



CITY OF
MITCHAM

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE DEVELOPMENT ACT 1993,
DEVELOPMENT (DEVELOPMENT PLANS) AMENDMENT ACT 2006 AND
DEVELOPMENT REGULATIONS 2008

28 OCTOBER 2022

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

Delegation Sources

- Development Act 1993
- Development Regulations 2008

Positions

Abbreviation	Position	Name
Accounting Officer Debtors and Financial Services	Accounting Officer Debtors and Financial Services	
Assistant Accountant	Assistant Accountant	
Business Partner Strategic Planning and Projects	Business Partner Strategic Planning and Projects	
Business Partner Transition Policy Planning	Business Partner Transition Policy Planning	
Cadet Planner	Cadet Planner	
Compliance Officer	Compliance Officer	
Compliance Officer Civil Works	Compliance Officer Civil Works	
Development Information Management Officer	Development Information Management Officer	
Development Officer Engineering	Development Officer Engineering	
Development Planning Officer	Development Planning Officer	
Development Support Trainee	Development Support Trainee	
Executive Assistant Development Services and Community Safety	Executive Assistant Development Services and Community Safety	
General Manager Corporate Services and Innovation	General Manager Corporate Services and Innovation	

Abbreviation	Position	Name
GM Development and Community Safety	General Manager Development and Community Safety	
GM Engineering and Horticulture	General Manager Engineering and Horticulture	
Major Projects (Property)	Major Projects (Property)	
Manager Assets	Manager Assets	
Manager Development Services	Manager Development Services	
Manager Finance and Rates	Manager Finance and Rates	
Manager Open Space	Manager Open Space	
No sub delegation	No sub delegation	
Planner	Planner	
Planning Officer - 1	Planning Officer - 1	
Policy Planner	Policy Planner	
Project and Development Engineer	Project and Development Engineer	
Senior Accountant	Senior Accountant	
Senior Building Officer	Senior Building Officer	
Senior Business Support Officer	Senior Business Support Officer	
Senior Compliance Officer	Senior Compliance Officer	

Abbreviation	Position	Name
Team Leader Building and Compliance	Team Leader Building and Compliance	
Team Leader Operations Support	Team Leader Operations Support	
Team Leader Planning and Business Support	Team Leader Planning and Business Support	

Positions Groups

Positions Group	Position	Positions
Building Officers	Building Officers	Building Officer - 1, Building Officer - 2, Building Officer - 3
Business Support Officers - Development Services	Business Support Officers - Development Services	Business Support Officer Development Services - 1, Business Support Officer Development Services - 2, Business Support Officer Development Services - 3, Business Support Officer Development Services - 4, Business Support Officer Development Services - 5
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 of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s6(3)	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and</p>	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	
s6(3)	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>use of land has been discontinued for a period of six months or more:</p> <p>1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.</p>	Projects, Business Partner Transition Policy Planning, Policy Planner	
s18(1)	<p>2. Appointment of Authorised Officers</p> <p>2.1 The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.</p>	GM Development and Community Safety	
s18(2)	<p>2. Appointment of Authorised Officers</p> <p>2.2 The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer.</p>	GM Development and Community Safety	
s18(5)	<p>2. Appointment of Authorised Officers</p> <p>2.4 The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an</p>	GM Development and Community Safety	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	appointment or impose a further such condition.		
s24(1)(b)(i)	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.2 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(i) to consult with the Minister.</p>	No sub delegation	
s24(1)(b)(ii)	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.3 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.</p>	No sub delegation	
s25(4) and 25(5)	<p>5. Amendments by a Council</p> <p>5.3 Subject to Sections 25(4) and 25(5) of the Act the power pursuant to Section 25(3) of the Act to prepare a proposal, to be called a 'Development Plan Amendment' (or DPA) that complies with the following requirements:</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>5.3.1 the DPA must be based on the outcome of investigations initiated by the Council or the Delegate in accordance with the terms of the Statement of Intent and such other investigations (if any) as the Council or the Delegate thinks fit;</p> <p>5.3.2 the DPA must include an assessment of the extent to which the proposed amendment:</p> <p>5.3.2.1 accords with the Planning Strategy; and</p> <p>5.3.2.2 accords with the Statement of Intent; and</p> <p>5.3.2.3 accords with other parts of the Development Plan; and</p> <p>5.3.2.4 complements the policies in the Development Plans for adjoining areas; and</p>		

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>5.3.2.5 satisfies the matters prescribed in the Regulations;</p> <p>5.3.3 the DPA must include:</p> <p>5.3.3.1 an explanation of the intent of the proposed amendments, the relationship between that intent and the policy of the Statement of Intent, and a summary of the major policy changes (if any) that are proposed; and</p> <p>5.3.3.2 a summary of the conclusions drawn from the investigations and assessments referred to above; and</p> <p>5.3.3.3 a draft of the amendment, or a draft of the relevant section of the Development Plan as amended (with the amendments shown in a distinctive manner);</p> <p>5.3.4 the DPA must include an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (with respect to both physical and</p>		

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>social infrastructure) identified by the Council through strategic planning or other processes undertaken by the Council under the Act or the Local Government Act 1999 or identified by a Minister, or any other relevant government agency, in accordance with any scheme set out in the Regulations, in connection with the preparation of the DPA under the Act;</p> <p>5.3.5 the DPA must include any other matter prescribed by the Regulations.</p>		
s25(3)(a)	<p>5. Amendments by a Council</p> <p>5.4 The power pursuant to Section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	
s25(5)	<p>5. Amendments by a Council</p> <p>5.6 The power pursuant to Section 25(5) of the Act to not, except as authorised by the Minister, propose an amendment</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to a part of a Development Plan that has been declared by the Minister by notice in the Gazette as being part of a set of standard policy modules for the purposes of the Act.	Planning, Policy Planner	
s25(6)	<p>5. Amendments by a Council</p> <p>5.8 The power pursuant to Section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	
s25(7)(b)	<p>5. Amendments by a Council</p> <p>5.9 Process A</p> <p>5.9.2 The power pursuant to Section 25(7)(b) of the Act, if a response is not received within the period that applies under Section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	
s 25(7)(c)	5. Amendments by a Council	GM Development and Community Safety,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>5.9 Process A</p> <p>5.9.3 The power pursuant to Section 25(7)(c) of the Act to consult with the Minister.</p>	<p>Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner</p>	
s25(8)(a)	<p>5. Amendments by a Council</p> <p>5.10 Process B</p> <p>5.10.1 The duty pursuant to Section 25(8)(a) of the Act, if required by the Minister, to first refer the DPA to the Minister for consideration.</p> <p>5.10.2 The power, pursuant to Section 25(8)(a) of the Act, to consult with the Minister.</p> <p>5.10.3 The duty pursuant to Section 25(8)(a)(i) of the Act to comply with a requirement of the Minister to make an alteration to the DPA.</p>	<p>Business Partner Transition Policy Planning, Policy Planner</p>	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>5.10.4 Subject to complying with Section 25(8)(a) of the Act, (if relevant) the duty and power pursuant to Section 25(8)(b)(i) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 8 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.10.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act the duty pursuant to Section 25(8)(b)(ii) of the Act to release the DPA for public consultation in accordance with the Regulations over a period that is at least concurrent with the period that applies under Section 25(8)(b)(i) of the Act.</p>		
s25(9)(a)	<p>5. Amendments by a Council</p> <p>5.11 Process C</p> <p>5.11.1 The duty and power pursuant to Section 25(9)(a) of the</p>	<p>GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner</p>	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 4 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.11.2 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(9)(b) of the Act to release the DPA for public consultation in accordance with the Regulations, over a period that is at least concurrent with the period that applies under Section 25(9)(a) of the Act.</p> <p>5.11.3 The duty pursuant to Section 25(9)(c) of the Act, at the time that the DPA is released for public consultation, to give:</p> <p>5.11.3.1 an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and</p> <p>5.11.3.2 an owner or occupier of each piece of adjacent land</p>		

