



G O Y D E R

South Australia's Heartland

COMBINED INSTRUMENT OF SUB-DELEGATIONS

2 JUNE 2022

Delegation Sources

- Burial and Cremation Act 2013
- Burial and Cremation Regulations 2014
- Food Act 2001
- Local Government Act 1999
- Local Government (Financial Management) Regulations 2011
- Local Government (Procedures at Meetings) Regulations 2013
- Local Government (General) Regulations 2013
- Community Titles Act 1996
- Cost of Living Concessions Act 1986
- Crown Land Management Act 2009
- Disability Inclusion Regulations 2019
- Dog and Cat Management Act 1995
- Dog and Cat Management Regulations 2017
- Electricity Act 1996
- Electricity (Principles of Vegetation Clearance) Regulations 2021
- Electronic Conveyancing National Law (South Australia) Act 2013
- Environment Protection Act 1993
- Environment Protection Regulations 2009
- Environment Protection (Air Quality) Policy 2016
- Environment Protection (Noise) Policy 2007
- Environment Protection (Used Packaging Materials) Policy 2012
- Environment Protection (Waste to Resources) Policy 2010
- Expiation of Offences Act 1996
- Fences Act 1975
- Fines Enforcement and Debt Recovery Act 2017
- Fire and Emergency Services Act 2005
- Fire and Emergency Services 2005
- Fire and Emergency Services Regulations 2021
- Food Regulations 2017
- Freedom of Information Act 1991
- Freedom of Information (Fees and Charges) Regulations 2018
- Gas Act 1997
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)
- Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)
- Independent Commission Against Corruption Act 2012
- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
- State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments
- State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019
- State Planning Commission Practice Direction (Council Inspections) 2020
- State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020
- Urban Tree Canopy Off-set Scheme
- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)
- Planning and Design Code
- State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019
- State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019
- Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021
- Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme
- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)
- Labour Hire Licensing Act 2017
- Land and Business (Sale and Conveyancing) Act 1994
- Landscape South Australia Act 2019
- Landscape South Australia (General) Regulations 2020
- Landscape South Australia (Water Management) Regulations 2020
- Liquor Licensing Act 1997
- Local Government (Building Upgrade Agreements) Regulations 2017
- Local Government (Elections) Act 1999
- Local Government (Forestry Reserves) Act 1944
- Local Government (Members Allowances and Benefits) Regulations 2010
- Local Nuisance and Litter Control Act 2016
- Local Nuisance and Litter Control Regulations 2017
- Magistrates Court Rules 1992
- Mining Act 1971
- Mining Regulations 2020
- Ombudsman Act 1972
- Private Parking Areas Act 1986
- Public Interest Disclosure Act 2018
- Real Property Act 1886
- Roads (Opening and Closing) Act 1991
- Road Traffic Act 1961
- Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure
- Road Traffic (Miscellaneous) Regulations 2014
- Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014
- South Australian Public Health Act 2011
- South Australian Public Health Act 2011 (Covid-19)
- South Australia Public Health (General) Regulations 2013
- South Australia Public Health (Legionella) Regulations 2013
- South Australia Public Health (Wastewater) Regulations 2013
- State Records Act 1997
- Unclaimed Goods Act 1987
- Water Industry Act 2012
- Water Industry Act 2012 Internal
- Water Industry Regulations 2012
- Work Health and Safety Act 2012

Positions

Abbreviation	Position	Name
ACF	Arts & Cultural Facilitator	Ali Eckermann
BO	Building Officer	Troy Olds
CDM	Community Development Manager	Barb Button
CGVC AM	CGVC Assessment Manager	Andrew Christiansen
CGVC CO	CGVC Compliance Officer	Boyd Kench Mick Boyd
CO	Compliance Officer	Cameron Watson
Council	Not Delegated to CEO	Council
CS	Construction Supervisor	Gary Lock
DITS	Director of Infrastructure & Technical Services	Lee Wallis
DOF	Director of Finance	Griff Campbell
EHO	Environmental Health Officer	Amedeo Fioravanti
ESGO	Executive Services & Governance Officer	Emily Moore
FO	Finance Officer	Sally Lynch
GA	Ganger	James Noble
HRPO	Human Resources & Payroll Officer	Fiona Cunningham
IO	Information Officer	Emma Moore
MNRAP	Mid North Regional Assessment Panel	Mid North Regional Assessment Panel
MO	Maintenance Officer	Jamie Pollard
MS	Maintenance Supervisor	John Moore
N/A	Not Applicable	Not Applicable
Not Delegated CEO Only	Chief Executive Officer	David J. Stevenson
PAO	Property & Assessment Officer	Tammy Leibhardt
PC	Planning Consultant	Daniel McKenna Julie Jansen James Cumming
PC2	Planning Consultant 2	Julie Jansen
PMSO	Plant Machinery & Stores Officer	Natasha Handke
RO	Risk Officer	Wayne Vincent
SRDO	Sport Development Officer	Samantha Freeman

