INSTRUMENT D

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

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 decision made by the Assessment Manager of the Riverland Regional Assessment Panel ("RRAP") on this eleventh day of February 2025, the following powers and functions are delegated by the Assessment Manager to the person occupying the office indicated in the table below and to any person appointed to act in that position ('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* as the Delegate sees fit, unless otherwise indicated within this instrument of delegation.

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 decision of the Assessment Manager to identify when these delegations were made, reviewed and or amended.

POSITION ACRONYMS FOR DELEGATION	
CEO (BBC)	Chief Executive Officer (Berri Barmera Council)
GMIERS (BBC)	General Manager Infrastructure, Environment and Regulatory Services
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)

Background

1. The Assessment Manager has delegated many of those powers and functions under the *Planning Development and Infrastructure Act 2016* so that they can be exercised by Council staff and consultants when performing their duties (these are delegations).
2. Delegations are usually made in relation to a particular position or role (rather than individual people), so that the powers and functions can be exercised by anyone holding that position or role.
3. The Assessment Manager may elect to revoke any or all the delegations.
4. All the delegations listed in the attached tables apply to you whilst you hold this position, subject to any conditions or limitations listed on the last page.
5. It is important that you read this document and familiarise yourself with the powers contained within it.

Cheryle Pedler
Assessment Manager

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

	Delegation
1. **Environment and Food Production Areas – Greater Adelaide**	Not applicable
2. **Relevant Authority – Commission**	
2.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
3. **Relevant Provisions**	
3.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:	Not applicable
3.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or	
3.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.	
4. **Matters Against Which Development Must Be Assessed**	
4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):	
4.1.1 -	
4.1.1.1 the relevant provisions of the Planning Rules; and	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
	4.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development, (**planning consent**);	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
4.1.2	in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):	
	4.1.2.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.2.2 any relevant requirements set out in a design standard has been satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.2.3 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.2.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)

			Delegation
	4.1.2.5	requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
4.1.3	in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):		
	4.1.3.1	requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.2	any relevant requirements set out in a design standard has been satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.3	any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.4	where land is to be vested in a council or other authority - the council or authority consents to the vesting;	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)

			Delegation
	4.1.3.5	a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.6	the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.7	the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.8	any building situated on the land complies with the Building Rules;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.3.9	requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
4.1.4	any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;		GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

			Delegation
	4.1.5	if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.1.6	such other matters as may be prescribed.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
4.2	The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, reserve the delegate's decision on a specified matter or reserve the delegate's decision to grant a planning consent:		
	4.2.1	until further assessment of the relevant development under the PDI Act; or	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.2.2	until further assessment or consideration of the proposed development under another Act; or	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	4.2.3	until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
4.3	The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of Section 102(4) of the PDI Act to be reserved on the application of the applicant.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
5.	**Deemed-to-satisfy Assessment**	
5.1	The power pursuant to Section 106(2) of the PDI Act to form the opinion and be satisfied that development is deemed-to-satisfy development except for 1 or more minor variations and assess it as being deemed-to-satisfy.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (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).	Not 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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
6.2.1	The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

			Delegation
7.	**Application and Provision of Information**		
	7.1	The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
	7.2	The power pursuant to Section 119(3) of the PDI Act to request an applicant:	
		7.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
		7.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
		7.2.3 to consult with an authority or body prescribed by the regulations;	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
		7.2.4 to comply with any other requirement prescribed by the regulations.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)

				Delegation
7.3	The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to			
	7.3.1	subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and		Not delegated
	7.3.2	refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed-to-satisfy development).		Not delegated
7.4				Not applicable
7.5	The power pursuant to Section 119(9) of the PDI Act to:			
	7.5.1	permit an applicant:		
		7.5.1.1	to vary an application;	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)
		7.5.1.2	to vary any plans, drawings, specifications or other documents that accompanied an application,	GMIERS (BBC) 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);	
	7.5.2	permit an applicant to lodge an application without the provision of any information or document required by the regulations;		GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) PC (DCLW) DOP (DCLW) PP (RPC) PC (RPC)

			Delegation
	7.5.3	to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
	7.5.4	if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
7.6		The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
7.7		The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
7.8		The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)

