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

HEAD DELEGATION

Except where otherwise specified, in the exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* and in accordance with the resolution made by the Riverland Regional Assessment Panel (the 'RRAP') on the 19th day of December 2024 the following powers and functions are delegated by the RRAP to the person occupying the role of the Assessment Manager for the RRAP ('the Delegate'). The Delegate is authorised to further delegate these powers and functions in accordance with Section 100 of the *Planning, Development and Infrastructure Act 2016* ("the Act") as the Delegate sees fit, unless otherwise indicated within this instrument of delegation.

The Assessment Manager, as delegate of the RRAP, may choose to sub-delegate the powers and functions noted below in accordance with section 100 of the Act, and with the notes below.

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant RRAP decision to identify when these delegations were made, reviewed and or amended.
3. Items that are not delegated by the RRAP are noted as "Not delegated".
4. Items that are not sub-delegated by the Assessment Manager are noted as "Not sub-delegated".
5. The RRAP has determined to act under Section 99(1)(b) of the Act in relation to all development applications received by it that involve the performance of building work.
6. The RRAP has determined, pursuant to Section 99(1)(c) of the Act, where the RRAP has determined to act under Section 99(1)(b) of the Act, to refer the assessment of the development in respect of the Building Rules to the Berri Barmera Council, the District Council of Loxton Waikerie and the Renmark Paringa Council.

POSITION ACRONYMS FOR SUB-DELEGATION	
CEO (BBC)	Chief Executive Officer (Berri Barmera Council)
MERS (BBC)	Manager Environment and Regulatory Services (Berri Barmera Council)
PDO (BBC)	Planning and Development Officer (Berri Barmera Council)
PLC (BBC)	Planning Cadet (Berri Barmera Council)
PC (BBC)	Planning Consultant (Berri Barmera Council)
CEO (DCLW)	Chief Executive Officer (District Council of Loxton Waikerie)
MES (DCLW)	Manager Environmental Services (District Council of Loxton Waikerie)
DOP (DCLW)	Development Officer – Planning (District Council of Loxton Waikerie)
PC (DCLW)	Planning Consultant (District Council of Loxton Waikerie)
CEO (RPC)	Chief Executive Officer (Renmark Paringa Council)
DIES (RPC)	Director Infrastructure and Environmental Services (Renmark Paringa Council)
MRS (RPC)	Manager Regulatory Services (Renmark Paringa Council)
PP (RPC)	Principal Planner (Renmark Paringa Council)
PC (RPC)	Planning Consultant (Renmark Paringa Council)

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

	Delegation	Sub-delegation
1. **Environment and Food Production Areas – Greater Adelaide**	Not applicable	
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.	Assessment Manager	
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 the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
4. **Relevant Provisions**		
4.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:	Assessment Manager	
4.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or		
4.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.		
5. **Matters Against Which Development Must Be Assessed**		
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):	Assessment Manager	
5.1.1 -		

		Delegation	Sub-delegation
	5.1.1.1 the relevant provisions of the Planning Rules; and		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	5.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development, (**planning consent**);		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	5.1.2 the relevant provisions of the Building Rules (**building consent**);		
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:	Assessment Manager	
	5.2.1 until further assessment of the relevant development under the PDI Act; or		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	5.2.2 until further assessment or consideration of the proposed development under another Act; or		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	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.		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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).	Assessment Manager (not sub-delegated)	
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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
7.	**Building Consent**		
7.1	The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).		
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.		

			Delegation	Sub-delegation
7.3	The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if:			
	7.3.1	the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied:		
		7.3.1.1 that:		
		(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and		
		(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or		

		Delegation	Sub-delegation
	7.3.1.2 in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.		
7.4	The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.		
7.5	The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.		
7.6	The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.		
7.7	The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that:		
	7.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or		
	7.7.2 such compliance is certified by a building certifier.		

		Delegation	Sub-delegation
7.8	The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification		
7.9	The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document):		
	7.9.1 the variance; and		
	7.9.2 the grounds on which the decision is being made.		
8.	**Application and Provision of Information**		
8.1	The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
8.2	The power pursuant to Section 119(3) of the PDI Act to request an applicant:	Assessment Manager	
	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;		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
8.2.2	to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
8.2.3	to consult with an authority or body prescribed by the regulations;		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
8.2.4	to comply with any other requirement prescribed by the regulations.		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
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	Assessment Manager Not sub-delegated	
8.3.1	subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and		
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).		
8.4		Not applicable	
8.5	The power pursuant to Section 119(9) of the PDI Act to:	Assessment Manager	
8.5.1	permit an applicant:		

