)	<p>41. Adverse Publicity Orders</p> <p>41.4 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.</p>	CEO, Deputy CEO, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s225(1)	<p>42. Civil Penalties</p> <p>42.1 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.</p>	CEO, Deputy CEO, GMUS	
s225(2)	<p>42. Civil Penalties</p> <p>42.2 The power pursuant to Section 225(2) of the PDI Act, in 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.</p>	CEO, Deputy CEO, GMUS	
s225(3)	42. Civil Penalties	CEO, Deputy CEO, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	42.3 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.		
s225(13)	42. Civil Penalties 42.4 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)	42. Civil Penalties 42.5 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	
s228(7)	43. Make Good Order 43.1 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, TLMC, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s229(5)	<p>44. Recovery of Economic Benefit</p> <p>44.1 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.</p>	CEO	
s230(1)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.1 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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s230(4)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.2 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 the undertaking.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s230(7)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:</p> <p>45.3.1 vary the undertaking; or</p> <p>45.3.2 withdraw the undertaking.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s230(11)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.4 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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s230(12)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.5 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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s230(14)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.6 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.</p>	CEO	
s231(1)	<p>46. Advertisements</p> <p>46.1 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>46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or</p> <p>46.1.2 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</p>	CEO, Deputy CEO, MCD, TLMC, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).		
s231(3)	<p>46. Advertisements</p> <p>46.2 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 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.</p>	CEO, Deputy CEO, MCD, TLM, AM, GMUS	
s235(1)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.1 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, TLB, SDOB, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s235(2)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.2 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, TLB, SDOB, DOB, AM, GMUS	
s239(1)	<p>48. Charges on Land</p> <p>48.1 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 determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s239(6)	<p>48. Charges on Land</p> <p>48.2 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</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	form determined by the Registrar-General, apply for the discharge of the charge.		
s240(1)	<p>49. Registering Authorities to Note Transfer</p> <p>49.1 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.</p>	CEO	
cl13(3)(b) sch2	<p>50. Reporting</p> <p>50.1 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 delegate.</p>	COUNCIL	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl3(16) sch4	<p>51. Review of Performance</p> <p>51.1 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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r11B(1)	<p>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:</p> <p>52.1.1 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>	CEO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>52.1.2 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>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>52.2.1 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>52.2.2 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	

