

INSTRUMENT OF DELEGATION

INSTRUMENT C – INSTRUMENT OF DELEGATION UNDER THE
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016,
REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE
DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL

03 NOVEMBER 2022



CITY OF
MITCHAM

NOTES

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

Delegation Sources

- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
- Planning and Design Code
- State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019
- Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021
- Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme
- Urban Tree Canopy Off-set Scheme

Positions

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

Positions Groups

Positions Group	Position	Positions
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 C – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	GM Development and Community Safety, Manager Development Services, Assessment Manager	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p>	Assessment Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.		
s85(1)	2. Appointment of Additional Members 2.1 The power pursuant to Section 85(1) of the PDI Act to appoint 1 or 2 members to act as additional members of the assessment panel for the purposes of dealing with a matter that the assessment panel must assess as a relevant authority under the PDI Act.	No sub delegation	
s94(3)(a)	3. Relevant Authority – Commission 3.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide	No sub delegation	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice
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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.		
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.1 -</p> <p>5.1.1.1 the relevant provisions of the Planning Rules; and</p> <p>5.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development, (planning consent);</p>	Assessment Manager	<p>All forms of development except for development subject to public consultation where representations have been received requesting to be heard before the Panel in support of their representation or where there are representations where issues or concerns raised have not been resolved.</p>
s102(1)	5. Matters Against Which Development Must Be	Assessment Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>5.1.3.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>5.1.3.3 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>5.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the</p>		

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>vesting;</p> <p>5.1.3.5 requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;</p>		
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>5.1.4.1 requirements set out in the Planning and Design Code made for the purposes of this provision</p>	Assessment Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>are satisfied;</p> <p>5.1.4.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>5.1.4.3 any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p> <p>5.1.4.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>5.1.4.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;</p> <p>5.1.4.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;</p> <p>5.1.4.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the</p>		

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>5.1.4.8 any building situated on the land complies with the Building Rules;</p> <p>5.1.4.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;</p>		
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.5 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Assessment Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.6 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Assessment Manager	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.7 such other matters as may be prescribed.</p>	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, Assessment Manager, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(3)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, reserve the delegate's decision on a specified matter or reserve the delegate's decision to grant a planning consent:</p> <p>5.2.1 until further assessment of the relevant development under the PDI Act; or</p> <p>5.2.2 until further assessment or consideration of the proposed development under another Act; or</p> <p>5.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.</p>	No sub delegation	
s102(4)	<p>5. Matters Against Which Development Must Be Assessed</p>	No sub delegation	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	5.3 The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of Section 102(4) of the PDI Act to be reserved on the application of the applicant.		
s107(2)(c)	6. Performance Assessed Development 6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations).	Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Assessment Manager	
s107(3)	6. Performance Assessed Development 6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.	Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Assessment Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s107(4)	<p>6. Performance Assessed Development</p> <p>6.3 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</p>	Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Assessment Manager	
s118(2)(a)	<p>7. Building Consent</p> <p>7.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.</p>	No sub delegation	
s119(1)(b)	<p>8. Application and Provision of Information</p> <p>8.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	include any information as the delegate may reasonably require.	Projects, Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s119(3)	<p>8. Application and Provision of Information</p> <p>8.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>8.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</p> <p>8.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>8.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>8.2.4 to comply with any other requirement prescribed</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, Assessment Manager, Business Support Officers - Development Services, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	by the regulations.		
s119(6)	<p>8. Application and Provision of Information</p> <p>8.3 The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to</p> <p>8.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and</p> <p>8.3.2 refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).</p>	Assessment Manager	
s119(7)	<p>8. Application and Provision of Information</p> <p>8.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Transition Policy Planning, Policy Planner, Assessment Manager, Senior Planners	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.1 permit an applicant:</p> <p>8.5.1.1 to vary an application;</p>	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, Assessment Manager, Senior Planners	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.1 permit an applicant:</p> <p>8.5.1.2 to vary any plans, drawings, specifications or</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	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);	Planner, Assessment Manager, Planning Officers, Senior Planners	
s119(9)	8. Application and Provision of Information 8.5 The power pursuant to Section 119(9) of the PDI Act to: 8.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	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, Assessment Manager, Planning Officers, Senior Planners	
s119(9)	8. Application and Provision of Information 8.5 The power pursuant to Section 119(9) of the PDI Act to: 8.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Assessment Manager	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	whole or in part);		
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</p>	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, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s119(10)	<p>8. Application and Provision of Information</p> <p>8.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	as the delegate thinks fit.	Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners	
s119(12)	8. Application and Provision of Information 8.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	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, Assessment Manager, Senior Planners	
s119(14)	8. Application and Provision of Information 8.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to	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
	determine to refund the application fee.	Development Services, Assessment Manager	
s122(1)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>11.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p> <p>11.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made</p> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>	Assessment Manager	<hr/> <p>All forms of development except for development subject to public consultation where representations have been received requesting to be heard before the Panel in support of their representation or where there are representations where concerns or issues raised have not been resolved.</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s122(5)(b)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>11.2.1 to refuse the application; or</p> <p>11.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)</p> <p>where the regulations so provide.</p>	<p>Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Planning Officers, Senior Planners</p>	<p>In the case of 11.2.2 the item has not been delegated.</p>
s122(7)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Assessment Manager</p>	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s122(10)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.</p>	Assessment Manager	<hr/> <p>it is only possible to defer a referral to the Technical Regulator on the matter of electricity infrastructure.</p>
s123(2)	<p>12. Preliminary Advice and Agreement</p> <p>12.1 The power pursuant to Section 123(2) of the PDI Act, if:</p> <p>12.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and</p> <p>12.1.2 the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and</p> <p>12.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body</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, Assessment Manager, Senior Planners	