		Delegation	Sub-delegation
8.5.1.1	to vary an application;		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
8.5.1.2	to vary any plans, drawings, specifications or other documents that accompanied an application,		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
	(provided that the essential nature of the proposed development is not changed);		
8.5.2	permit an applicant to lodge an application without the provision of any information or document required by the regulations;		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
8.5.3	to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);		CEO (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
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.		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
8.6	The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
8.8	The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	Assessment Manager	CEO (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
~~**Outline Consent**~~			
	~~The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.~~	~~Assessment Manager (not sub-delegated)~~	
	~~The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:~~	~~Assessment Manager~~	
	~~grant any consent contemplated by the outline consent; and~~		~~PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)~~
	~~not impose a requirement that is inconsistent with the outline consent.~~		~~PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)~~

		Delegation	Sub-delegation
9.	**Design Review**		
9.1	The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
10.	**Referrals to Other Authorities or Agencies**		
10.1	The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:	Assessment Manager	
10.1.1	refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
10.1.2	not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	where the regulations so provide, subject to Section 122 of the PDI Act.		
10.2	The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:		
10.2.1	to refuse the application; or	Assessment Manager (not sub-delegated)	
10.2.2	consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
10.3	The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.	Assessment Manager	CEO (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
10.4	The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
11.	**Preliminary Advice and Agreement**		
11.1	The power pursuant to Section 123(2) of the PDI Act, if:	Assessment Manager	
11.1.1	a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
11.1.2	the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
11.1.3	the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
	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).		
11.2	The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
12.	**Proposed Development Involving Creation of Fortifications**		
12.1	The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	Assessment Manager (not sub-delegated)	
12.2	The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:	Assessment Manager (not sub-delegated)	
	12.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or		
	12.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications		

		Delegation	Sub-delegation
12.3	The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	Assessment Manager (not sub-delegated)	
12.4	The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal.	Assessment Manager (not sub-delegated)	
13.	**Time Within Which Decision Must be Made**		
13.1	The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.	Assessment Manager	CEO (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
13.2	The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act.	Assessment Manager	CEO (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
14.	**Determination of Application**		
14.1	The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
14.2	The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
15.	**Conditions**		
15.1	The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
15.2	The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
15.3		Not applicable	
15.4		Not applicable	
15.5		Not applicable	
16.	**Variation of Authorisation**		
16.1	The power pursuant to Sections 128(1) and (2) of the PDI Act to determine an application seeking the variations of a development authorisation previously given under the PDI Act (including an application seeking the variation of a condition imposed with respect to the development authorisation).	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
16.2	The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
17.	**Requirement to Upgrade**		
17.1	The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.		
17.2	The power pursuant to Section 134(1) of the PDI Act, if:		

		Delegation	Sub-delegation
17.2.1	an application for a building consent relates to:		
17.2.1.1	building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or		
17.2.1.2	a change of classification of a building; and		
17.2.2	the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,		
	to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.		
17.3	The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.		
17.4	The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:		
17.4.1	subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and		
17.4.2	in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed		

		Delegation	Sub-delegation
17.5	The power pursuant to Section 134(4) of the PDI Act if:		
17.5.1	an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and		
17.5.2	the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,		
	to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).		
17.6	The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:		
17.6.1	subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and		
17.6.2	in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.		
18.	**Urgent Building Work**		
18.1	The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.		

		Delegation	Sub-delegation
19.	**Cancellation of Development Authorisation**	Assessment Manager	
19.1	The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
19.2	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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
20.	**Application to Assessment Panel**		
20.1	The power pursuant to Section 203(1) of the PDI Act to allow an extension of time to make an application to the assessment panel for a review of a prescribed matter under Division 1 in a case where an assessment manager acted as a relevant authority.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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.		
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.		

		Delegation	Sub-delegation
22.	**General Transitional Schemes for Panels**	Not applicable	
23.	**Regional Assessment Panels**		
23.1	The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:	Assessment Manager	
23.1.1	adopt any findings or determinations of a council development assessment panel or a regional development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
23.1.2	adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
23.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
23.1.4	deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
23.1.5	deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
24.	**Continuation of Processes**		
24.1	The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:	Assessment Manager	
24.1.1	adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
24.1.2	adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
24.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
24.1.4	deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
24.1.5	take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.		PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