Planning, Development and Infrastructure (General) Regulations 2017

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>53. Performance Assessed Development and Restricted Development</p> <p>53.1 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>54. Underground Main Areas</p> <p>54.1 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, TLP, AM, GMUS	
r78(2)	<p>54. Underground Main Areas</p> <p>54.2 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, TLP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r81(4)	<p>55. Width of Roads and Thoroughfares</p> <p>55.1 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, TLP, CAP, AM, GMUS	
r81(5)	<p>55. Width of Roads and Thoroughfares</p> <p>55.2 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, TLP, CAP, AM, GMUS	
r81(6)	<p>55. Width of Roads and Thoroughfares</p> <p>55.3 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, TLP, CAP, AM, GMUS	
r82(1)	<p>56. Road Widening</p> <p>56.1 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</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
r83(1)	<p>57. Requirement as to Forming of Roads</p> <p>57.1 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, TLP, CAP, AM, GMUS	
r83(2)	<p>57. Requirement as to Forming of Roads</p> <p>57.2 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.</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	
r83(4)	<p>57. Requirement as to Forming of Roads</p> <p>57.3 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.</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r83(5)	<p>57. Requirement as to Forming of Roads</p> <p>57.4 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.</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	
r83(6)	<p>57. Requirement as to Forming of Roads</p> <p>57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	
r84(1)	<p>58. Construction of Roads, Bridges, Drains and Services</p> <p>58.1 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 and sealed with bitumen, tar or asphalt or other material approved by the delegate.</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	
r85(1)	<p>59. Supplementary Provisions</p> <p>59.1 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,</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.		
r85(2)	<p>59. Supplementary Provisions</p> <p>59.2 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, TLP, CAP, AM, GMUS	
r85(4)	<p>59. Supplementary Provisions</p> <p>59.3 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 are necessary and need to be laid under the surface of the proposed road, have been made.</p>	CEO, Deputy CEO, MCA, MCD, TLP, CAP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r89(1)	<p>60. General Provisions</p> <p>60.1 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, TLP, TLM, AM, GMUS	
r89(3)	<p>60. General Provisions</p> <p>60.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:</p> <p>60.2.1 evidences the consent of the Council to an encroachment by a building over other land; and</p> <p>60.2.2 sets out:</p> <p>60.2.2.1 the date on which any relevant building was erected (if known); and</p> <p>60.2.2.2 the postal address of the site.</p>	CEO, Deputy CEO, MCD, TLP, TLM, SDOP, SDOA, DOP, AM, GMUS	
r89(6)(b)	60. General Provisions	CEO, Deputy CEO, MCD, TLP, TLM,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	60.3 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.	SDOP, SDOA, DOP, AM, GMUS	
r89(8)	60. General Provisions 60.4 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 prescribed by Regulation 89(7).	CEO, Deputy CEO, MCD, TLP, TLCD, SDOP, SDOA, DOP, AM, GMUS	
r93(1)(b)	61. Notifications During Building Work 61.1 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.	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
r93(1)(c)	61. Notifications During Building Work 61.2 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	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
r94(13)	<p>62. Essential Safety Provisions</p> <p>62.1 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>62.1.1 the essential safety provisions were installed</p> <p>62.1.1.1 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>62.1.1.2 as part of a performance solution under the Building Code; or</p> <p>62.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
r102(3)	<p>63. Classification of Buildings</p> <p>63.1 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>63.1.1 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, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r102(4)	<p>63. Classification of Buildings</p> <p>63.2 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, TLB, SDOB, DOB, AM, GMUS	
r102(5)	<p>63. Classification of Buildings</p> <p>63.3 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 present or intended use).</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
r102(6)	<p>63. Classification of Buildings</p> <p>63.4 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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>63.4.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>63.4.2 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>		
Regulation 103A(1)	<p>64. Required Documentation</p> <p>64.1 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>64.1.1 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>64.1.2 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>64.1.2.1 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> <p>64.1.2.2 in any other case – that the building is suitable for occupation.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 103A(2)	<p>64. Required Documentation</p> <p>64.2 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>64.2.1 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, TLB, SDOB, DOB, AM, GMUS	
Regulation 103A(3)	<p>64. Required Documentation</p> <p>64.3 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>64.3.1 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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	64.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.		
Regulation 103C(1)(c)	<p>65. Statement of site suitability</p> <p>65.1 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
Regulation 103D(1)	<p>66. Report from fire authority</p> <p>66.1 The power pursuant to Regulation 103D(1) of the General Regulations, if –</p> <p>66.1.1 a building is –</p> <p>66.1.1.1 to be equipped with a booster assembly for use by a fire authority; or</p> <p>66.1.1.2 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</p> <p>66.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
Regulation 103D(2)	<p>66. Report from fire authority</p> <p>66.2 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
Regulation 103D(3)	<p>66. Report from fire authority</p> <p>66.3 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
Regulation 103E(1)(b)	<p>67. Issue of certificate of occupancy</p> <p>67.1 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 103E(3)(c)	<p>67. Issue of certificate of occupancy</p> <p>67.2 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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
Regulation 103F	<p>68. Revocation</p> <p>68.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy –</p> <p>68.1.1 if –</p> <p>68.1.1.1 there is a change in the use of the building; or</p> <p>68.1.1.2 the classification of the building changes; or</p> <p>68.1.1.3 building work involving an alteration or extension to the building that will increase 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>68.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p> <p>68.1.2 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>	CEO, Deputy CEO, MCD, TLB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>68.1.3 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>68.1.4 if the delegate considers –</p> <p>68.1.4.1 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>68.1.4.2 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>69. Mining Production Tenements</p> <p>69.1 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>70. Register of Land Management Agreements (Section 193)</p> <p>70.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.</p>	CEO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r111(3)	<p>70. Register of Land Management Agreements (Section 193)</p> <p>70.2 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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
r112(1)	<p>71. Authorised Officers and Inspections</p> <p>71.1 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:</p> <p>71.1.1 who is an accredited professional who is:</p> <p>71.1.1.1 an Accredited professional - building level 1; or</p> <p>71.1.1.2 an Accredited professional - building level 2; or</p> <p>71.1.1.3 an Accredited professional - building level 3; or</p> <p>71.1.1.4 an Accredited professional - building level 4; or</p> <p>71.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or</p> <p>71.1.3 who holds an approval from the Chief Executive.</p>	CEO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>72. Calculation of Assessment of Fees</p> <p>72.1 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>72.1.1 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>72.1.2 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, TLP, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(2)	<p>72. Calculation of Assessment of Fees</p> <p>72.2 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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
r5(3)	<p>72. Calculation or Assessment of Fees</p> <p>72.3 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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
r7	<p>73. Waiver or Refund of Fee</p> <p>73.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>73.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>73.1.2 refund the whole or a part of the fee.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOA, AM, GMUS	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>74. Requirements in Relation to Preparing an Engagement Plan</p> <p>74.1 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>74.1.1 meets the principles and performance outcomes of the Charter;</p> <p>74.1.2 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>74.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>74.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p> <p>74.1.2.3 who must be consulted with under the Charter;</p> <p>70.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>70.1.4 describes the evaluation framework for the engagement.</p>	COUNCIL	
cl5(2)	<p>74. Requirements in Relation to Preparing an Engagement Plan</p> <p>74.2 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	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(2)	<p>75. Preparation of an Engagement Report (Following Consultation)</p> <p>75.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:</p> <p>75.1.1 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>75.1.2 the outcome of the engagement including a summary of the written submission or feedback made;</p> <p>75.1.3 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>75.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>75.1.3.2 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	
cl6(3)	<p>75. Requirements in Relation to Preparing an Engagement Report Following Consultation</p> <p>75.2 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>75.2.1 the principles of the Charter have been achieved; and</p>	COUNCIL	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	75.2.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).		
cl7(1)	<p>76. Initiating a Code Amendment</p> <p>76.1 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>76.1.1 Code Policy – an outline of:</p> <p>76.1.1.1 any overlay, general policy, zone or subzones in the Code being proposed for amendment; and/or</p> <p>76.1.1.2 the intended spatial application of an overlay, general policy, zone or subzone in the Code over an identified area;</p> <p>76.1.2 Affected Area</p> <p>76.1.2.1 a map or description of the Affected Area;</p> <p>76.1.3 State Planning Policies</p> <p>76.1.3.1 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>76.1.4 Regional Plan</p>	CEO	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>76.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;</p> <p>76.1.5 Consultation -</p> <p>76.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;</p> <p>76.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed code Amendment;</p> <p>76.1.6 Investigations -</p> <p>76.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment</p> <p>76.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;</p> <p>76.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;</p> <p>76.1.6.4 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>		

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>76.1.7 Timetable</p> <p>76.1.7.1 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(3)	<p>76. Initiating a Code Amendment</p> <p>The power pursuant to clause 7(3) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:</p> <p>76.2.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <p>76.2.1.1 all relevant property details and descriptions (including images);</p> <p>76.2.1.2 historical background and thematic analysis;</p> <p>76.2.1.3 a statement of heritage value;</p> <p>76.2.1.4 an assessment against the Local Heritage Criteria; and</p> <p>76.2.1.5 the extent of listing (including any exclusions);</p> <p>76.2.2 includes an analysis of historic themes of importance to the 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>76.2.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>76.2.4 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(4)	<p>76. Initiating a Code Amendment</p> <p>76.3 The power pursuant to clause 7(4) 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>76.3.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)</p> <p>76.3.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;</p> <p>76.3.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.</p>	CEO	
cl8(1)	<p>77. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>77.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:</p> <p>77.1.1 carry out investigations and obtain such information:</p>	CEO	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>77.1.1.1 as provided in the Proposal to Initiate approved by the Minister;</p> <p>77.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and</p> <p>77.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;</p> <p>77.1.2 provide the Department with:</p> <p>77.1.2.1 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>77.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable</p> <p>the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;</p> <p>77.1.3 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>77.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and</p>		