Abbreviation	Position	Name
TAO	Technical Administration Assistant	Thea Koroï
TEC	Tourism & Events Coordinator	Marie O'Dea
TOE	Technical Officer (Engineering)	Riaz Uddin
TOPA	Technical Officer (Projects & Assets)	Sam Rosser
WSM	Workshop Manager	Luke Anning

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Instrument of Delegation under the Burial and Cremation Act 2013

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 8(2)	Approve the interment of bodily remains	DITS		council
section 13(4)	Inter additional bodily remains	DITS		relevant authority for cemetery or crematorium
section 13(6)	Be consulted by the Attorney-General regarding the opening of an interment site, exhumation or removal of bodily remains or re-interment of bodily remains	DITS		relevant authority for cemetery or crematorium
section 18(1)	Ensure that cremated remains are only released to an authorised person	DITS		relevant authority for cemetery or crematorium
section 18(2)	Dispose of cremated remains	DITS		relevant authority for cemetery or crematorium
section 19	Establish a cemetery, natural burial ground or crematorium	DITS		council
section 20	Establish and manage a public mortuary	DITS		council
section 21	Establish a mausoleum	DITS		relevant authority for cemetery or crematorium
section 22	Provide part of a cemetery as a natural burial ground	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 23	Set apart part of a cemetery or natural burial ground for a particular religion	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 24(1)	Close a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(2)	Provide notice of proposed closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(5)	Provide details of representations or submissions to the Minister regarding the proposed closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(8)(a)	Discharge unexercised interment rights and provide a refund by agreement with the interment holder on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(8)(b)	Discharge unexercised interment rights and issue a new interment right by agreement with the interment holder on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(9)(a)	Discharge interment rights and issue a new interment right with the interment holder on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(9)(b)	Remove and re-inter human remains by agreement with the interment holder on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 24(9)(c)	Remove and reposition a memorial by agreement with the interment holder on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(10)	Referral of matter for mediation if agreement cannot be reached on the discharge of an interment right on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(11)	Pay for mediation with respect to the discharge of an interment right on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(12)(a)	Offer land as a gift on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(12)(b)	Demolish, remove, relocate or replace a grave on closure of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 24(14)	Prepare an inventory prior to closure of a cemetery or natural burial ground identifying all graves and memorial, a record of all inscriptions and other particulars on memorials and a photograph of each memorial	DITS		relevant authority for cemetery or crematorium
section 24(15)	Make the inventory of graves and memorials available to the publicly	DITS		relevant authority for cemetery or crematorium
section 25(1)	Petition the Minister to have trust on which land is held by council which was formerly a cemetery or natural burial ground determined and the land dedicated as park lands	DITS		council