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to land that is directly subject to the operation of the proposed amendment, a written notice in accordance with the Regulations.		
s25(23)	5. Amendments by a Council 5.21 The power pursuant to Section 25(23) of the Act to consult with the Minister.	No sub delegation	
s30(9)	8. Strategic Directions Reports 8.9 The power pursuant to Section 30(9) of the Act to request the Minister to exempt the Council: 8.9.1 from a requirement to prepare a particular report under Section 30 of the Act; or 8.9.2 from a particular requirement with respect to a report under Section 30 of the Act.	GM Development and Community Safety, Manager Development Services, Business Partner Transition Policy Planning, Policy Planner	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s30(14)	<p>8. Strategic Directions Reports</p> <p>8.12 The power pursuant to Section 30(14) of the Act, to request in accordance with the regulations a Minister identified by the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under Section 30 of the Act.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	
s30(15)	<p>8. Strategic Directions Reports</p> <p>8.13 The power pursuant to Section 30(15) of the Act to act jointly with two or more councils under Section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under Section 30 of the Act.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	
s33(1)(a)	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and</p>	Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.1 the provisions of the appropriate Development Plan;	Business Partner Transition Policy Planning, Policy Planner, Planner, Cadet Planner, Planning Officers, Senior Planners	
s33(1)(b)	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.2 the provisions of the Building Rules;	Team Leader Building and Compliance, Major Projects (Property), Senior Building Officer, Compliance Officer, Building Officers	
s33(1)(c)	10.Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planner, Cadet Planner, Planning Officers, Senior Planners	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Section 33(1)(c) of the Act;		
s33(1)(d)	<p>10.Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planner, Cadet Planner, Planning Officers, Senior Planners	
s33(1)(e)	<p>10.Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.5 the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planner, Cadet Planner, Planning Officers, Senior Planners	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s33(1)(f)	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):</p> <p>10.1.6 such other matters as may be prescribed.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planner, Cadet Planner, Planning Officers, Senior Planners	
s33(3)	<p>10. Matters Against Which Development Must be Assessed</p> <p>10.2 The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Senior Planners	
s34(1a)	<p>11. Determination of Relevant Authority</p> <p>11.2 The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time</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	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	prescribed by the Regulations.		
s35(1b)	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.2 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.</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, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s35(2)	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.4 The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.</p>	Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Executive Assistant Development Services	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		and Community Safety, Planning Officers, Senior Planners	
s35(3)(a)	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.5 The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.</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	
35(6)	<p>12. Special Provisions Relating to Assessment Against Development Plans</p> <p>12.6 Subject to the Act, the power and duty pursuant to Section 35(6) of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s36(2)	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.2 The power pursuant to and in accordance with Section 36(2) of the Act:</p> <p>13.2.1 to assess whether a development is at variance with the Building Rules;</p> <p>13.2.2 to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of consent;</p> <p>13.2.3 to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code and to determine that it is appropriate</p>	Team Leader Building and Compliance, Major Projects (Property), Compliance Officer, Senior Compliance Officer, Building Officers	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>to grant the consent despite the variance on the basis that the Delegate is satisfied that:</p> <p>13.2.3.1 the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>13.2.3.2 in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.</p>		
s36(6)	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.6 The power pursuant to Section 36(6) of the Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of</p>	Team Leader Building and Compliance, Major Projects (Property), Senior Building Officer, Compliance Officer, Building Officers	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s37(6)	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.3 If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to Section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.</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	
37AA(2)(e) 37AA(2)(c)	<p>15. Preliminary Advice and Agreement</p> <p>15.1 The power pursuant to and in accordance with Section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with Section 37AA(2)(c) of the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planning Officers	
s37AA(4)	15. Preliminary Advice and Agreement	GM Development and Community Safety, Team Leader Planning and Business	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	15.2 The power pursuant to and in accordance with Section 37AA(4) of the Act to determine that an agreement under Section 37AA of the Act is no longer appropriate due to the operation of Section 53 of the Act.	Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s38(3a)(a)	<p>17. Public Notice and Consultation</p> <p>17.2 Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -</p> <p>17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to:</p> <p>17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations - give an owner or occupier of each piece of adjoining land; and</p> <p>17.2.1.2 give any other person of a prescribed class, notice of the application; and</p>	No sub delegation	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>17.2.2 the duty pursuant to Section 38(3a)(b) of the Act, to:</p> <p>17.2.2.1 give consideration to any representations in writing made in accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and</p> <p>17.2.2.2 forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and</p> <p>17.2.3 if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the</p>		