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	77.1.5 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.		
cl8(2)	<p>77. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>77.2 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>78. Requirements For a Draft Code Amendment</p> <p>78.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>78.1.1 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>78.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>78.1.3 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>	CEO	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>78.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>78.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.</p>		
cl11(1)	<p>79. Complying Changes to the Code</p> <p>79.1 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>79.1.1 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>79.1.2 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>79.1.3 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>	CEO	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	79.1.4 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		
cl12(1)	<p>80. Early Commencement of a Code Amendment</p> <p>80.1 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> <p>80.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:</p> <p>80.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and</p> <p>80.1.1.2 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>80.1.2 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>80.1.3 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>	COUNCIL	

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>81. Responsibility to Undertake Notification</p> <p>81.1 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>82. Mandatory Inspections</p> <p>82.1 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>82.1.1 primary structural elements;</p> <p>82.1.2 structural framing and roof trusses;</p>	CEO, TLB, SDOB, DOB	

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>82.1.3 wet areas and waterproofing;</p> <p>82.1.4 barriers to prevent falls;</p> <p>82.1.5 cladding;</p> <p>82.1.6 egress provisions;</p> <p>82.1.7 bushfire protection systems;</p> <p>82.1.8 passive and active fire safety elements;</p> <p>82.1.9 private bushfire shelters; and</p> <p>82.1.10 performance solutions.</p>		
cl3(2)	<p>83. Additional Inspections</p> <p>83.1 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.</p>	CEO, TLB, SDOB, DOB	
cl4(3)	84. Inspections Generally	CEO, TLB, SDOB, DOB	

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	84.1 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.		
cl1(2)	<p>85. General Requirements</p> <p>85.1 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.</p>	CEO, Deputy CEO, MCD, TLB, 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>86. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building</p> <p>86.1 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, TLB, 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 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 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	

**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
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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, 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 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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, AM, GMUS	
s102(1)	<p>3. Matters Against Which Development Must be Assessed</p> <p>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).</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s102(8)	3. Matters Against Which Development Must be Assessed	CEO, Deputy CEO, MCD, TLP, TLB, 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
	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.	SDOB, SDOA, DOP, DOB, DT4, 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, TLB, 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 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.	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s118(2)	4. Building Consent	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

**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
	<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>		

**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
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, TLB, 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, TLB, 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, TLB, SDOB, DOB, AM, GMUS	

**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
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, accept that proposed building work complies with the Building Rules to the extent that:</p> <p>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</p> <p>4.7.2 such compliance is certified by a building certifier.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s118(10)	<p>4. Building Consent</p> <p>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</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s118(11)	<p>4. Building Consent</p> <p>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</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

**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
	<p>authority's decision on the application for that consent, specify (in the notice or in an accompanying document):</p> <p>4.9.1 the variance; and</p> <p>4.9.2 the grounds on which the decision is being made.</p>		
s119(1)(b)	<p>5. Application and Provision of Information</p> <p>5.1 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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
s119(3)	<p>5. Application and Provision of Information</p> <p>5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>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;</p> <p>5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	

**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
	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.		
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, TLP, TLB, SDOP, SDOB, SDOA, 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	
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;	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	

**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
	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);		
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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, 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, TLP, TLB, SDOA, AM, GMUS	
s119(9)	5. Application and Provision of Information	CEO, Deputy CEO, MCD, TLP, TLB, 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
	<p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>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.</p>	SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
s119(10)	<p>5. Application and Provision of Information</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
s119(12)	<p>5. Application and Provision of Information</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, AM, GMUS	

**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
s119(14)	<p>5. Application and Provision of Information</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOA, AM, GMUS	
s120(1)	<p>6. Outline Consent</p> <p>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.</p>	CEO	
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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>		
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, TLB, SDOB, DOB, AM, GMUS	

**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
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, TLB, 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, TLB, AM, GMUS	
s124(1)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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).</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	
s124(5)	8. Proposed Development Involving Creation of Fortifications	CEO, Deputy CEO, MCD, TLP, TLB, 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
	<p>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:</p> <p>8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;</p> <p>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.</p>	SDOB, SDOA, DOP, DOB, AM, GMUS	
s124(6)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	
s124(7)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.4 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, TLP, TLB, AM, GMUS	

**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
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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, 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, TLP, TLB, SDOP, SDOB, SDOA, 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, TLB, SDOB, DOB, AM, GMUS	

**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
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 condition in accordance with an application under Part 7 of the PDI Act.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s128(2)(d)	<p>11. Variation of Authorisation</p> <p>11.1 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, TLP, TLB, SDOP, SDOB, SDOA, 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, TLB, SDOB, DOB, AM, GMUS	

**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
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, TLB, 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, TLB, SDOB, DOB, AM, GMUS	

**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
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 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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

**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
	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).		
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 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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
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, TLP, TLB, TLMC, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	

**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
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, TLP, TLB, 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, TLP, TLB, AM, GMUS	
s235(1)	<p>16. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
s235(2)	<p>16. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

**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
	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.		
cl18(2) sch8	<p>17. Continuation of Processes</p> <p>17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>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</p> <p>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</p> <p>17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>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</p> <p>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</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, AM, GMUS	