			Delegation
8.	**Design Review**		
	8.1	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).	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
9.	**Referrals to Other Authorities or Agencies**		
	9.1	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:	
		9.1.1 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	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
		9.1.2 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	GMIERS (BBC) 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.	
	9.2	The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:	
		9.2.1 to refuse the application; or	Not delegated

		Delegation
	9.2.2 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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	9.3 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.	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
	9.4 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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
10.	**Preliminary Advice and Agreement**	
	10.1 The power pursuant to Section 123(2) of the PDI Act, if:	
	10.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	10.1.2 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	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

			Delegation
		10.1.3 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),	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
		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).	
	10.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
11.	**Proposed Development Involving Creation of Fortifications**		
	11.1	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).	Not delegated
	11.2	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:	Not delegated
		11.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or	
		11.2.2 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
11.3	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.	Not delegated
11.4	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.	Not delegated
12.	**Time Within Which Decision Must be Made**	
12.1	The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
12.2	The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act.	CEO (BBC) GMIERS (BBC) MERS (BBC) CEO (DCLW) MES (DCLW) CEO (RPC) DIES (RPC) MRS (RPC)
13.	**Determination of Application**	
13.1	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).	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
13.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
14.	**Conditions**	
14.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
14.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
14.3		Not applicable
14.4		Not applicable
14.5		Not applicable
15.	**Variation of Authorisation**	
15.1	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).	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
15.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
16.	**Urgent Building Work**	
16.1	The power pursuant to Section 135(2) of the PDI Act to issue any direction.	

		Delegation
17.	**Cancellation of Development Authorisation**	
17.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
17.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
18.	**Professional Advice to be Obtained in Relation to Certain Matters**	
18.1	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.	
18.2	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.	
19.	**Continuation of Processes**	
19.1	The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:	
19.1.1	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	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
19.1.2	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	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
19.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
19.1.4	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	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
19.1.5	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

			Delegation
20.	**Interpretation**		
	20.1	The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure Regulations 2017 (**the General Regulations**) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
21.	**Prescribed Scheme (Section 93)**		
	21.1	The power pursuant to Regulation 22(2) of the Planning, Development and Infrastructure (General) Regulations 2019 (**the General Regulations**), to, in connection with Regulation 22(1)(a)(ii) of the General Regulations act as a relevant authority for the purposes of:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
		21.1.1 making a decision in accordance with a practice direction under Section 107(3)(a) of the PDI Act; and	
		21.1.2 determining whether a proposed development the subject of an application falls within a specified class of development excluded from the operation of Section 107(3) and (4) of the PDI Act by the Planning and Design Code.	
22.	**Verification of Application**		
	22.1	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:	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
		22.1.1 determine the nature of the development; and	
		22.1.2 if the application is for planning consent - determine:	

			Delegation
		22.1.2.1 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	
		22.1.2.2 the category or categories of development that apply for the purposes of development assessment; and	
	22.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and		
	22.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):		
		22.1.4.1 check that the appropriate documents and information have been lodged with the application; and	
		22.1.4.2 confirm the prescribed fees required to be paid at that; and	
		22.1.4.3 provide an appropriate notice via the SA planning portal; and	
	22.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):		
		22.1.5.1 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	
		22.1.5.2 provide an appropriate notice via the SA planning portal.	

		Delegation
23.	**Site Contamination – Detailed Site Investigation Report**	
23.1	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:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
23.1.1	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	
23.1.2	the delegate considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to:	
23.1.2.1	site contamination; and	
23.1.2.2	if remediation is required, the extent of that remediation; and	
23.1.3	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.	
23.2	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.	
24.	**Site Contamination – Statement of Site Suitability**	
24.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

			Delegation
25.	**Application and Further Information**		
	25.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
26.	**Amended Applications**		
	26.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	26.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
27.	**Withdrawing/Lapsing Applications**		
	27.1	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:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
		27.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and	
		27.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations,	
		of the withdrawal.	