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	(including on the basis of the imposition of conditions), to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).		
s123(4)	12. Preliminary Advice and Agreement 12.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.	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, Assessment Manager, Planning Officers, Senior Planners	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s124(1)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).</p>	Assessment Manager	<p>Assessment Manager is to consider (in discussion with the Chief Executive Officer, if appropriate), whether to sub-delegate to the the Chief Executive Officer or whether to retain the power at Assessment Manager level (i.e no sub-delegations).</p>
s124(5)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:</p> <p>13.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or</p> <p>13.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the</p>	Assessment Manager	<p>Assessment Manager is to consider (in discussion with the Chief Executive Officer, if appropriate), whether to sub-delegate to the the Chief Executive Officer or whether to retain the power at Assessment Manager level (i.e no sub-delegations).</p> <p>13.2.2 - the provision is not delegated</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	fortifications		
s124(6)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.</p>	Assessment Manager	<p>Assessment Manager is to consider (in discussion with the Chief Executive Officer, if appropriate), whether to sub-delegate to the the Chief Executive Officer or whether to retain the power at Assessment Manager level (i.e no sub-delegations).</p>
s124(7)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a</p>	Assessment Manager	<p>Assessment Manager is to consider (in discussion with the Chief Executive Officer, if appropriate), whether to sub-delegate to the the Chief Executive Officer or whether to retain the power at Assessment Manager level (i.e no</p>