**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
	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)	<p>18. Accredited Professionals</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
r31(1)	19. Verification of Application	CEO, Deputy CEO, MCD, TLP, TLB, SDOP,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>19.1.1 determine the nature of the development; and</p>	SDOB, SDOA, DOP, DOB, DT4, DT3, 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)	19. Verification of Application	CEO, Deputy CEO, MCD, TLP, TLB, SDOP,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>	<p>SDOB, SDOA, DOP, DOB, DT4, DT3, 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>19.1.4 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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS</p>	

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>19.1.5 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 any practice direction; and</p> <p>19.1.5.2 provide an appropriate notice via the SA planning portal.</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
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</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	year has passed since the date on which the application was lodged with the relevant authority.		
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, TLP, TLB, SDOP, SDOB, SDOA, 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, TLP, TLB, 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</p>	CEO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
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, TLB, 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</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations within 20 business days, to presume that the fire authority does not desire to make a report.		
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 any report received from a fire authority under Regulation 45 of the General Regulations.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, 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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>		
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 the PDI Act.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, AM, GMUS	
r60	26. Consideration of Other Development Authorisations	CEO, Deputy CEO, MCD, TLP, TLB, SDOP,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	SDOB, SDOA, DOP, DOB, DT4, 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, TLB, 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> <p>28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r63(2)	<p>28. Urgent Work</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, TLM, SDOB, SDOA, DOB, AM, GMUS	
r63(3)	<p>28. Urgent Work</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, TLB, TLM, SDOB, SDOA, DOB, AM, GMUS	
r65(1)(a)	<p>29. Variation of Authorisation (Section 128)</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r99(4)	<p>30. Construction Industry Training Fund</p> <p>30.1 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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
r99(5)	<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>	CEO, Deputy CEO, MCD, TLB, SDOB, DOB, AM, GMUS	
cl4(3) sch8	<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>	CEO, Deputy CEO, MCD, TLP, TLB, SDOB, SDOA, DOB, DT4, DT3, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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,</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>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</p>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP,	

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	<p>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>	DOB, DT4, DT3, 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, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, TLB, SDOP, SDOB, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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>	CEO, Deputy CEO, MCD, TLP, TLB, SDOA, AM, GMUS	

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

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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</p>	CAP	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to grant development authorisation in relation to the proposed development.		
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 must assess as a relevant authority under the PDI Act.</p>	CAP	
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, TLP, SDOP, SDOA, AM, GMUS	
s99(1)	4. Relevant Provisions	CAP	

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	<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>		
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>5.1.1 -</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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	<p>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 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>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(planning consent);		<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> <p>except in cases where:</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<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,</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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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>5.1.2 the relevant provisions of the Building Rules (building consent);</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>5.1.3 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>CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, 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>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>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> <ul 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. <p>[The below only applies to the AM and CEO]</p> <p>except in cases where:</p> <ul style="list-style-type: none"> A. a deemed consent notice has been served on the CAP; or 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

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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.
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>5.1.4 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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	<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>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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 provision of water supply and sewerage services are satisfied;</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> <p>except in cases where:</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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;		
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 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>	CEO, Deputy CEO, MCD, TLP, AM, GMUS	
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, TLP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, 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	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
s118(1)	7. Building Consent	CEO, AM	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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).		
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>	CEO, AM	
s118(2)	<p>7. Building Consent</p> <p>7.3 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>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</p>	CEO, AM	

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	<p>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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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 Building Rules to the extent that:</p> <p>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</p> <p>7.7.2 such compliance is certified by a building certifier.</p>	CEO, AM	
s118(10)	<p>7. Building Consent</p> <p>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</p>	CEO, AM	
s118(11)	<p>7. Building Consent</p> <p>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</p>	CEO, AM	

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	<p>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):</p> <p>7.9.1 the variance; and</p> <p>7.9.2 the grounds on which the decision is being made.</p>		
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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	<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>		
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 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>CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS</p>	

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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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
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>8.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application,</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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	(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, TLP, SDOP, SDOA, DOP, DT4, DT3, 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, TLP, SDOA, AM, GMUS	
s119(9)	8. Application and Provision of Information 8.5 The power pursuant to Section 119(9) of the PDI Act to:	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA,	

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	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 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.	DOP, DT4, DT3, AM, GMUS	
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, TLP, SDOP, SDOA, DOP, DT4, DT3, 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, TLP, SDOP, AM, GMUS	

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s119(14)	<p>8. Application and Provision of Information</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, SDOA, AM, GMUS	
s120(1)	<p>9. Outline Consent</p> <p>9.1 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.</p>	CEO, Deputy CEO, MCD, TLP, AM, GMUS	<p>TLP:</p> <p>The delegation of the power to grant an outline consent pursuant to Section 120(1) of the Act is limited to applications in relation to which:</p> <p>1. 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>

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			<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>
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, AM, GMUS	

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	9.2.1 grant any consent contemplated by the outline consent; and 9.2.2 not impose a requirement that is inconsistent with the outline consent.		
s121(7)	10. Design Review 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).	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, AM, GMUS	
s122(1)	11. Referrals to Other Authorities or Agencies 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: 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	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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	<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, TLP, SDOP, SDOA, 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</p>	CEO, Deputy CEO, MCD, TLP, AM, GMUS	

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	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.		
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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	<p>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>		
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, TLP, SDOP, SDOA, 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</p>	CEO, Deputy CEO, MCD, TLP,	

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	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).	SDOP, SDOA, 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 creation of the fortifications</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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	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.		
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, TLP, 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</p> <p>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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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, DOP, DT4, 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, TLP, SDOP, SDOA, DOP, AM, GMUS	