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	representation.		
s38(17)	<p>17. Public Notice and Consultation</p> <p>17.10 The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s38(18)	<p>17. Public Notice and Consultation</p> <p>17.11 The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s39(2)	18. Application and Provision of Information	GM Development and Community Safety,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>18.1 The power pursuant to Section 39(2) of the Act to request an applicant to:</p> <p>18.1.1 provide such additional documents or information to enable assessment of the application;</p> <p>18.1.2 remedy any defect or deficiency in any application or accompanying document or information required by or under the Act;</p> <p>18.1.3 consult with an authority or body prescribed by the Regulations;</p> <p>18.1.4 (where required by the Regulations) prepare a statement of effect in relation to non-complying development; and</p> <p>18.1.5 comply with any other requirement prescribed by the Regulations.</p>	<p>Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Project and Development Engineer, Manager Assets, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s39(2a)	<p>18. Application and Provision of Information</p> <p>18.2 If:</p> <p>18.2.1 a development is of a kind that is complying development; and</p> <p>18.2.2 the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and</p> <p>18.2.3 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d),</p> <p>the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.</p>	No sub delegation	
s39(2b)	18. Application and Provision of Information	GM Development and Community Safety, Team Leader Planning and Business	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>18.3 If:</p> <p>18.3.1 a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and</p> <p>18.3.2 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act, the power and duty pursuant to Section 39(2b)(c) of the Act, to;</p> <p>18.3.3 in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and</p> <p>the duty pursuant to Section 39(2b)(d) of the Act, to;</p> <p>18.3.4 make that request within a period prescribed by the Regulations.</p>	<p>Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Planning Officer - 1, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Development Information Management Officer, Development Support Trainee, Development Officer Engineering, Business Support Officers - Development Services, Senior Planners</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s39(3b)	<p>18. Application and Provision of Information</p> <p>18.6 The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Building Officers, Planning Officers, Senior Planners	
s39(4)(a) s39(5)	<p>18. Application and Provision of Information</p> <p>18.7 The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Development	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Information Management Officer, Executive Assistant Development Services and Community Safety, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s39(4)(b) s39(5)	18. Application and Provision of Information 18.8 The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Business Support Officers - Development	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Services, Senior Planners	
s39(4)(c) s39(5)	18. Application and Provision of Information 18.9 The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).	GM Development and Community Safety, Manager Development Services	
s39(4)(d)	18. Application and Provision of Information 18.10 The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Planning Officers, Senior Planners	
s39(4)(e)	18. Application and Provision of Information 18.11 The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act,	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s39(7)	<p>18. Application and Provision of Information</p> <p>18.12 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Major Projects (Property), Senior Building Officer, Compliance Officer, Building	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Planning Officers, Senior Planners	
s39(7)(c)	<p>18. Application and Provision of Information</p> <p>18.13 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s39(7)(d)	<p>18. Application and Provision of Information</p> <p>18.14 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Building Officers,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planning Officers, Senior Planners	
s39(7a)	<p>18. Application and Provision of Information</p> <p>18.15 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Major Projects (Property), Senior Building Officer, Compliance Officer, Building Officers, Planning Officers, Senior Planners	
s39(8)	<p>18. Application and Provision of Information</p> <p>18.16 The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Senior Building Officer, Compliance Officer, Building Officers, Senior Planners	
s39(9)	18. Application and Provision of Information 18.17 The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	GM Development and Community Safety, Manager Development Services	
s40(3)	19. Determination of Application 19.2 The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Major Projects (Property), Senior Building Officer, Compliance Officer, Building Officers, Planning Officers, Senior Planners	
s42(1)	21. Conditions 21.1 The power pursuant to Sections 42(1) and (3) of the Act	GM Development and Community Safety, Team Leader Building and Compliance,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.	Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Building Officer, Compliance Officer, Project and Development Engineer, Building Officers, Planning Officers, Senior Planners	
s42(6) s42(4)	<p>21. Conditions</p> <p>21.3 The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees under Section 42(4) of the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s42(8)(b)	<p>21. Conditions</p> <p>21.4 The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to grant an exemption under Section 42 of the Act in a particular case.	Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s43	22. Cancellation by a Relevant Authority 22.1 The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.	GM Development and Community Safety, Manager Development Services	
s45A(2)	23. Investigation of Development Assessment Performance 23.1 The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.	No sub delegation	
s49(4a)	24. Crown Development and Public Infrastructure 24.1 The power pursuant to Section 49(4a) of the Act to	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s49(5)	24. Crown Development and Public Infrastructure 24.2 The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice from the Development Assessment Commission under Section 49(4a) of the 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	
s49A(4a)	25. Electricity Infrastructure Development 25.1 The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the	GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	development in accordance with the Regulations.		
s50(1)	<p>26. Open Space Contribution System</p> <p>26.1 The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments is less than one hectare in area, to require:</p> <p>26.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>26.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of by Section 50 of the Act; or</p> <p>26.1.3 that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act,</p> <p>according to the determination and specification of the</p>	GM Development and Community Safety, Manager Development Services	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council or Delegate.		
s50(1)	<p>26. Open Space Contribution System</p> <p>26.2 The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the Development Assessment Commission.</p>	GM Development and Community Safety, Manager Development Services	
s50(10)	<p>26. Open Space Contribution System</p> <p>26.5 The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.</p>	GM Development and Community Safety, General Manager Corporate Services and Innovation, Manager Finance and Rates, Manager Development Services, Accounting Officer Debtors and Financial Services, Senior Accountant, Assistant Accountant, Manager Open Space	
s50(11)	<p>26. Open Space Contribution System</p> <p>26.6 The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of Section 50 of the Act in respect of the area of land as a whole.	Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