	Delegation	Sub-delegation
25. **Interpretation**		
25.1 The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure (General) Regulations 2017 (**the General Regulations**) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
26. **Accredited Professionals**		
26.1 The power pursuant to Regulation 25(7)(c) of the General Regulations to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.		
27. **Verification of Application**		
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:	Assessment Manager	
27.1.1 determine the nature of the development; and		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

	Delegation	Sub-delegation
27.1.2 if the application is for planning consent - determine:		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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		
27.1.2.2 the category or categories of development that apply for the purposes of development assessment; and		
27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
27.1.4.1 check that the appropriate documents and information have been lodged with the application; and		
27.1.4.2 confirm the prescribed fees required to be paid at that point; and		
27.1.4.3 provide an appropriate notice via the SA planning portal; and		
27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):		PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW)

	Delegation	Sub-delegation
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		DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
27.1.5.2 provide an appropriate notice via the SA planning portal.		
28. **Site Contamination – Detailed Site Investigation Report**		
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:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
28.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and		
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:		
28.1.2.1 site contamination; and		
28.1.2.2 if remediation is required, the extent of that 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.		

		Delegation	Sub-delegation
	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	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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 issues a planning consent in relation to the application.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
30.	**Application and Further Information**		
	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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
31.	**Amended Applications**		
	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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
32.	**Withdrawing/Lapsing Applications**		
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:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
32.1.1	any agency to which the application has been referred under Division 2 of the General Regulations; and		
32.1.2	any person who has made a representation in relation to the application under Division 3 of the General Regulations,		
	of the withdrawal.		
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.	Assessment Manager (not sub-delegated)	
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:	Assessment Manager (not sub-delegated)	
32.3.1	take reasonable steps to notify the applicant of the action under consideration; and		
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.		
33.	**Court Proceedings**		
33.1	The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.	Assessment Manager (not sub-delegated)	

		Delegation	Sub-delegation
34.	**Additional Information or Amended Plans**		
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
35.	**Building Matters**		
35.1	The power pursuant to Regulation 45(1) of the General Regulations to, if in assessing an application for building consent, the delegate considers that:		
35.1.1	a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or		
35.1.2	the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or		
35.1.3	special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,		
	refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the delegate that a referral is not required.		
35.2	The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.		

		Delegation	Sub-delegation
35.3	The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.		
35.4	The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:		
	35.4.1 recommends against the granting of building consent; or		
	35.4.2 concurs in the granting of consent on conditions specified in its report,		
	but the delegate:		
	35.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or		
	35.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,		
	to:		
	35.4.5 refer the application to the Commission; and		
	35.4.6 not grant consent unless the Commission concurs in the granting of the consent.		
35.5	The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.		

	Delegation	Sub-delegation
36. **Preliminary Advice and Agreement (Section 123)**		
36.1 The power pursuant to Regulation 46(6) of the General Regulations, if:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
36.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and		
36.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,		
to refer the application (unless withdrawn) to the prescribed body:		
36.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or		
36.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.		
36.2 The power pursuant to Regulation 46(7) of the General Regulations if:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
36.2.1 an application is withdrawn by the applicant; and		
36.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,		
to notify relevant prescribed body of the withdrawal.		
36.3 The power pursuant to Regulation 46(8) of the General Regulations, if:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
36.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and		
36.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,		

		Delegation	Sub-delegation
	to notify the relevant prescribed body of the lapsing.		
36.4	The power pursuant to Regulation 46(9) of the General Regulations, if:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
36.4.1	an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and		
36.4.2	a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,		
	to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.		
37.	**Notification of Application of Tree-damaging Activity to Owner of Land**	Not applicable	
38.	**Public Inspection of Applications**		
38.1	The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
39.	**Representations**		
39.1	The power pursuant to Regulation 50(5) of the General Regulations to, if the delegate considers that it would assist the delegate in making a decision on the application, allow a person:	Assessment Manager (not sub-delegated)	
39.1.1	who has made a representation under Regulation 50(1) of the General Regulations in relation to development being assessed under Section 107 of the PDI Act; and		
39.1.2	who has indicated an interest in appearing before the delegate,		

		Delegation	Sub-delegation
	an opportunity (at a time determined by the delegate) to appear personally or by representative before the delegate to be heard in support of the representation that has been made under Regulation 50(1) of the General Regulations.		
40.	**Response by Applicant**		
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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
41.	**Notice of Decision (Section 126(1))**		
41.1	The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
41.2	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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
42.	**Consideration of Other Development Authorisations**		
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
43.	**Certificate of Independent Technical Expert in Certain Cases**		

	Delegation	Sub-delegation
43.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.		
44. **Urgent Work**		
44.1 The power pursuant to Regulation 63(1) of the General Regulations to,		
44.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and		
44.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.		
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.		
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.		