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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, TLP, SDOP, SDOA, DOP, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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	acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).		
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s128(2)(d)	<p>17. Variation of Authorisation</p> <p>17.1 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, TLP, SDOP, SDOA, DOP, AM, GMUS	
s134(1)	<p>18. Requirement to Up-grade</p> <p>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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	
s134(1)	<p>18. Requirement to Up-grade</p> <p>18.2 The power pursuant to Section 134(1) of the PDI Act, if:</p> <p>18.2.1 an application for a building consent relates to:</p> <p>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</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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	<p>18.2.1.2 a change of classification of a building; and</p> <p>18.2.2 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>		
s134(2)	<p>18. Requirement to Up-grade</p> <p>18.3 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, AM, 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>	CEO, Deputy CEO, MCD, AM, GMUS	

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	<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>		
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 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</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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	comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).		
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 any direction.</p>	CEO, Deputy CEO, MCD, TLP, TLB, TLM, SDOP, SDOB,	

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		SDOA, DOP, DOB, AM, GMUS	
s143(1)	<p>20. Cancellation of Development Authorisation</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, AM, GMUS	
s143(2)	<p>20. Cancellation of Development Authorisation</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, AM, GMUS	
s235(1)	<p>21. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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s235(2)	<p>21. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>21.2 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, AM, 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>	CAP	

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	<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 joint planning board)</p>		
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>	CAP	

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	<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>		
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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	<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>		

Planning, Development and Infrastructure (General) Regulations 2017

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, TLP, SDOP, SDOA, 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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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> <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>		

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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)	<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>27.1.2 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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, DOP, DT4, DT3, 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>27.1.4 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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
r 32A(1)	<p>28. Site Contamination – Detailed Site Investigation Report</p> <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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>		
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, TLP, SDOP, SDOA, DOP, DT4, 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, TLP, SDOP, SDOA, DOP, DT4, DT3, 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, TLP, SDOP, SDOA, DOP, DT4, DT3, 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, TLP, SDOP, SDOA, 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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.		
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 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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, 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, TLP, SDOP, SDOA, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, 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 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, TLP, AM, GMUS	
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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
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>	CEO, Deputy CEO, MCD, AM, GMUS	
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</p>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations within 20 business days, to presume that the fire authority does not desire to make a report.		
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, 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>	CEO, Deputy CEO, MCD, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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 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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>		
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	36.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify the relevant prescribed body of the lapsing.		
r46(9)	36. Preliminary Advice and Agreement (Section 123) 36.4 The power pursuant to Regulation 46(9) of the General Regulations, if: 36.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and 36.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations, 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.	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
r48	37. Notification of Application of Tree-damaging Activity to Owner of Land 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: 37.1.1 give the owner notice of the application within 5 business days after the application is made; and	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
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, TLP, TLB, TLM, SDOP, SDOB, DA, SDOA, DOP, DOB, DT4, DT3, AM, GMUS	
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 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,</p>	CAP	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
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, TLP, SDOP, SDOA, 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, TLP, SDOP, SDOA, DOP, DT4, 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, TLP, SDOP, SDOA, DOP, DT4, 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, TLP, TLB, TLM, SDOB, SDOA, DOB, AM, GMUS	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, TLB, TLM, SDOB, SDOA, DOB, AM, GMUS	
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, TLP, SDOP, SDOA, DOP, DT4, 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, TLP, SDOP, SDOA, DOP, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, DOP, AM, GMUS	
r99(4)	<p>48. Construction Industry Training Fund</p> <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>	CEO, Deputy CEO, MCD, 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	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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</p> <p>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, TLP, SDOP, SDOA, 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 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</p>	CEO, Deputy CEO, MCD, AM, GMUS	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		

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 require to calculate a prescribed fee; and</p> <p>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).</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(2)	<p>51. Calculation or Assessment of Fees</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
r5(3)	<p>51. Calculation or Assessment of Fees</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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</p>	CEO, Deputy CEO, MCD, TLP, SDOP,	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	SDOA, 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 the referral.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
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, TLP, SDOP, SDOA, 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, TLP, SDOP, SDOA, DOP, AM, GMUS	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, TLP, SDOP, SDOA, 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, TLP, SDOP, SDOA, DOP, AM, GMUS	
PD Code	<p>53. Procedural Referrals</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	
PD Code	<p>53. Procedural Referrals</p> <p>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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>54. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001</p> <p>54.1 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.</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, 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>55. Responsibility to Undertake Notification</p> <p>55.1 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, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl8	<p>56. Preparing for Notification</p> <p>56.1 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>56.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and</p> <p>56.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land; and</p> <p>56.1.3 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, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
cl10(1)(a)	<p>57. Notice on Land</p> <p>57.1 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 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>	CEO, Deputy CEO, MCD, MCO, TLP, SDOP, SDOA, DOP, DT4, DT3, 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>58. Qualifications and Experience of Additional members</p> <p>58.1 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>58. Qualifications and Experience of Additional members</p> <p>58.2 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)	59. Scheme Provisions	CEO, Deputy CEO, MCD, TLP, SDOP,	

State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	59.1 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.	SDOA, DOP, AM, GMUS	
cl5(3)	59. Scheme Provisions 59.2 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.	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	60. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act 60.1 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	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
cl 13	<p>61. Land Division 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 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</p> <p>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, TLP, SDOP, SDOA, 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>62. Reserved Matter</p> <p>62.1 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</p> <p>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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
cl 7	<p>63. Process for Payments to the Fund</p> <p>63.1 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, TLP, SDOP, SDOA, DOP, DT4, DT3, AM, GMUS	
cl 8(3)	<p>64. Development within Council Fund Designated Areas</p> <p>64.1 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</p>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.		