s50B(5)	<p>28. Urban Trees Fund</p> <p>28.4 The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to pay any resultant income into the fund.</p>	GM Engineering and Horticulture, General Manager Corporate Services and Innovation, Manager Finance and Rates, Accounting Officer Debtors and Financial Services, Senior Accountant, Assistant Accountant, Manager Open Space	
s50B(6)	<p>28. Urban Trees Fund</p> <p>28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to:</p> <p>28.5.1 maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or</p>	GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation, Manager Finance and Rates, Accounting Officer Debtors and Financial Services, Senior Accountant, Assistant Accountant, Manager Open Space	
s50B(6)	28. Urban Trees Fund	GM Engineering and Horticulture, GM	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to:</p> <p>28.5.2 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 Act.</p>	<p>Development and Community Safety, General Manager Corporate Services and Innovation, Manager Finance and Rates, Accounting Officer Debtors and Financial Services, Senior Accountant, Assistant Accountant, Manager Open Space</p>	
s53A(1)	<p>32. Requirement to Upgrade Building in Certain Cases</p> <p>32.1 Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to Section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.</p>	<p>GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s53A(2)	<p>32. Requirement to Upgrade Building in Certain Cases</p> <p>32.2 Where an application is made for building rules consent for building work in the nature of an alteration of a class prescribed by the Regulations the power pursuant to Section 53A(2) and subject to Section 53A(3) of the Act, to form the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings and facilities and services within buildings, for people with disabilities and therefore require as a condition of consent that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services	
s54(2)(d)	<p>33. Urgent Building Work</p> <p>33.1 The power pursuant to Section 54(2)(d) of the Act to issue any directions and specify a period of time with respect to building work performed as a matter of urgency.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services	
s55(1)	34. Action if Development Not Substantially Completed	GM Development and Community Safety,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	34.1 The power pursuant to Section 55(1) of the Act to apply to the Court for an order under Section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed within the period prescribed by the Regulations for the lapse of the approval.	Manager Development Services	
s55(5)	34. Action if Development Not Substantially Completed 34.2 The power pursuant to Section 55(5) of the Act where the Court makes an order under Section 55(3)(a), (b) or (ca) of the Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out and to recover the cost of that work as a debt from the person.	GM Development and Community Safety, Manager Development Services	
s55(6)	34. Action if Development Not Substantially Completed 34.3 The power pursuant to Section 55(6) of the Act where an amount is recoverable from a person under Section 55(5) of the Act, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice within which the amount must be paid.	GM Development and Community Safety, Manager Development Services	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s56(1)	<p>35. Completion of Work</p> <p>35.1 The power pursuant to Section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Team Leader Operations Support, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Compliance Officer Civil Works, Building Officers, Planning Officers, Senior Planners</p>	
s56(2)	<p>35. Completion of Work</p> <p>35.2 The power pursuant to the Section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under Section 56(1) of the Act.</p>	<p>GM Development and Community Safety, Manager Development Services</p>	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s56(3)	<p>35. Completion of Work</p> <p>35.3 The power pursuant to Section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under Section 56 of the Act as a debt due from the owner.</p>	GM Development and Community Safety, Manager Development Services	
s56(4)	<p>35. Completion of Work</p> <p>35.4 The power pursuant to Section 56(4) of the 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 where an amount is recoverable from the person under Section 56(3) of the Act.</p>	GM Development and Community Safety, Manager Development Services	
s56A(3)	<p>36. Council to Establish Development Assessment Panels</p> <p>36.1 The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act.</p>	GM Development and Community Safety, Manager Development Services	
s56A(3)	36. Council to Establish Development Assessment Panels	GM Development and Community Safety,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	36.2 The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act.	Manager Development Services	
s56A(3)(d)	36. Council to Establish Development Assessment Panels 36.3 The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as is reasonably practicable, the panel consists of equal numbers of men and women.	GM Development and Community Safety, Manager Development Services	
s56A(3)(e)	36. Council to Establish Development Assessment Panels 36.4 The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years.	GM Development and Community Safety, Manager Development Services	
s56A(3)(f)	36. Council to Establish Development Assessment Panels 36.5 The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the	GM Development and Community Safety, Manager Development Services	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	members of the council development assessment panel.		
s56A(3)(g)	<p>36. Council to Establish Development Assessment Panels</p> <p>36.6 The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for:</p> <p>36.6.1 breach of, or failure to comply with, the conditions of appointment; or</p> <p>36.6.2 misconduct; or</p> <p>36.6.3 neglect of duty; or</p> <p>36.6.4 incapacity to carry out satisfactorily the duty of his or her office; or</p> <p>36.6.5 failure to carry out satisfactorily the duty of his or her</p>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>office; or</p> <p>36.6.6 failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.</p>		
s56B(10)	<p>37. Building Rules Assessment Audits</p> <p>37.3 The power pursuant to Section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under Section 56B.</p>	GM Development and Community Safety	
s56B(14)	<p>37. Building Rules Assessment Audits</p> <p>37.4 The power pursuant to Section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under Section 56B(12).</p>	GM Development and Community Safety	
s56C(2)	<p>37A. Development Plan Assessment Audits</p> <p>37A.1 The power and duty pursuant to Section 56C(2) of the Act to have the Council's activities in relation to Development</p>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Plan assessments audited by a development assessment auditor in accordance with the requirements of Section 56C of the Act.		
s56C(10)	37A. Development Plan Assessment Audits 37A.2 The power pursuant to Section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.	GM Development and Community Safety	
s56C(14)	37A. Development Plan Assessment Audits 37A.3 The power pursuant to Section 56C(14) of the Act to make submissions in relation to the matter to the Minister.	GM Development and Community Safety	
s56C(15) 56C(12)(a)	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.1 the Minister makes a recommendation to the Council under Section 56C(12)(a) of the Act; and	GM Development and Community Safety	
s56C(15)	37A. Development Plan Assessment Audits	GM Development and Community Safety	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.2 the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, consult with the Minister.		
s57(3)	38. Land Management Agreements 38.4 The power pursuant to Section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under Section 57 of the Act.	GM Development and Community Safety, Manager Development Services	
s57(5)	38. Land Management Agreements 38.5 The power pursuant to Section 57(5) of the Act, to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	GM Development and Community Safety, Manager Development Services	
s57(8)	38. Land Management Agreements 38.6 The power pursuant to Section 57(8) of the Act to apply to the Registrar-General where an agreement in relation to	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