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	party to the appeal.		sub-delegations).
s125(6)	<p>14. Time Within Which Decision Must be Made</p> <p>14.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.</p>	No sub delegation	
s125(7)	<p>14. Time Within Which Decision Must be Made</p> <p>14.2 The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act.</p>	No sub delegation	
s126(1)	<p>15. Determination of Application</p> <p>15.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	Transition Policy Planning, Policy Planner, Assessment Manager, Planning Officers, Senior Planners	
s126(3)	<p>15. Determination of Application</p> <p>15.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.</p>	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, Assessment Manager, Planning Officers, Senior Planners	
s127(1)	<p>16. Conditions</p> <p>16.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.</p>	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	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planner, Assessment Manager, Planning Officers, Senior Planners	
s127(2)(c)	<p>16. Conditions</p> <p>16.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.</p>	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, Assessment Manager, Planning Officers, Senior Planners	
s127(4)	<p>16. Conditions</p> <p>16.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind</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, Assessment Manager,	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determined by the delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).	Planning Officers, Senior Planners	
s127(6)	<p>16. Conditions</p> <p>16.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.</p>	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, Assessment Manager, Planning Officers, Senior Planners	
s127(8)(b)	<p>16. Conditions</p> <p>16.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>16.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</p> <p>16.5.2 to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</p>	<p>Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Planning Officers, Senior Planners</p>	
s128(2)(d)	<p>17. Variation of Authorisation</p> <p>17.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.</p>	<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, Assessment Manager, Planning Officers, Senior Planners</p>	
s143(1)	<p>20. Cancellation of Development Authorisation</p> <p>20.1 The power pursuant to Section 143(1) of the PDI</p>	<p>GM Development and Community Safety, Team Leader Planning and Business Support, Manager</p>	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	Development Services, Assessment Manager	
s143(2)	20. Cancellation of Development Authorisation 20.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Assessment Manager	
s235(1)	21. Professional Advice to be Obtained in Relation to Certain Matters 21.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	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, Assessment Manager, Planning Officers, Senior Planners	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s235(2)	<p>21. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>21.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Assessment Manager	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 3(6)(b)	<p>25. Interpretation</p> <p>25.1 The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to require that a statement of site suitability provided to a relevant authority</p>	Assessment Manager	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application		
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.1 determine the nature of the development; and</p> <p>27.1.2 if the application is for planning consent - determine:</p> <p>27.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>27.1.2.2 the category or categories of development that</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, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners	Sub-delegation to the Business Support Officers - Development Services are in place for the provision 27.1.4.2 and 27.1.4.3

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>apply for the purposes of development assessment; and</p> <p>27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p> <p>27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>27.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>27.1.4.2 confirm the prescribed fees required to be paid at that point; and</p> <p>27.1.4.3 provide an appropriate notice via the SA planning portal; and</p> <p>27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>27.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p>		