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>65. Payment into Fund</p> <p>65.1 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>	CEO, Deputy CEO, MCD, TLP, SDOP, SDOA, DOP, AM, GMUS	

**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 as a Relevant Authority**

**Planning, Development and Infrastructure 2016 to Delegate Powers
of an Assessment Manager as a Relevant Authority under
the Planning, Development and Infrastructure Act 2016**

INSTRUMENT D

1. The previous delegations of the Assessment Manager of the City of West Torrens Council Assessment Panel of those and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments are revoked with this revocation to come into effect at 11:59pm on 1 May 2022.
2. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016*, the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the Instrument of Delegation and marked Instrument D (**Attached**) are hereby delegated to Terry Buss PSM, Chief Executive Officer (or any person acting in that position) of the City of West Torrens, subject to the conditions and/or limitations, if any, specified in the Instrument of Delegation with commencement of these delegations to come into effect 12:00am on 2 May 2022.
3. Such powers and functions may be further delegated by Terry Buss PSM, Chief Executive Officer (or any person acting in that position) of the City of West Torrens in accordance with Section 100(2)(c) *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit.
4. The Chief Executive Officer be authorised to make amendments or formatting changes of a minor nature to the approved Instrument of Delegation, if required.

Name: Hannah Bateman

Signature: 

Assessment Manager

Date: 26 April 2022

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)

Preamble

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument.
2. Refer to the relevant decision of the Assessment Manager to identify when these delegations were made, reviewed and or amended.

Delegation Sources

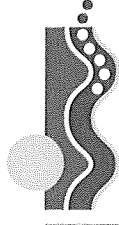
- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
- Planning and Design Code
- State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019
- Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021
- Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme
- Urban Tree Canopy Off-set Scheme

Positions

Abbreviation	Position
AM	Assessment Manager
CAP	Council Assessment Panel
CEO	Chief Executive Officer
Not Delegated	Not Delegated

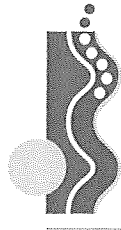
Instrument D – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager

Instrument 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)	1. Environment and Food Production Areas – Greater Adelaide 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.	Not Delegated	
s7(5)(d)	1. Environment and Food Production Areas – Greater Adelaide 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	Not Delegated	

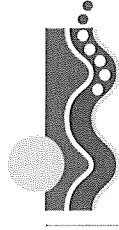


**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
Directions of Powers of an Assessment Manager (Instrument D)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	residential development, refuse to grant development authorisation in relation to the proposed development.		
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, AM	
s99(1)	<p>3. Relevant Provisions</p> <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>	Not Delegated	

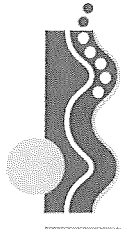


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.		
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, (planning consent);</p>	CEO, AM	
s102(1)	4. Matters Against Which Development Must Be Assessed	CEO, 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 Manager (Instrument D)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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>4.1.2 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>		



City of West Torrens
Between the City and the Sea

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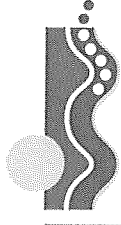
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)	<p>4. Matters Against 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> <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>	CEO, 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 Manager (Instrument D)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<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)	<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>	CEO, CAP, AM	

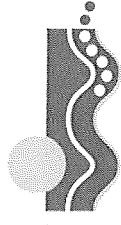


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	4.1.4 any encroachment 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;		
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, CAP, AM	
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, CAP, AM	

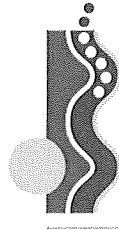


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)

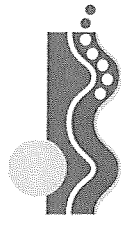
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(3)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, 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>	CEO, CAP, AM	
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, CAP, 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 Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, CAP, AM	
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, CAP, AM	
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, 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 Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, AM	
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> <p>7.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>7.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>7.2.4 to comply with any other requirement prescribed by the regulations.</p>	CEO, AM	

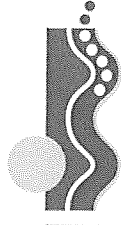


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(6)	<p>7. Application and Provision of Information</p> <p>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</p> <p>7.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and</p> <p>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).</p>	CEO, AM	
s119(7)	<p>7. Application and Provision of Information</p> <p>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.</p>	CEO, AM	
s119(9)	<p>7. Application and Provision of Information</p> <p>7.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>7.5.1 permit an applicant:</p>	CEO, AM	

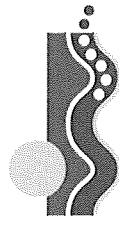


**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
 Directions of Powers of an Assessment Manager (Instrument D)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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, AM	
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, AM	

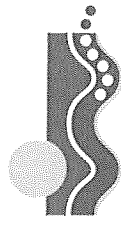


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(9)	<p>7. Application and Provision of Information</p> <p>7.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>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 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.</p>	CEO, AM	
s119(10)	<p>7. Application and Provision of Information</p> <p>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.</p>	CEO, AM	
s119(12)	<p>7. Application and Provision of Information</p> <p>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.</p>	CEO, AM	

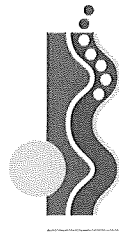


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(14)	<p>7. Application and Provision of Information</p> <p>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.</p>	CEO, AM	
s120(1)	<p>8. Outline Consent</p> <p>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.</p>	CEO, AM	
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, CAP, 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 Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, CAP, AM	
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> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>	CEO, AM	

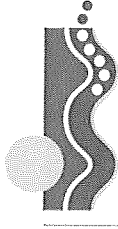


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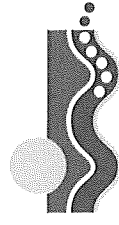
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Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, CAP, AM	
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, AM	
s122(10)	10. Referrals to Other Authorities or Agencies	CEO, AMS	

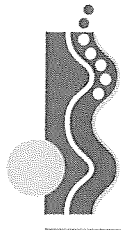


Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	10.4 The power pursuant 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.		
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</p>	CEO, 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 Manager (Instrument D)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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).		
s123(4)	11. Preliminary Advice and Agreement 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.	CEO, AM	
s124(1)	12. Proposed Development Involving Creation of Fortifications 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).	CEO, CAP, AM	
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:	CEO, CAP, 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 Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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		
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, CAP, AM	
s124(7)	12. Proposed Development Involving Creation of Fortifications	CEO, CAP, AM	