	which a note has been made under Section 57 of the Act has been rescinded or amended, to enter a note of the rescission or amendment made against the instrument of title or against the land.	Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s57A(7)	<p>39. Land Management Agreements - Development Applications</p> <p>39.5 The power pursuant to Section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under Section 57A(5) of the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Business Support Officers - Development Services	
s57A(14)	<p>39. Land Management Agreements - Development Applications</p> <p>39.7 The power pursuant to Section 57A(14) of the Act to apply to the Registrar-General to note the agreement against the relevant instrument of title, or in the case of land not under the provisions of the Real Property Act 1886, against the land.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planning Officers, Senior Planners	
s57A(16)	<p>39. Land Management Agreements - Development Applications</p> <p>39.8 The power pursuant to Section 57A(16) of the Act to apply to the Registrar-General where an agreement under Section 57A has been rescinded or amended to enter a note of the rescission or amendment against the instrument of title, or against the land.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s57A(18)	<p>39. Land Management Agreements - Development Applications</p> <p>39.9 The power pursuant to Section 57A (18) of the Act where an agreement under Section 57A does not have effect under Section 57A within the prescribed period, to, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of Section 57A(18) of the Act).</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s59(3)	40. Notification During Building	GM Development and Community Safety,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	40.1 The power pursuant to Section 59(3) of the Act to direct that building work stop when a mandatory notification stage has been reached.	Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Building Officers	
s66(2)	<p>41. Classification of Buildings</p> <p>41.1 The power pursuant to Section 66(2) of the Act to assign to any building a classification that conforms with the Regulations and the duty pursuant to Section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Building Officers, Business Support Officers - Development Services	
s67(3)(a)	<p>42. Certificates of Occupancy</p> <p>42.2 The power pursuant to Section 67(3)(a) of the Act to require information from an applicant for a certificate of occupancy.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Building Officers	
s67(13)	42. Certificates of Occupancy	GM Development and Community Safety	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	42.4 The power pursuant to Section 67(13) of the Act to revoke a certificate of occupancy in prescribed circumstances.		
s68(1),(2)	<p>43. Temporary Occupation</p> <p>43.1 The power pursuant to Sections 68(1) and (2) of the Act to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate thinks fit to impose.</p>	GM Development and Community Safety	
s69(1)	<p>44. Emergency Orders</p> <p>44.1 Where an owner of land fails to comply with the requirements of an emergency order issued under Section 69(1) of the Act:</p> <p>44.1.1 the power pursuant to Section 69(4) of the Act to cause the required work to be carried out; and</p> <p>44.1.2 the power pursuant to and in accordance with Sections 69(5) and 69(6) of the Act to recover the reasonable costs</p>	GM Development and Community Safety	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and expense of that work from the owner as a debt.		
s71(18), (19)	<p>44A Fire Safety</p> <p>44A.1 The power pursuant to Sections 71(18) and (19) of the Act to establish and designate a body as an appropriate authority.</p>	GM Development and Community Safety	
s71(19)(a)(i)	<p>44A Fire Safety</p> <p>44A.2 The power pursuant to Section 71(19)(a)(i) of the Act to appoint a person who holds prescribed qualifications in building surveying to the appropriate authority.</p>	No sub delegation	
s71(19)(a)(ii)	<p>44A Fire Safety</p> <p>44A.3 The power pursuant to Section 71(19)(a)(ii) of the Act to determine if a person is to be nominated to the appropriate authority by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (after taking into account the nature of the Council or Council's area(s)).</p>	No sub delegation	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s71(19)(a)(iii)	<p>44A Fire Safety</p> <p>44A.4 The power pursuant to Section 71(19)(a)(iii) of the Act to appoint a person with expertise in the area of fire safety to the appropriate authority.</p>	No sub delegation	
s71(19)(a)(iv)	<p>44A Fire Safety</p> <p>44A.5 The power pursuant to Section 71(19)(a)(iv) of the Act to determine and select a person to be appointed to the appropriate authority.</p>	No sub delegation	
s71(19)(b)	<p>44A Fire Safety</p> <p>44A.6 The power pursuant to Section 71(19)(b) of the Act to determine the term of the office not exceeding three years of a member of the appropriate authority.</p>	No sub delegation	
s71(19)(d)	<p>44A Fire Safety</p> <p>44A.7 The power pursuant to Section 71(19)(d) of the Act to appoint deputy members to the appropriate authority.</p>	No sub delegation	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s71(19)(e)	<p>44A Fire Safety</p> <p>44A.8 The power pursuant to Section 71(19)(e) of the Act to determine the procedures of an appropriate authority.</p>	No sub delegation	
s74(1)	<p>46. Advertisements</p> <p>46.1 The power pursuant to and in accordance with Section 74(1) of the Act to:</p> <p>46.1.1 form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and</p> <p>46.1.2 serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Compliance Officer, Senior Compliance Officer, Planning Officers, Senior Planners	
s74(3)	46. Advertisements	GM Development and Community Safety,	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	46.2 The power pursuant to Section 74(3) of the Act where a person has failed to comply with a notice under Section 74(1) of the Act, to enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.	Manager Development Services, Compliance Officer, Senior Compliance Officer	
s84(2)	<p>47. Enforcement Notices</p> <p>47.1 The power pursuant to and in accordance with Section 84(2) of the Act to issue an enforcement notice where the Delegate has reason to believe on reasonable grounds that a person has breached the Act or a repealed Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Building Officers, Senior Planners	
s84(3)	<p>47. Enforcement Notices</p> <p>47.2 The power pursuant to Section 84(3) of the Act to determine that a direction under Section 84(2) of the Act is urgently required and can be orally given by an authorised</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	officer.	Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Building Officers, Planning Officers, Senior Planners	
s84(2)(b)	<p>47. Enforcement Notices</p> <p>47.3 Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2)(b) of the Act:</p> <p>47.3.1 the power pursuant to Section 84(6) of the Act to cause the necessary action to be undertaken; and</p> <p>47.3.2 pursuant to and in accordance with Sections 84(7) and 84(8) of the Act to recover the costs of doing so as a debt from the person whose failure gave rise to the action.</p>	No sub delegation	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s85(1)	<p>48. Applications to Court</p> <p>48.1 The power pursuant to Section 85(1) of the Act to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Building Officers, Planning Officers, Senior Planners	
s86(1)(e)	<p>49. General Right to Apply to Court</p> <p>49.1 Where the Council is a party to a dispute referred to in Section 86(1)(e) of the Act, the power pursuant to Section 86(1)(e) of the Act to apply to the Court for determination of the dispute.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Building Officers, Planning Officers, Senior Planners	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s93(1)(b)(iii)	<p>50. Authority to be Advised of Certain Matters</p> <p>50.1 The power pursuant to Section 93(1)(b)(iii) of the Act to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Building Officers, Business Support Officers - Development Services, Senior Planners	
s94	<p>51. Referrals</p> <p>51.1 The power pursuant to and in accordance with Section 94 of the Act to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.</p>	GM Development and Community Safety, Manager Development Services	
s101(1)	<p>52. Professional Advice to be Obtained in Relation to Certain Matters</p>	GM Development and Community Safety, Team Leader Planning and Business	

