

INSTRUMENT OF DELEGATION

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

28 OCTOBER 2022



CITY OF
MITCHAM

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

Positions

Abbreviation	Position	Name
Business Partner Strategic Planning and Projects	Business Partner Strategic Planning and Projects	
Business Partner Transition Policy Planning	Business Partner Transition Policy Planning	
Business Support Officer	Business Support Officer	
GM Development and Community Safety	General Manager Development and Community Safety	
Manager Development Services	Manager Development Services	
No sub delegation	No sub delegation	
Policy Planner	Policy Planner	
Team Leader Building and Compliance	Team Leader Building and Compliance	
Team Leader Planning and Business Support	Team Leader Planning and Business Support	

Positions Groups

Positions Group	Position	Positions
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Positions Group	Position	Positions
Planning Officers	Planning Officers	Planning Officer - 1, Planning Officer - 2, Planning Officer - 3, Planning Officer - 4, Planning Officer - 5
Senior Planners	Senior Planners	Senior Planner - 1, Senior Planner - 2, Senior Planner - 3

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)	<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>	GM Development and Community Safety, Manager Development Services	
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</p>	GM Development and Community Safety, Manager Development Services	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or</p> <p>3.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.</p>		
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.1 -</p> <p>4.1.1.1 the relevant provisions of the Planning Rules; and</p> <p>4.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development,</p> <p>(planning consent);</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

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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>4.1.2 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</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>authority - the council or authority consents to the vesting;</p> <p>4.1.2.5 requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;</p>		
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.3 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <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</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Planning and Design Code or a design standard;</p> <p>4.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>4.1.3.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;</p> <p>4.1.3.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;</p> <p>4.1.3.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>4.1.3.8 any building situated on the land complies with the Building Rules;</p> <p>4.1.3.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;</p>		

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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>4.1.4 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	

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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>4.1.6 such other matters as may be prescribed.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
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,</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.		
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

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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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	

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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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Senior Planners	
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</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	regulations; 7.2.4 to comply with any other requirement prescribed by the regulations.		
s119(6)	7. Application and Provision of Information 7.3 The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to 7.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and 7.3.2 refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
s119(7)	7. Application and Provision of Information 7.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
s119(9)	7. Application and Provision of Information 7.5 The power pursuant to Section 119(9) of the PDI Act to: 7.5.1 permit an applicant: 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);	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
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	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	provision of any information or document required by the regulations;	Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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>7.5.3 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);</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services	
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</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.		
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	

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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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services	
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>	No sub delegation	
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</p>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	outline consent.		
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

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	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 where the regulations so provide, subject to Section 122 of the PDI Act.		
s122(5)(b)	10. Referrals to Other Authorities or Agencies 10.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body: 10.2.1 to refuse the application; or 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) where the regulations so provide.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	In the case of the Planning Officers the delegation extends only to 10.2.2 of the provision
s122(7)	10. Referrals to Other Authorities or Agencies 10.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to	GM Development and Community Safety, Team Leader Planning and Business Support, Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
s122(10)	10. Referrals to Other Authorities or Agencies 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.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
s123(2)	11. Preliminary Advice and Agreement 11.1 The power pursuant to Section 123(2) of the PDI Act, if: 11.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and 11.1.2 the prescribed body agrees to consider the matter	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and</p> <p>11.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),</p> <p>to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).</p>	Planning, Policy Planner, Senior Planners	
s123(4)	<p>11. Preliminary Advice and Agreement</p> <p>11.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the PDI Act.		
s124(1)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>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).</p>	GM Development and Community Safety, Manager Development Services	
s124(5)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>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:</p> <p>12.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or</p> <p>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</p>	GM Development and Community Safety, Manager Development Services	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s124(6)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>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.</p>	GM Development and Community Safety, Manager Development Services	
s124(7)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>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.</p>	GM Development and Community Safety, Manager Development Services	
s125(6)	<p>13. Time Within Which Decision Must be Made</p> <p>13.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	planning consent should have been refused and apply to the Court for an order quashing the consent.	Development Services	
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.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services	
s126(1)	14. Determination of Application 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).	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
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	GM Development and Community Safety, Team Leader Planning and Business Support, 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
	person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.	Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
s127(1)	<p>15. Conditions</p> <p>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.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
s127(2)(c)	<p>15. Conditions</p> <p>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.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy	

**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
		Planning, Policy Planner, Senior Planners	
s127(4)	<p>15. Conditions</p> <p>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).</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
s127(6)	<p>15. Conditions</p> <p>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</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects,	

**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
	made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.	Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
s127(8)(b)	<p>15. Conditions</p> <p>15.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</p> <p>15.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</p> <p>15.5.2 to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services	
s128(2)(d)	<p>16. Variation of Authorisation</p> <p>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</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects,	

**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
	to extend the period for which the relevant authorisation remains operative.	Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
s143(1)	<p>18. Cancellation of Development Authorisation</p> <p>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.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
s143(2)	<p>18. Cancellation of Development Authorisation</p> <p>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.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	