		Delegation
27.2	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.	Not delegated
27.3	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:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
27.3.1	take reasonable steps to notify the applicant of the action under consideration; and	
27.3.2	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.	
28.	**Court Proceedings**	
28.1	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.	Not delegated
29.	**Additional Information or Amended Plans**	
29.1	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.	PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
30.	**Preliminary Advice and Agreement (Section 123)**	
30.1	The power pursuant to Regulation 46(6) of the General Regulations, if:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
30.1.1	the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and	
30.1.2	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:	
30.1.3	to obtain a variation to the agreement under Section 123 of the PDI Act; or	
30.1.4	to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.	
30.2	The power pursuant to Regulation 46(7) of the General Regulations if:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
30.2.1	an application is withdrawn by the applicant; and	
30.2.2	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.	
30.3	The power pursuant to Regulation 46(8) of the General Regulations, if:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

			Delegation
	30.3.1	an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and	
	30.3.2	the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,	
		to notify the relevant prescribed body of the lapsing.	
30.4		The power pursuant to Regulation 46(9) of the General Regulations, if:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	30.4.1	an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and	
	30.4.2	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.	
31.	**Notification of Application of Tree-damaging Activity to Owner of Land**		Not applicable
32.	**Public Inspection of Applications**		
32.1		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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
33.	**Notice of Decision (Section 126(1))**		

		Delegation
33.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
33.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
34.	**Consideration of Other Development Authorisations**	
34.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
35.	**Certificate of Independent Technical Expert in Certain Cases**	
35.1	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.	
36.	**Urgent Work**	
36.1	The power pursuant to Regulation 63(1) of the General Regulations to,	
36.1.1	determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and	

	Delegation
36.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	
36.2 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.	
36.3 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.	
37. **Variation of Authorisation (Section 128)**	
37.1 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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
38. **Advice from Commission**	
38.1 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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
39. **Underground Mains Area**	
39.1 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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
40. **Construction Industry Training Fund**	

	Delegation
40.1 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.	
40.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed.	
41. **New Dwellings**	
41.1 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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
42. **Plans for Building Work**	
42.1 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:	
42.1.1 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	
42.1.2 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
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.	

			Delegation
43.	**Calculation or Assessment of Fees**		
	43.1	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):	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
		43.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and	
		43.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations or a fee notice (even if the assessment manager is not a relevant authority).	
	43.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
	43.3	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.	GMIERS (BBC) PDO (BBC) PC (BBC) PLC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
44.	**Procedural Matter**	
44.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
44.2	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.	**Procedural Matters: Referrals**	
45.1	The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would warrant a referral when considering the purpose of the referral.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.2	The power pursuant to and in accordance with the PD Code to form the opinion and deem:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.2.1	alteration to an existing access or public road junction; or	
45.2.2	development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access,	
	to be minor.	

		Delegation
45.3	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.4	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.5	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.6	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.7	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.8	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

		Delegation
45.9	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
45.10	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
46.	**Administrative Terms and Definition**	
46.1	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:	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
46.1.1	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;	
46.1.2	the building (or part thereof) does not demonstrate the historic characteristics as expressed in the Historic Area Statement.	
47.	**Referral Body: Minister Responsible for the Administration of the Aquaculture Act 201**	
47.1	The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

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

		Delegation
48.	**Scheme Provisions**	
48.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)
48.2	The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

SITE PLANNING COMMISSION PRACTICE DIRECTION 14 SITE CONTAMINATION ASSESSMENT 2021

		Delegation
49.	**Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act**	
49.1	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.	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

	Delegation
50. **Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act**	
50.1 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.*	GMIERS (BBC) PDO (BBC) PC (BBC) MES (DCLW) DOP (DCLW) PC (DCLW) PP (RPC) PC (RPC)

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

	Delegation
51. **Reserved Matter**	Not applicable
52. **Process for Payments to the Fund**	Not applicable
53. **Development within Council Fund Designated Areas**	Not applicable

URBAN TREE CANOPY OFF-SET SCHEME

	Delegation
54. **Payment into Fund**	Not applicable
55. **Use of Money from Fund**	Not applicable

STATE PLANNING COMMISSION PRACTICE DIRECTION 18 OUTLINE CONSENT

56. **Circumstances in Which Outline Consent May be Granted**	
56.1 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 delegate of the Assessment Manager is not permitted to further sub-delegate the powers and functions in this instrument of delegation.
4.1	For persons acting in the capacity of a 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 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 items 4.1 and 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.
4.1.3.8, 4.1.4	In exercising these delegations, the delegate must consult with and heed the advice of an Accredited Building Professional prior to issuing a consent.
10.3	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.
13.1	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 delegate.
13.2	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 delegate.