Development Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	52.1 The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.	Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Building Officers, Planning Officers, Senior Planners	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.2 constitute a breach of any other law; or	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r8A(1)(a)	<p>53A. Complying Development – Development Plan Consent</p> <p>53A.1 The power pursuant to Regulation 8A(1)(a) of the Development Regulations 2008 ('the Regulations'), for the purposes of Sections 33(1) and 35 of the Act (subject to Regulation 8A(2)) of the Regulations to:</p> <p>53A.1.1 in the case of a proposed development lodged for assessment as residential code development – assess the development as being in a form described in Schedule 4</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety,	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>clause 1(2) or (3), 2A, 2B or 2C (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C); and</p> <p>53A.1.2 in any other case – to assess the development as being in a form described in Schedule 4 Part 1 (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 Part 1).</p>	<p>Development Support Trainee, Senior Compliance Officer, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	
r8A(1)(b)	<p>53A. Complying Development – Development Plan Consent</p> <p>53A.2 The power pursuant to Regulation 8A(1)(b) of the Regulations, for the purposes of Section 35(1b) of the Act, to:</p> <p>53A.2.1 form the opinion that a variation from complying development (including complying development as declared under Regulation 8A(1)(a) of the Regulations) is minor; and</p> <p>53A.2.2 determine that 2 or more minor variations, when taken together, constitute a 'minor variation from complying</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Senior Compliance Officer, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	development’.		
r8B(1)	<p>53B. Complying Building Work – Building Rules</p> <p>53B.1 The power pursuant to Regulation 8B(1) of the Regulations, for the purposes of Section 36(1) of the Act to, subject to Regulation 8B(2) of the Regulations, assess building work as being in a form specified in Schedule 4 Part 2 (including a form specified or provided for in the Building Code referred to in Schedule 4 Part 2).</p>	Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Building Officers	
r9A(1)	<p>54. Infrastructure Planning</p> <p>54.1 The power pursuant to Regulation 9A(1) to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.</p>	GM Development and Community Safety, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner	
r12(4)	<p>57. Public Meeting</p> <p>57.2 The power pursuant to Regulation 12(4) of the</p>	GM Development and Community Safety, Manager Development Services	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations to adjourn a public meeting from time to time, and place to place if necessary or appropriate.		
r15(1)(c)	<p>58. Application to Relevant Authority</p> <p>58.1 The power pursuant to Regulation 15(1)(c) of the Regulations to require an additional or lesser number of copies of plans, drawings, specifications and other documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) of the Regulations.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r15(7)(b)	<p>58. Application to Relevant Authority</p> <p>58.4 The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the Development Assessment Commission, that the Delegate wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	
15(7b)	<p>58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier:</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Senior Business Support Officer, Development Information Management Officer,</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	58.4A.1 the Development Assessment number assigned to the development proposed under the application; and	Development Support Trainee, Business Support Officers - Development Services	
r15(7b)	<p>58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier:</p> <p>58.4A.2 if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant:</p> <p>58.4A.2.1 advice about any site contamination that is believed to exist at the site where the development would be undertaken; and</p> <p>58.4A.2.2 advice about the likely need for approval to alter a public road under section 221 of the Local Government Act</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>1999 in order to establish a new access point.</p> <p>58.4A.2.3 advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.</p>		
r15(8)	<p>58. Application to Relevant Authority</p> <p>58.5 The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c).</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services	
r15(11)	<p>58. Application to Relevant Authority</p> <p>58.7 The power pursuant to Regulation 15(11) of the Regulations, to modify the requirements of Schedule 5 in relation to a particular application, subject to the following qualifications:</p> <p>58.7.1 in the case of an application that is lodged with the</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Council for assessment as residential code development – the requirements of Schedule 5 may not be modified in any way by the delegate assessing the application (whether so as to require more or less information), except on authority of the Minister under Section 39(1)(a) of the Act;</p> <p>58.7.2 in any other case, the delegate must not, when requiring plans, drawings, specifications and other documents in relation to the application, require the applicant to provide more information than that specified under Schedule 5 (subject to Section 39 of the Act).</p>	<p>Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Senior Compliance Officer, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	
r16(2)	<p>59. Nature of Development</p> <p>59.2 The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Development Support Trainee, Planning</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
r16(3)	<p>59. Nature of Development</p> <p>59.3 The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r16(4)	<p>59. Nature of Development</p> <p>59.4 The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Development Planning Officer, Business Partner	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	that the development is not residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's opinion.	Transition Policy Planning, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r17(3)	<p>60. Non-Complying Development</p> <p>60.1 The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to:</p> <p>60.1.1 refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or</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	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r17(3)	<p>60. Non-Complying Development</p> <p>60.1.2 resolve to proceed with an assessment of the application.</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	
r17	<p>60. Non-Complying Development</p> <p>60.3 The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.</p>	No sub delegation	
r20(4)	<p>62. Amended Applications</p> <p>62.1 The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	required.	Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Building Officer, Compliance Officer, Building Officers, Planning Officers, Senior Planners	
r20(5)	<p>62. Amended Applications</p> <p>62.2 The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Building Officer, Compliance Officer, Building Officers, Planning Officers, Senior Planners	
r22(2)	<p>63. Withdrawing/Lapsing Application</p> <p>63.2 Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects,	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	said application.	Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Executive Assistant Development Services and Community Safety, Planning Officers, Senior Planners	
r23(2)	<p>64. Contravening Development</p> <p>64.1 The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.</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	
r28(4)	<p>68. Special Provisions - Referrals</p> <p>68.2 The power pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	desire to make a report.		
r29(1)	<p>69. Land Division Applications</p> <p>69.2 The power pursuant to Regulation 29(2) of the Regulations, when a report from the Development Assessment Commission pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission may require by notice in writing to the Council, to presume that the Development Assessment 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, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
r30(1)	<p>70. Underground Mains Area</p> <p>70.1 The power pursuant to Regulation 30(1) of the Regulations to seek a report from the relevant electricity authority where the Delegate considers that an area should be declared an underground mains area.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r30(4)	<p>70. Underground Mains Area</p> <p>70.3 The power pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground mains area, to require, as a condition of the decision, that any electricity mains be placed underground.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s37AA	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.1 The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners	
s37AA	71. Preliminary Advice and Agreement - Section 37AA	GM Development and Community Safety, Team Leader Planning and	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>71.2 The power pursuant to Regulation 31A(6) of the Regulations if:</p> <p>71.2.1 a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and</p> <p>71.2.2 the relevant authority 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>71.2.3 to obtain a variation to the agreement under Section 37AA of the Act; or</p> <p>71.2.4 to obtain a response from the prescribed body for the purposes of Section 37 of the Act.</p>	<p>Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Planning Officers, Senior Planners</p>	
s37AA	71. Preliminary Advice and Agreement - Section 37AA	GM Development and Community	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>71.3 The power pursuant to Regulation 31A(7) of the Regulations if:</p> <p>71.3.1 an application is withdrawn by the Applicant; and</p> <p>71.3.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the withdrawal of an application.</p>	<p>Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	