**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)	<p>19. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners	
s235(2)	<p>19. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r22(2)	<p>22. Prescribed Scheme (Section 93)</p> <p>22.1 The power pursuant to Regulation 22(2) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations), to, in connection with Regulation 22(1)(a)(ii) of the General Regulations act as a relevant authority for the purposes of:</p> <p>22.1.1 making a decision in accordance with a practice direction under Section 107(3)(a) of the PDI Act; and</p> <p>22.1.2 determining whether a proposed development the subject of an application falls within a specified class of development excluded from the operation of Section 107(3) and (4) of the PDI Act by the Planning and Design Code.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>23.1.2 if the application is for planning consent - determine:</p> <p>23.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>23.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>		
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners</p>	
r31(1)	<p>23. Verification of Application</p>	<p>GM Development and Community</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>23.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>23.1.4.2 confirm the prescribed fees required to be paid at that; and</p> <p>23.1.4.3 provide an appropriate notice via the SA planning portal; and</p>	<p>Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners</p>	<p>The Planning Officers hold delegations over 25.1: 25.1.4: 25.1.4.1 only within the provisions.</p>
r31(1)	<p>23. Verification of Application</p> <p>23.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>23.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>23.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>23.1.5.2 provide an appropriate notice via the SA planning portal.</p>	<p>Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners</p>	
r33(4)	<p>26. Application and Further Information</p> <p>26.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
r35(3)	<p>27. Amended Applications</p> <p>27.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
r35(4)	<p>27. Amended Applications</p> <p>27.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r38(1)	<p>28. Withdrawing/Lapsing Applications</p> <p>28.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>28.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>28.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners</p>	
r38(3)	<p>28. Withdrawing/Lapsing Applications</p> <p>28.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:</p> <p>28.3.1 take reasonable steps to notify the applicant of the</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>action under consideration; and</p> <p>28.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	<p>Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners</p>	
r40	<p>29. Court Proceedings</p> <p>29.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services</p>	
r42(1)	<p>30. Additional Information or Amended Plans</p> <p>30.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and</p>	

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.	Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
r46(6)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>31.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</p> <p>31.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body, to refer the application (unless withdrawn) to the prescribed body:</p> <p>31.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>31.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(7)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>31.2.1 an application is withdrawn by the applicant; and</p> <p>31.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify relevant prescribed body of the withdrawal.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners</p>	
r46(8)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.3 The power pursuant to Regulation 46(8) of the General Regulations, if:</p> <p>31.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</p> <p>31.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to notify the relevant prescribed body of the lapsing.	Officers, Senior Planners	
r46(9)	<p>31. Preliminary Advice and Agreement (Section 123)</p> <p>31.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</p> <p>31.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>31.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations, 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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners	
r48	<p>32. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>32.1 The power pursuant to Regulation 48 of the General</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	<hr/> <p>The Business Support Officer holds delegation over 34.1: 34.1.1</p>

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:</p> <p>32.1.1 give the owner notice of the application within 5 business days after the application is made; and</p> <p>32.1.2 give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</p>	<p>Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners</p>	<p>only within the provisions.</p>
r49(3)	<p>33. Public Inspection of Applications</p> <p>33.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r57(4)(a)	<p>34. Notice of Decision (Section 126(1))</p> <p>34.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
r60	<p>35. Consideration of Other Development Authorisations</p> <p>35.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
r63(1)	<p>37. Urgent Work</p> <p>37.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>37.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>37.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
r63(2)	<p>37. Urgent Work</p> <p>37.2 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>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services	
r63(3)	<p>37. Urgent Work</p> <p>37.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services	
r65(1)(a)	<p>38. Variation of Authorisation (Section 128)</p> <p>38.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b)</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
r76(2)	<p>39. Advice from Commission</p> <p>39.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
r78(3)	<p>40. Underground Mains Area</p> <p>40.1 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</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	Policy Planning, Policy Planner, Planning Officers, Senior Planners	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>44. Calculation or Assessment of Fees</p> <p>44.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</p> <p>44.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>44.1.2 to make any other determination for the purposes of the</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Fees Regulations or a related set of regulations or a fee notice (even if the assessment manager is not a relevant authority).		
r5(2)	<p>44. Calculation or Assessment of Fees</p> <p>44.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Planning Officers, Senior Planners	
r5(3)	<p>44. Calculation or Assessment of Fees</p> <p>44.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>45. Procedural Matter</p> <p>45.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
PD Code	<p>46. Procedural Matters: Referrals</p> <p>46.2 The power pursuant to and in accordance with the PD</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager	The Senior Planner is required to consult with the Team Leader - Traffic

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Code to form the opinion and deem: 46.2.1 alteration to an existing access or public road junction; or 46.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.	Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	and Transport in relation to the delegation under this provision.
PD Code	46. Procedural Matters: Referrals 46.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
PD Code	46. Procedural Matters: Referrals 46.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	when considering the purpose of the referral.	Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	
Part 9.4 PD Code	<p>47. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 201</p> <p>47.1 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>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Senior Planners	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>48. Scheme Provisions</p> <p>48.1 The power pursuant to clause 5(1) of the State Planning</p>	GM Development and Community Safety, Team Leader Planning and Business	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.	Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
cl5(3)	<p>48. Scheme Provisions</p> <p>48.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	