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	27.1.5.2 provide an appropriate notice via the SA planning portal.		
r 32A(1)	<p>28. Site Contamination – Detailed Site Investigation Report</p> <p>28.1 The power pursuant to Regulation 32A(1) of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:</p> <p>28.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the</p> <p>proposed development; and</p> <p>28.1.2 the delegate considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to:</p> <p>28.1.2.1 site contamination; and</p> <p>28.1.2.2 if remediation is required, the extent of that</p>	Assessment Manager	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	remediation; and 28.1.3 the application is not required to be referred to the Environment Protection Authority under Item 9A or 9AB of the table in Schedule 9 clause 3.		
r 32A(2)	28. Site Contamination – Detailed Site Investigation Report 28.2 The power pursuant to Regulation 32A(2) of the General Regulations to require that a detailed site investigation report be prepared by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	Assessment Manager	
r 32B	29. Site Contamination – Statement of Suitability 29.1 The power pursuant to Regulation 32B of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority	Assessment Manager	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	issues a planning consent in relation to the application.		
r33(4)	<p>30. Application and Further Information</p> <p>30.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</p>	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, Assessment Manager, Planning Officers, Senior Planners	
r35(3)	<p>31. Amended Applications</p> <p>31.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	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, Assessment Manager, Planning Officers, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r35(4)	<p>31. Amended Applications</p> <p>31.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	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, Assessment Manager, Planning Officers, Senior Planners	
r38(1)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>32.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>32.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations,</p> <p>of the withdrawal.</p>	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, Assessment Manager, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r38(2)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	Assessment Manager	
r38(3)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:</p> <p>32.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>32.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	Assessment Manager	
r40	<p>33. Court Proceedings</p> <p>33.1 The power pursuant to Regulation 40 of the General</p>	GM Development and Community Safety, Team Leader Planning and	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.	Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Senior Planners	
r42(1)	<p>34. Additional Information or Amended Plans</p> <p>34.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</p>	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, Assessment Manager, Senior Planners	
r46(6)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>36.1.1 the delegate permits an applicant to vary an</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects,	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>application under Section 119(9) of the PDI Act; and</p> <p>36.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,</p> <p>to refer the application (unless withdrawn) to the prescribed body:</p> <p>36.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>36.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	<p>Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Senior Planners</p>	
r46(7)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>36.2.1 an application is withdrawn by the applicant; and</p> <p>36.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify relevant prescribed body of the withdrawal.</p>	<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, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(8)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.3 The power pursuant to Regulation 46(8) of the General Regulations, if:</p> <p>36.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</p> <p>36.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify the relevant prescribed body of the lapsing.</p>	<p>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, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	
r46(9)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</p> <p>36.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>36.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,</p>	<p>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, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners</p>	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.		
r48	<p>37. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>37.1 The power pursuant to Regulation 48 of the General Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:</p> <p>37.1.1 give the owner notice of the application within 5 business days after the application is made; and</p> <p>37.1.2 give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Policy Planner, Assessment Manager, Planning Officers, Business Support Officers - Development Services, Senior Planners	
r49(3)	<p>38. Public Inspection of Applications</p> <p>38.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	manner as the delegate thinks fit.	Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Assessment Manager, Planning Officers, Senior Planners	
r51(1)	<p>40. Response by Applicant</p> <p>40.1 The power pursuant to Regulation 51(1) of the General Regulations to allow a response to a representation by the applicant to be made within such longer period as the delegate may allow.</p>	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, Assessment Manager, Planning Officers, Senior Planners	
r57(4)(a)	<p>41. Notice of Decision (Section 126(1))</p> <p>41.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	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, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Planning, Policy Planner, Assessment Manager, Planning Officers, Senior Planners	
r60	<p>42. Consideration of Other Development Authorisations</p> <p>42.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	No sub delegation	
r63(1)	<p>44. Urgent Work</p> <p>44.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>44.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>44.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	Assessment Manager	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r63(2)	<p>44. Urgent Work</p> <p>44.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	GM Development and Community Safety, Team Leader Building and Compliance, Manager Development Services, Assessment Manager	
r63(3)	<p>44. Urgent Work</p> <p>44.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	Assessment Manager	
r65(1)(a)	<p>45. Variation of Authorisation (Section 128)</p> <p>45.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.</p>	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, Assessment Manager, Planning Officers, Senior Planners	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r76(2)	<p>46. Advice from Commission</p> <p>46.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Assessment Manager	
cl 2(1)(b)	<p>49. New Dwellings</p> <p>49.1 The power pursuant to clause 2(1)(b) of Schedule 6B of the General Regulations to form the belief that the allotment is, or</p> <p>may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than a previous use or activity that was for residential purposes.</p>	Assessment Manager	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>51. Calculation or Assessment of Fees</p> <p>51.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</p> <p>51.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>51.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations or a fee notice (even if the assessment panel is not a relevant authority).</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner, Business Support Officer, Assessment Manager, Planning Officers, Senior Planners	
r5(2)	<p>51. Calculation or Assessment of Fees</p> <p>51.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	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, Assessment Manager, Planning Officers, Business Support Officers - Development Services,	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Senior Planners	
r5(3)	<p>51. Calculation or Assessment of Fees</p> <p>51.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	Assessment Manager	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>52 Procedural Matter</p> <p>52.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Business Partner Transition Policy Planning, Policy Planner,	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Sections 107(3) and (4) of the PDI Act.	Assessment Manager, Senior Planners	
PD Code	<p>53. Procedural Referrals</p> <p>53.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Assessment Manager	
PD Code	<p>53. Procedural Referrals</p> <p>53.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:</p> <p>53.2.1 alteration to an existing access or public road junction;</p> <p>53.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Assessment Manager	
PD Code	<p>53. Procedural Referrals</p> <p>53.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and	