r31A(8)	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.4 The power pursuant to Regulation 31A(8) of the Regulations if:</p> <p>71.4.1 an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	71.4.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the lapsing of an application.	Management Officer, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r31A(9)	<p>71. Preliminary Advice and Agreement - Section 37AA</p> <p>71.5 The power pursuant to Regulation 31A(9) of the Regulations if:</p> <p>71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and</p> <p>71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations, to send a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r32(5)	<p>71A. Public Notice Categories</p> <p>71A.1 The power pursuant to Regulation 32(5) of the Regulations to determine that a form of development comprises 2 or more elements.</p>	Team Leader Planning and Business Support, Development Planning Officer, Planning Officer - 1, Business Partner Transition Policy Planning, Cadet Planner, Compliance Officer, Senior Compliance Officer, Senior Planners	
r34(3)	<p>72. Public Inspection of Certain Applications</p> <p>72.3 The power pursuant to Regulation 34(3) of the Regulations to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such manner 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, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r34(4)	<p>72. Public Inspection of Certain Applications</p> <p>72.4 The power pursuant to Regulation 34(4) of the Regulations to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available for inspection.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	
r36	<p>73. Response by Applicant</p> <p>73.1 The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Planning Officers, Senior Planners	
r45(2)	<p>79. Scheme Description - Community Titles</p> <p>79.1 The duty pursuant to Regulation 45(2) of the Regulations to endorse a scheme description under Section 3 of the Community Titles Act 1996 in the following terms:</p> <p>79.1.1 All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the relevant plan of community division under the Community Titles Act 1996 have been granted.</p> <p>OR</p> <p>No consent or approval is required under the Development Act 1993 in relation to the division of land (or a change in the use of the land) in accordance with this scheme</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
	<p>description.</p> <p>This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description.</p> <p>Signed:</p> <p>Dated:</p>		
r45(2)	<p>79. Scheme Description - Community Titles</p> <p>79.2 The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under Section 3 of the Community Titles Act 1996, notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.</p>	No sub delegation	
r47A	<p>81A. Minor Variation of Development Authorisation</p> <p>81A.1 The power pursuant to Regulation 47A(1) of the</p>	GM Development and Community Safety, Team Leader Planning and	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.	Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Development Support Trainee, Building Officers, Planning Officers, Senior Planners	
r48(2)	<p>82. Lapse of Consent or Approval</p> <p>82.1 The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Building	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
r51(4)	<p>83. Width of Roads and Thoroughfares</p> <p>83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
r51(6)	<p>83. Width of Roads and Thoroughfares</p> <p>83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
r52(1)	<p>84. Road Widening</p> <p>84.1 The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
r53(1), (2)	<p>85. Requirement as to Forming of Roads</p> <p>85.1 The power pursuant to Regulation 53(1) and (2) of the Regulations to specify the width of roads.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
r53(4)	<p>85. Requirement as to Forming of Roads</p> <p>85.2 The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a through road.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
r53(6)	<p>85. Requirement as to Forming of Roads</p> <p>85.3 The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
r54(1)	<p>86. Construction of Roads, Bridges, Drains and Services</p> <p>86.1 The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
r58(1)	<p>88. General Land Division</p> <p>88.1 The power pursuant to and in accordance with Regulation 58(1) of the Regulations to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
r58(2)	<p>88. General Land Division</p> <p>88.2 The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the Development Assessment Commission that an applicant has entered into appropriate binding arrangements pursuant to Section 51(1) of the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
r59(1)	<p>89. Division of Land by Strata Title</p> <p>89.1 The power pursuant to Regulation 59(1) of the Regulations to advise the Development Assessment Commission that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Act and that the arrangement is supported by adequate security.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Development Support Trainee, Project	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		and Development Engineer, Planning Officers, Senior Planners	
r60(1)	<p>90. General Provisions</p> <p>90.1 The power pursuant to and in accordance with Regulation 60(1) of the Regulations to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Act.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
r60(7)	<p>90. General Provisions</p> <p>90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 60(4) of the Regulations be furnished to the</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council by sending a written copy to the Council.	Business Support Officer, Development Information Management Officer, Development Support Trainee, Project and Development Engineer, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r60(9)	<p>90. General Provisions</p> <p>90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the Development Assessment Commission before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
s46	<p>91. Declaration by The Minister - Section 46</p> <p>91.3 Where an application lodged with the Minister under Section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulation 61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by Regulation 61(4) of the Regulations.		
r74(1)(b)	<p>93. Notifications During Building Work</p> <p>93.1 The power pursuant to Regulation 74(1)(b) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r74(1)(c)	<p>93. Notifications During Building Work</p> <p>93.2 The power pursuant to Regulation 74(1)(c) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r76(10)	94. Essential Safety Provisions	GM Development and Community Safety, Team Leader Building and	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	94.2 The power pursuant to Regulation 76(10) of the Regulations to require compliance with Regulation 76(7) despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under Section 36(2) of the Act or the building has been the subject of a notice under Section 71 of the Act.	Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r76D(4a)	94A Swimming Pool Safety 94A.1 The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of Section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services	
r78(1)	95. Building Rules: Bushfire Prone Areas 95.1 Where: 95.1.1 application is made for building rules consent for building work in the nature of an alteration to a class 1, 2 or 3 building under the Building Code; and	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>95.1.2 the building is in a bushfire prone area under Regulation 78(1) of the Regulations; and</p> <p>95.1.3 the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50% when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building constructed since that time, as it existed at the date of completion of original construction),</p> <p>the power, pursuant to Regulation 78(2) of the Regulations, to require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.</p>		
r79(4)	<p>96. Construction Industry Training Fund</p> <p>96.2 The power pursuant to Regulation 79(4) of the Regulations to form an opinion whether the appropriate levy</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that a building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.	Compliance Officer, Building Officers	
r79(5)(b)	<p>96. Construction Industry Training Fund</p> <p>96.3 The power pursuant to and in accordance with Regulation 79(5)(b) of the Regulations to determine that the application has lapsed.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r80(1a)	<p>96A Requirement to Up-grade Building in Certain Cases</p> <p>96A.1 The power pursuant to Regulation 80(1a) of the Regulations, if an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to class 9 building constructed before 1 January 2002, to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition, and to require, as a condition of consent:</p>	Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Building Officers	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>96A.1.1 that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards; or</p> <p>96A.1.2 that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to the extent reasonably applicable to the building and its condition).</p>		
r82(3)(b)(i)	<p>97. Classification of Buildings</p> <p>97.1 The power pursuant to Regulation 82(3)(b)(i) of the Regulations to require such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Building Officers, Business Support Officers -	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Development Services	
r82(4)	<p>97. Classification of Buildings</p> <p>97.2 The power pursuant to Regulation 82(4) of the Regulations and subject to Regulation 82(4a) of the Regulations, to assign the appropriate classification under the Building Code to a building upon being satisfied on the basis of the owner's application and accompanying documents that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>	Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Building Officers	
r82(4a)	<p>97. Classification of Buildings</p> <p>97.2A The power pursuant to Regulation 82(4a) of the Regulations, if an application under Regulation 82 of the Regulations is made in respect of an existing class 2 to class 9 building, to require the applicant to satisfy the delegate that Minister's Specification SA: Upgrading health</p>	Team Leader Building and Compliance, Senior Building Officer, Compliance Officer, Building Officers	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).		
r82(5)	<p>97. Classification of Buildings</p> <p>97.3 The power pursuant to Regulation 82(5) of the 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 66(4) of the Act –</p> <p>97.3.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>97.3.2 If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r83(2)(c)	<p>98. Certificates of Occupancy</p> <p>98.1 The power pursuant to Regulation 83(2)(c) of the</p>	GM Development and Community Safety, Team Leader Building and	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations to require from an applicant for a certificate of occupancy reasonable evidence that conditions attached to a development approval have been satisfied.	Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Building Officers	