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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
	12.4 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.		
s125(6)	13. Time Within Which Decision Must be Made 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.	CEO, AM	
s125(7)	13. Time Within Which Decision Must be Made 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.	CEO, AM	
s126(1)	14. Determination of Application	CEO, CAP, AM	

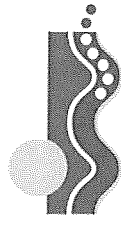
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	14.1 The power pursuant 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).		
s126(3)	14. Determination of Application 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 Act.	CEO, CAP, AM	
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, CAP, 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 Manager (Instrument D)

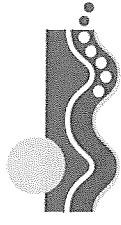
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s127(2)(c)	15. Conditions 15.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	CEO, CAP, AM	
s127(4)	15. Conditions 15.3 The 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, CAP, AM	
s127(6)	15. Conditions	CEO, CAP, AM	



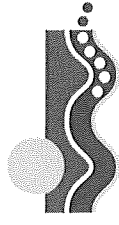
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	15.4 The power pursuant 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.		
s127(8)(b)	15. Conditions 15.5 The power pursuant to Section 127(8)(b) of the PDI Act to: 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; 15.5.2 to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.	CEO, CAP, AM	
s128(2)(d)	16. Variation of Authorisation	CEO, CAP, 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 Manager (Instrument D)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	16.1 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.		
s135(2)	17. Urgent Building Work 17.1 The power pursuant to Section 135(2) of the PDI Act to issue any direction.	CEO, AM	
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, AM	
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, 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 Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, AM	
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 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, AM	
cl12(7)	20. General Transitional Schemes for Panels 20.1 The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to 20.1.1 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	Not Delegated	



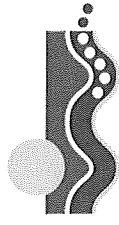
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>20.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and</p> <p>20.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>20.1.4 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>20.1.5 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)</p>		
cl13(5)	<p>21. Regional Assessment Panels</p> <p>21.1 The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:</p> <p>21.1.1 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>	Not Delegated	



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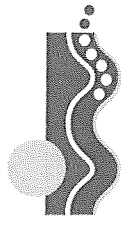
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>21.1.2 adopt or make 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>21.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>21.1.4 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>21.1.5 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 regional assessment panels)</p>		
cl18(2)	<p>22. Continuation of Processes</p> <p>22.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>22.1.1 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>	CEO, AM	



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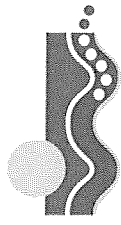
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>22.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>22.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>22.1.4 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>22.1.5 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>		



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 3(6)(b)	<p>23. Interpretation</p> <p>23.1 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, AM	
r22(2)	<p>24. Prescribed Scheme (Section 93)</p> <p>24.1 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>24.1.1 making a decision in accordance with a practice direction under Section 107(3)(a) of the PDI Act; and</p> <p>24.1.2 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, AM	



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r31(1)	<p>25. Verification of Application</p> <p>25.1 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>25.1.1 determine the nature of the development; and</p>	CEO, AM	
r31(1)	<p>25. Verification of Application</p> <p>25.1 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>25.1.2 if the application is for planning consent - determine:</p> <p>25.1.2.1 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>	CEO, AM	



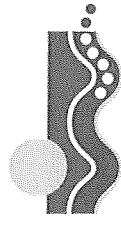
Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	25.1.2.2 the category or categories of development that apply for the purposes of development assessment; and		
r31(1)	<p>25. Verification of Application</p> <p>25.1 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>25.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	CEO, AM	
r31(1)	<p>25. Verification of Application</p> <p>25.1 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>	CEO, AM	



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Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>25.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>25.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>25.1.4.2 confirm the prescribed fees required to be paid at that; and</p> <p>25.1.4.3 provide an appropriate notice via the SA planning portal; and</p>		
r31(1)	<p>25. Verification of Application</p> <p>25.1 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>25.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p>	CEO, AM	



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>25.1.5.1 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>25.1.5.2 provide an appropriate notice via the SA planning portal.</p>		
r 32A(1)	<p>26. Site Contamination – Detailed Site Investigation Report</p> <p>26.1 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>26.1.1 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>26.1.2.1 site contamination; and</p> <p>26.1.2.2 if remediation is required, the extent of that remediation; and</p>	CEO, AM	

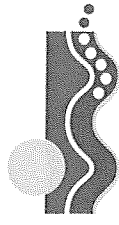


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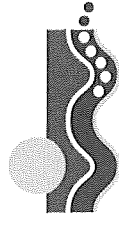
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Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	26.1.3 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.		
r 32A(2)	26. Site Contamination – Detailed Site Investigation Report 26.2 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.	CEO, AM	
r 32B	27. Site Contamination – Statement of Site Suitability 27.1 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.	CEO, AM	
r33(4)	28. Application and Further Information	CEO, AM	

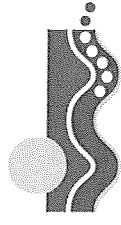


Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	28.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.		
r35(3)	29. Amended Applications 29.1 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.	CEO, CAP, AM	
r35(4)	29. Amended Applications 29.2 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.	CEO, CAP, AM	
r38(1)	30. Withdrawing/Lapsing Applications	CEO, AM	



Planning, Development and Infrastructure (General) Regulations 2017

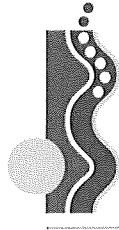
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>30.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>30.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>30.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>		
r38(2)	<p>30. Withdrawing/Lapsing Applications</p> <p>30.2 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, AM	
r38(3)	<p>30. Withdrawing/Lapsing Applications</p> <p>30.3 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>	CEO, AM	