		Delegation	Sub-delegation
45.	**Variation of Authorisation (Section 128)**		
	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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
46.	**Advice from Commission**		
	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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
47.	**Underground Mains Area**		
	47.1 The power pursuant to Regulation 78(3) of the General Regulations, if an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant authority), to require, as a condition on its decision on the application, that any electricity mains be placed underground.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
48.	**Construction Industry Training Fund**		
	48.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993* or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.		

		Delegation	Sub-delegation
48.2	The power pursuant to Regulation 99(5) of the General Regulations, if a notification is given under Regulation 99(4) of the General Regulations, if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification, to, if the delegate thinks fit, determine that the application has lapsed.		
49.	**New Dwellings**		
49.1	The power pursuant to clause 2(1)(b) of Schedule 6B of the General Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than a previous use or activity that was for residential purposes.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
50.	**Plans for Building Work**		
50.1	The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building, if:		
50.1.1	the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or		
50.1.2	the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,		

	Delegation	Sub-delegation
to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.		

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FEES, CHARGES AND CONTRIBUTIONS) REGULATIONS 2019

	Delegation	Sub-delegation
51. **Calculation or Assessment of Fees**		
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):	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
51.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and		
51.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations or a fee notice (even if the assessment panel is not a relevant authority).		
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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

	Delegation	Sub-delegation
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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

PLANNING AND DESIGN CODE

	Delegation	Sub-delegation
52. **Procedural Matter**		
52.1 The power pursuant to and in accordance with the Planning and Design Code (**the PD Code**) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
52.2 The power pursuant to and in accordance with the PD Code to determine that the variation to one or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53. **Procedural Referrals**		
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC)
53.2.1 alteration to an existing access or public road junction;		

		Delegation	Sub-delegation
	53.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access,		PC (RPC)
	to be minor.		
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
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.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53.5	The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53.6	The power pursuant to and in accordance with the PD Code to form the opinion alterations to an existing access or public road junction are minor.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53.7	The power pursuant to and in accordance with the PD Code to form the opinion development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access is minor.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53.8	The power pursuant to and in accordance with the PD Code to form the opinion the variation to an application is minor in nature or would not warrant a referral when considering the purpose of the referral.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation	Sub-delegation
53.9	The power pursuant to and in accordance with the PD Code to form the opinion development materially affects the context within which the State Heritage Place is situated.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
53.10	The power pursuant to and in accordance with the PD Code to form the opinion the development is minor in nature and would not warrant a referral when considering the purpose of the referral.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
54.	**Administrative Terms and Definition**		
54.1	The power pursuant to and in accordance with Part 8 of the PD Code to for the purposes of Table 5 – Procedural Matters (**PM**) – Notification and the definition of 'Excluded Building', form the opinion that:	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
54.1.1	the building, structure or landscape feature (or part thereof) does not contribute to the building or features of identified heritage value within the State Heritage Area;		
54.1.2	the building (or part thereof) does not demonstrate the historic characteristics as expressed in the Historic Area Statement.		
55.	**Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001**		
55.1	The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

	Delegation	Sub-delegation
56. **Responsibility to Undertake Notification**		
56.1 The power pursuant to clause 6(4) of the State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019 (**PD3**), should the applicant request the relevant authority to place the notice on the land and pay the relevant fee, to (either personally or by engagement of a contractor) give notice of the application to members of the public by notice placed on the relevant land in accordance with Section 107(3)(a)(ii) of the PDI Act.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
57. **Preparing for Notification**		
57.1 The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
57.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and		
57.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land; and		
57.1.3 advise the applicant of the position and number of notice(s) to be erected on the land in accordance with clause 10 of PD3.		

		Delegation	Sub-delegation
58.	**Notice on Land**		
	58.1 The power pursuant to clause 10(2) of PD3, in relation to clause 10(1)(a) of PD3, to determine the most appropriate position for the notice on the land in order to provide for 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.	Assessment Manager	PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

STATE PLANNING COMMISSION PRACTICE DIRECTION (APPOINTMENT OF ADDITIONAL MEMBERS TO ASSESSMENT PANEL) 2019

		Delegation	Sub-delegation
59.	**Qualifications and Experience of Additional members**		
	59.1 The power pursuant to clause 4(6) of the State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019 (**PD5**) where the delegate forms the view that additional expert advice is required for an application which requires assessment of a matter listed in Column 1 of PD5, to engage an additional assessment panel member provided that person maintains both the minimum experience detailed in Column 2 of PD5, as well as the minimum qualification listed in Column 3 of PD5.	Assessment Manager (not sub-delegated)	
	59.2 The power pursuant to clause 4(7) of PD5 to be satisfied of the minimum experience and qualifications of an additional assessment panel member.	Assessment Manager (not sub-delegated)	