Planning and Design Code

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Projects, Assessment Manager	
PD Code	<p>53. Procedural Referrals</p> <p>53.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.</p>	GM Development and Community Safety, Team Leader Planning and Business Support, Manager Development Services, Business Partner Strategic Planning and Projects, Assessment Manager	
PD Code	<p>54. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001</p> <p>54.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.</p>	Assessment Manager	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(4)	<p>55. Responsibility to Undertake Notification</p> <p>55.1 The power pursuant to clause 6(4) of the State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019 (PD3), should the applicant request the relevant authority to place the notice on the land and pay the relevant fee, to (either personally or by engagement of a contractor) give notice of the application to members of the public by notice placed on the relevant land in accordance with Section 107(3)(a)(ii) of the PDI Act.</p>	Assessment Manager	
cl8	<p>56. Preparing for Notification</p> <p>56.1 The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:</p> <p>56.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and</p> <p>56.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land; and</p> <p>56.1.3 advise the applicant of the position and number of</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, Assessment Manager, Planning Officers, Senior Planners	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notice(s) to be erected on the land in accordance with clause 10 of PD3.		
cl10(1)(a)	<p>57. Notice on Land</p> <p>57.1 The power pursuant to clause 10(2) of PD3, in relation to clause 10(1)(a) of PD3, to determine the most appropriate position for the notice on the land in order to provide for maximum visibility from a public road, and in cases where the relevant land has more than 1 frontage to a public road, to determine that more than 1 notice must be erected on each of the public road frontages to ensure that notice of the development is reasonably apparent to members of the public.</p>	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, Assessment Manager, Senior Planners	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	60. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act	Assessment Manager	All forms of development except for development subject

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	60.1 The power pursuant to clause 12 of the State Planning Commission Practice Direction (Site Contamination Assessment) 2021 (PD14) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant.		to public consultation where representations have been received requesting to be heard before the Panel in support of their representation or where there are representations where issues or concerns raised have not been resolved.
cl 13	<p>61. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>61.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:</p> <p>A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a</p> <p>statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the</p>	Assessment Manager	<p>All forms of development except for development subject to public consultation where representations have been received requesting to be heard before the Panel in support of their representation or where there are representations where issues or concerns raised have not been resolved.</p>

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	proposed use.		

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(2)	<p>62. Reserved Matter</p> <p>62.1 The power pursuant to clause 6(2) of State Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme (PD16) to where an applicant has elected to reserve consideration of the DTS/DPF Policy in the Overlay, as provided for in the Code and under Section 102(4) of the PDI Act, to require the applicant to provide documents which are considered by the delegate as sufficient to confirm whether the relevant development site includes a Designated Soil Type.</p>	Assessment Manager	
cl 7	63. Process for Payments to the Fund	Assessment	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	63.1 The power pursuant to clause 7 of PD16 where an applicant has elected to make a payment into the Fund, in lieu of planting a tree (or trees) as provided in the DTS/DPF Policy in the Overlay, to verify the payment as being correct in accordance with the Scheme, prior to the granting of development authorisation under the PDI Act.	Manager	
cl 8(3)	<p>64. Development within Council Fund Designated Areas</p> <p>64.1 The power pursuant to clause 8(3) of PD16, where a development application relates to a site which is located both within a Council Fund Designated Area and within the Overlay to impose a condition requiring payment into a Council Fund, irrespective of an election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.</p>	Assessment Manager	<hr/> <p>All forms of development except for development subject to public consultation where representations have been received requesting to be heard before the Panel in support of their representation or where there are representations where issues or concerns raised have not been resolved.</p>

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>65. Payment into Fund</p> <p>65.1 The power pursuant to clause 6(4) of the Urban Tree Canopy Off-set Scheme (UTCOS) where an applicant has elected to make a contribution to the fund under this scheme to impose a condition on the relevant development authorisation for planning consent requiring that payment of the amount specified in clause 6(1) of the UTCOS be made into the fund before the issue of development approval for the subject development application.</p>	Assessment Manager	<hr/> <p>All forms of development except for development subject to public consultation where representations have been received requesting to be heard before the Panel in support of their representation or where there are representations where issues or concerns raised have not been resolved.</p>