r83(2)(d)	<p>98. Certificates of Occupancy</p> <p>98.2 The power pursuant to Regulation 83(2)(d) of the Regulations where an application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than 1 storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case the building is suitable for occupation.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r83(3)	<p>98. Certificates of Occupancy</p> <p>98.3 The power pursuant to Regulation 83(3) of the Regulations to, other than in relation to a designated building on which building work involving the use of a</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	designated building product is carried out after the commencement of the Development (Building Cladding) Variation Regulations 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) if 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(s) and it appears to the Delegate that the relevant building is suitable for occupation.		
r83(5)	<p>98. Certificates of Occupancy</p> <p>98.5 The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) is not received within 15 business days, to presume that the fire authority does not desire to make a report.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r83(9)	<p>98. Certificates of Occupancy</p> <p>98.7 The power pursuant to Regulation 83(9) of the</p>	GM Development and Community Safety	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations to revoke a certificate of occupancy.		
r88(3)	<p>99. Certificate of Independent Technical Expert in Certain Case</p> <p>99.1 The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Senior Building Officer, Compliance Officer, Building Officers	
r95(2)	<p>100. Fees</p> <p>100.1 The power pursuant to Regulation 95(2) of the Regulations to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any other determination for the purposes of Schedule 6.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Team Leader Operations Support, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Development Services and Community Safety, Development Support Trainee, Compliance Officer Civil Works, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r95(3)	<p>100. Fees</p> <p>100.2 The power pursuant to the provisions of Regulation 95(3) of the Regulations to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Team Leader Operations Support, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee,	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Compliance Officer Civil Works, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r95(4)	<p>100. Fees</p> <p>100.3 The power pursuant to Regulation 95(4) of the Regulations to, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Team Leader Operations Support, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Compliance Officer Civil Works, Building Officers, Planning Officers, Business	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Support Officers - Development Services, Senior Planners	
r98(3)	<p>101. Register Of Applications</p> <p>101.2 The power pursuant to Regulation 98(3) to fix a fee and upon payment of that fee, make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Development Support Trainee	
r99(3)	<p>102. Registration of Land Management Agreements</p> <p>102.2 The power pursuant to Regulation 99(3) of the Regulations to determine what other information may be contained in the Register.</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	
r101(a1)	<p>104. Documents to be Preserved by a Council</p> <p>104.0 The power and duty pursuant to Regulation 101(a1) of the Regulations to retain a copy of each document provided to the Council by a private certifier in relation to</p>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any application for a development plan consent assessed by the private certifier.		
r101(1a)	104. Documents to be Preserved by a Council 104.1A The power and duty pursuant to Regulation 101(1a) of the Regulations to preserve any document referred to in Regulation 101(a1) for a period of at least 10 years.	No sub delegation	
r101(3)	104. Documents to be Preserved by a Council 104.3 The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building owner declines the offer, the power to destroy the documents.	GM Development and Community Safety, Manager Development Services	
r101(4)	104. Documents to be Preserved by a Council 104.4 The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulation 101(a1) or (1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.	Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Building Officers, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.1 for inspection under Regulation 101(4)(a) if to do so would:</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Senior Planners	
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.1.2 constitute a breach of any other law; or</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Senior Planners</p>	
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	104.5.2 for copying under Regulation 101(4)(b) if to do so would:	Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Senior Planners	
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Senior Planners	
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.2.2 involve an infringement of copyright in matter contained in a document; or</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Development Support Trainee, Building Officers, Planning Officers, Senior Planners	
r101(5)	<p>104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:</p> <p>104.5.2.3 constitute a breach of any other law.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r102(2)	<p>104A Documents to be Provided by Private Certifier</p> <p>104A.1 The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Building Officer, Compliance Officer, Senior Business Support Officer, Development Information Management Officer, Executive Assistant Development Services and Community Safety, Development Support Trainee, Building Officers, Business Support Officers - Development Services, Senior Planners</p>	
r115(2)	<p>106. System Indicators</p> <p>106.3 The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Senior Business</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	from a requirement in the system indicators document.	Support Officer	
cl 2B(4)(b)Schedule 4	<p>108. Schedule 4 - New Dwellings</p> <p>108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Planning Officers, Business Support Officers - Development Services, Senior Planners	
Schedule 8	<p>110. Schedule 8 - Development Near The Coast</p> <p>110.1 The power pursuant to Item 1(b) of Clause 2 of Schedule 8 of the Regulations, where development is on coastal land, to form the opinion that the development is of a minor nature only, and comprises the alteration of an existing building or the construction of a building to facilitate</p>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the use of an existing building.		
Schedule 8	<p>111. Schedule 8 - Development Adjacent To Main Roads</p> <p>111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is likely to:</p> <p>111.1.1 alter an existing access; or</p> <p>111.1.2 change the nature of movement through an existing access; or</p> <p>111.1.3 create a new access; or</p> <p>111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972, in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Senior Business Support Officer, Development Information Management Officer, Development Support Trainee, Project and Development Engineer, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).		
Schedule 8	<p>112. Schedule 8 - State Heritage Places</p> <p>112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 8	<p>113. Schedule 8 - Mining - General</p> <p>113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is of a minor nature only.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Officers, Senior Planners	
Schedule 8	<p>114. Schedule 8 - Activity of Environmental Significance</p> <p>114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development	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
	118.1 The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.	Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.2 The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.3 The power pursuant to the following designated subparagraphs of Clause 3 of Part 1 to Schedule 9 of the</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that:</p> <p>118.3.1 the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a);</p> <p>118.3.2 the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).</p>	<p>Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners</p>	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.1 that the division of land (including for the construction of a road or thoroughfare) is for a proposed use</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project</p>	

Development Regulations 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	which is consistent with the objective of the zone or area under the Development Plan; and	and Development Engineer, Planning Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:</p> <p>118.4.2 whether the division will change the nature or function of an existing road.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.5 The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.	Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning,	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and	Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:</p> <p>118.6.3 the power to conclude, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Planning Officers, Senior Planners	
Schedule 9	118. Schedule 9 - Part One, Category One Development	GM Development and Community	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.1 that in respect of a proposed division of land that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and</p>	<p>Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning Officers, Senior Planners</p>	
Schedule 9	<p>118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development</p> <p>118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:</p> <p>118.7.2 whether the proposed division will change the</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Development Planning Officer, Business Partner Transition Policy Planning, Policy Planner, Cadet Planner, Project and Development Engineer, Planning</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	nature or function of an existing road.	Officers, Senior Planners	