STATE PLANNING COMMISSION PRACTICE DIRECTION (SCHEME TO AVOID CONFLICTING REGIMENS) 2019

		Delegation	Sub-delegation
60.	**Scheme Provisions**		
60.1	The power pursuant to clause 5(1) of the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019 (**PD6**), to in undertaking a planning assessment or imposing controls, including through the imposition of conditions of planning consent, ensure that such assessment or controls do not conflict or duplicate matters dealt with or addressed under licencing or regulatory regimens under another Act.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
60.2	The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

STATE PLANNING COMMISSION PRACTICE DIRECTION 14 SITE CONTAMINATION ASSESSMENT 2021

		Delegation	Sub-delegation
61.	**Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act**		
61.1	The power pursuant to clause 12 of the State Planning Commission Practice Direction (Site Contamination Assessment) 2021 (**PD14**) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant.	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

	Delegation	Sub-delegation
62. **Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act**		
62.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition: *A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.*	Assessment Manager	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

STATE PLANNING COMMISSION PRACTICE DIRECTION 16 URBAN TREE CANOPY OFF-SET SCHEME

63. **Reserved Matter**	Not applicable
64. **Process for Payments to the Fund**	Not applicable
65. **Development within Council Fund Designated Areas**	Not applicable

URBAN TREE CANOPY OFF-SET SCHEME

66. **Payment into Fund**	Not applicable
67. **Use of Money from Fund**	Not applicable

68. **Circumstances in Which Outline Consent May be Granted**	
68.1 The power pursuant to clause 5(1)(b) of the State Planning Commission Practice Direction 18 Outline Consent (**PD18**) to provide advice to an applicant that if the application were to be for planning consent, the council would request the Minister to give notice under Section 94(1)(g) of the PDI Act.	

SCHEDULE OF CONDITIONS

CONDITIONS OR LIMITATIONS APPLICABLE TO DELEGATIONS CONTAINED IN THIS INSTRUMENT

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
All	Any person acting in the capacity of a sub-delegate of the Assessment Manager is not permitted to further sub-delegate the powers and functions in this instrument of delegation.
2.1	The Assessment Manager must consult with and heed the advice of the Chief Executive Officers of the constituent Councils in making appointments of Additional Members.
5.1	For persons acting in the capacity of a sub-delegate of the Assessment Manager, the delegation is limited to the granting of consent to an application pursuant to section 102(1)(a)(i) of the Act. Persons acting in the capacity of a sub-delegate of the Assessment Manager are not authorised to refuse an application pursuant to section 102(1)(a)(i) of the Act. A person acting in the role of Planning Cadet exercising delegations in respect of item 5.1 is limited to granting consent to only carports, verandas, dwelling additions, domestic outbuildings, and agricultural buildings, where the amount of fill that is generated by the development is less than one metre in height.
5.1	The delegation of the power to grant planning consent pursuant to section 102(1)(a) of the Act in relation to section 107(2)(b) is limited to applications in relation to which: • no valid representations are received; or • all valid representations are withdrawn; or • a representor has lodged a valid representation in support of the application and does not wish to be heard; or except in cases where a deemed consent notice has been served on the RRAP, in which case the limitation does not apply, and the Assessment Manager is delegated the power pursuant to Section 102(1)(a)(i) of the PDI Act to grant consent in respect of the relevant provisions of the Planning Rules without limitation.
5.1.4.8, 5.1.5	In exercising these delegations, the delegate or subdelegate must consult with and heed the advice of an Accredited Building Professional prior to issuing a consent.
11.3	The delegation of the power to apply for the relevant authority to be joined as a party to the proceedings pursuant to Section 122(7) of the PDI Act is limited to applications where the land the subject of the proceedings is within the council area of the delegate.
14.1	The delegation of the power to apply to the Court for an order quashing the consent pursuant to Section 125(6) of the PDI Act is limited to situations in which the land the subject of the deemed planning consent is within the council area of the sub-delegate.
14.2	The delegation of the power to apply to the Court for an extension of time pursuant to Section 125(7) of the PDI Act is limited to situations in which the land the subject of the deemed planning consent is within the council area of the sub-delegate.