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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>30.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>30.3.2 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>		
r40	<p>31. Court Proceedings</p> <p>31.1 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, AM	
r42(1)	<p>32. Additional Information or Amended Plans</p> <p>32.1 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, AM	



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(6)	<p>33. Preliminary Advice and Agreement (Section 123)</p> <p>33.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>33.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</p> <p>33.1.2 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>33.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>33.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	CEO, AM	
r46(7)	<p>33. Preliminary Advice and Agreement (Section 123)</p> <p>33.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>33.2.1 an application is withdrawn by the applicant; and</p>	CEO, AM	



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	33.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify relevant prescribed body of the withdrawal.		
r46(8)	33. Preliminary Advice and Agreement (Section 123) 33.3 The power pursuant to Regulation 46(8) of the General Regulations, if: 33.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and 33.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify the relevant prescribed body of the lapsing.	CEO, AM	
r46(9)	33. Preliminary Advice and Agreement (Section 123) 33.4 The power pursuant to Regulation 46(9) of the General Regulations, if:	CEO, AM	

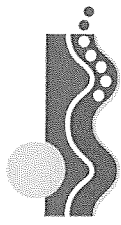


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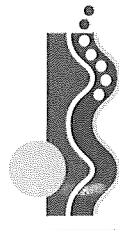
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>33.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>33.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,</p> <p>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.</p>		
r48	<p>34. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>34.1 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>34.1.1 give the owner notice of the application within 5 business days after the application is made; and</p> <p>34.1.2 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, AM	



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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r49(3)	35. Public Inspection of Applications 35.1 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.	CEO, AM	
r57(4)(a)	36. Notice of Decision (Section 126(1)) 36.1 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.	CEO, CAP, AM	
r60	37. Consideration of Other Development Authorisations 37.1 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.	CEO, CAP, AM	
r61(4)(c)	38. Certificate of Independent Technical Expert in Certain Cases	CEO, AM	

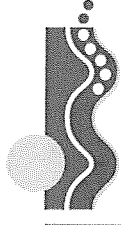


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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	38.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority 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.		
r63(1)	39. Urgent Work 39.1 The power pursuant to Regulation 63(1) of the General Regulations to, 39.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 39.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	CEO, AM	
r63(2)	39. Urgent Work 39.2 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, AM	



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r63(3)	<p>39. Urgent Work</p> <p>39.3 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, AM	
r65(1)(a)	<p>40. Variation of Authorisation (Section 128)</p> <p>40.1 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, AM	
r76(2)	<p>41. Advice from Commission</p> <p>41.1 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, AM	



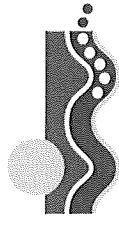
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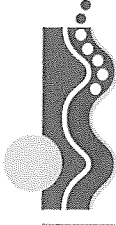
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r78(3)	<p>42. Underground Mains Area</p> <p>42.1 The power pursuant to Regulation 78(3) of the General Regulations, if an application relates to a proposed development that involves the division of land within, or partly within, 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, AM	
r99(4)	<p>43. Construction Industry Training Fund</p> <p>43.1 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)	43. Construction Industry Training Fund	Not Delegated	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	43.2 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		
cl 2(1)(b)	44. New Dwellings 44.1 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.	CEO, AM	
cl4(3)	45. Plans for Building Work 45.1 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: 45.1.1 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	Not Delegated	



Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>45.1.2 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>		

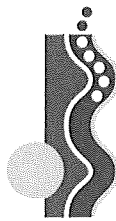
Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	46. Calculation or Assessment of Fees	CEO, AM	



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Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>46.1 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>46.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>46.1.2 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>		
r5(2)	<p>46. Calculation or Assessment of Fees</p> <p>46.2 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, AM	
r5(3)	46. Calculation or Assessment of Fees	CEO, AM	



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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	46.3 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.		

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	47. Procedural Matter 47.1 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.	CEO, AM	

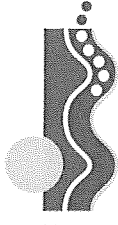
Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	48. Procedural Matters: Referrals 48.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.	CEO, AM	
PD Code	48. Procedural Matters: Referrals 48.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem: 48.2.1 alteration to an existing access or public road junction; or 48.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.	CEO, AM	
PD Code	48. Procedural Matters: Referrals 48.3 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.	CEO, AM	



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Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	48. Procedural Matters: Referrals 48.4 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, AM	
Part 9.4 PD Code	49. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 201 49.1 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, AM	
PD Code	48. Procedural Matters: Referrals 48.5 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, AM	



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Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	48. Procedural Matters: Referrals 48.6 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, AM	
PD Code	48. Procedural Matters: Referrals 48.7 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, AM	

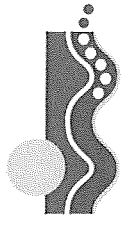


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State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	50. Scheme Provisions 50.1 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.	CEO, CAP, AM	
cl5(3)	50. Scheme Provisions 50.2 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.	CEO, CAP, AM	

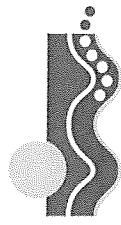


Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	<p>51. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>51.1 The power pursuant to clause 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, CAP, AM	
cl 13	<p>52. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>52.1 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>	CEO, CAP, AM	



Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		

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>53. Reserved Matter</p> <p>53.1 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>	CEO, CAP, AM	



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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 7	<p>54. Process for Payments to the Fund</p> <p>54.1 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, AM	
cl 8(3)	<p>55. Development within Council Fund Designated Areas</p> <p>55.1 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, CAP, AM	

Urban Tree Canopy Off-set Scheme			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>56. Payment into Fund</p> <p>56.1 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>	CEO, CAP, AM	