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25(5)	Pay costs of advertising or inquiry related to the determination of a trust and dedication of land as park lands	DITS		council
section 25(4)(a)	Remove memorials if a closed cemetery is dedicated as park lands	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 25(4)(b)	Relocate memorials if a closed cemetery is dedicated as park lands	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 25(4)(c)	Replace memorials if a closed cemetery is dedicated as park lands	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 26(2)	Convert a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council into a public park or garden*	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 26(3)	Give notice of intention to convert a cemetery into a public park where the cemetery is not on land held on trust by the council or that includes land under the care, control and management of a council	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 26(6)(a)	Remove memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 26(6)(b)	Relocate memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	Not Delegated CEO Only		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(6)(c)	Replace memorials a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 27(1)(a)	Construct roads and pathways for purpose of converting closed cemetery into a public park or garden	DITS		relevant authority for cemetery or crematorium
section 27(1)(b)	Erect or construct buildings for purpose of converting closed cemetery into a public park or garden	DITS		relevant authority for cemetery or crematorium
section 27(1)(c)	Construct a vault or other repository for human remains for purpose of converting closed cemetery into a public park or garden	DITS		relevant authority for cemetery or crematorium
section 27(1)(d)	Erect lighting, seating or other infrastructure or public amenity for purpose of converting closed cemetery into a public park or garden	DITS		relevant authority for cemetery or crematorium
section 27(1)(e)	Take such other act ion for laying out land as parklands or a public place or garden for purpose of converting closed cemetery into a public park or garden	DITS		relevant authority for cemetery or crematorium
section 28(1)	Provide notice of cemetery or natural burial ground closure to the Registrar	DITS		relevant authority for cemetery or crematorium
section 28(2)	Provide notice of crematorium closure to the Registrar or the Environment Protection Authority	DITS		relevant authority for cemetery or crematorium
section 28(3)	Forward records of closed cemetery, natural burial ground or crematorium to the Libraries Board of South Australia	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 30(1)	Agree to the interment of human remains	DITS		relevant authority for cemetery or crematorium
section 30(1)	Issue an interment right	DITS		relevant authority for cemetery or crematorium
section 30(2)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person applying for an interment right	DITS		relevant authority for cemetery or crematorium
section 30(3)	Determine capacity of interment site	DITS		relevant authority for cemetery or crematorium
section 30(5)	Carry out a lift and deepen procedure	DITS		relevant authority for cemetery or crematorium
section 32(1)	Renew interment right	DITS		relevant authority for cemetery or crematorium
section 32(1)	Fix renewal fee	DITS		relevant authority for cemetery or crematorium
section 32(2)	Provide notice of interment right expiry	DITS		relevant authority for cemetery or crematorium
section 32(3)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person renewing interment right	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 33(1)	Transfer an interment right	DITS		relevant authority for cemetery or crematorium
section 33(1)(a)	Determine consideration for transfer of interment right	DITS		relevant authority for cemetery or crematorium
section 33(3)	Record interment right transfer in register	DITS		relevant authority for cemetery or crematorium
section 34(1)	Receive surrendered interment right	DITS		relevant authority for cemetery or crematorium
section 34(2)	Provide a refund on the surrender of an unexercised interment right	DITS		relevant authority for cemetery or crematorium
section 37(1)	Keep a register of interment rights	DITS		relevant authority for cemetery or crematorium
section 37(2)	Record information in the interment rights register	DITS		relevant authority for cemetery or crematorium
section 38(1)(a)	Reuse an interment site on expiry of an interment right	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 38(1)(b)	Remove a memorial on expiry of an interment right	Not Delegated CEO Only		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 38(2)(a)	Give notice of intention to reuse an interment site by public advertisement	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 38(2)(b)	Give notice of intention to reuse an interment site by notice to the personal representative of the deceased	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 39(2)	Deal with and dispose of a memorial in accordance with the Burial and Cremation Act	DITS		relevant authority for cemetery or crematorium
section 40	Enter into an agreement with an interment right holder to maintain memorial	DITS		relevant authority for cemetery or crematorium
section 41(1)	Provide notice requiring repair, removal or reinstatement of memorial	DITS		relevant authority for cemetery or crematorium
section 41(2)	Carry out repair, removal or reinstatement work	DITS		relevant authority for cemetery or crematorium
section 41(2)	Recover costs of work repairing, removing or reinstating a memorial	DITS		relevant authority for cemetery or crematorium
section 41(3)	Carry out repair, removal or reinstatement work	DITS		relevant authority for cemetery or crematorium
section 41(3)	Recover costs of work repairing, removing or reinstating a memorial	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 42(1)	Remove and dispose of memorial where interment right has expired	DITS		relevant authority for cemetery or crematorium
section 42(1)(c)	Give notice of intention to remove and dispose of a memorial on expired interment site by public advertisement and notice affixed to the memorial	DITS		relevant authority for cemetery or crematorium
section 42(1)(d)	Give notice of intention to remove and dispose of a memorial on expired interment site by public notice to owner of memorial	DITS		relevant authority for cemetery or crematorium
section 42(2)	Keep prescribed records of disposed memorials	DITS		relevant authority for cemetery or crematorium
section 43(a)	Enlarge a cemetery, natural burial ground or crematorium	DITS		relevant authority for cemetery or crematorium
section 43(b)	Improve or embellish a cemetery, natural burial ground or crematorium	DITS		relevant authority for cemetery or crematorium
section 43(c)	Restrict interments in any part of a cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
section 43(d)	Take action for proper management and maintenance of a cemetery, natural burial ground or crematorium	DITS		relevant authority for cemetery or crematorium
section 45	Restrict interments in any part of a cemetery or natural burial ground	Not Delegated CEO Only		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 46(1)	Issue notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Not Delegated CEO Only		council
section 46(1)	Respond to notice from the Minister that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 46(3)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Not Delegated CEO Only		council
section 46(4)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	DITS		council
section 46(5)	Recover costs of work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	DOF		council
section 47(1)	Apply for review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 47(1)	Make submissions on a review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition	Not Delegated CEO Only		council
section 48(1)	Receive land used as a cemetery or natural burial ground on trust	Not Delegated CEO Only		council

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 49(1)	Assume administration of cemetery or natural burial ground	Not Delegated CEO Only		council
section 49(1)(c)	Agree to transfer administration of cemetery or natural burial ground	Not Delegated CEO Only		council
section 50(1)	Allow access to of cemetery, natural burial ground or crematorium	DITS		relevant authority for cemetery or crematorium
section 50(2)	Require person to leave cemetery, natural burial ground or crematorium	DITS		relevant authority for cemetery or crematorium
section 51(1)	Deal with land used as a cemetery or natural burial ground in ordinary course of commerce	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 51(2)	Discharge interment rights prior to dealing with land used as a cemetery or natural burial ground in ordinary course of commerce	Not Delegated CEO Only		relevant authority for cemetery or crematorium
section 51(2)(a)	Provide refund to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	DOF		relevant authority for cemetery or crematorium
section 51(2)(b)	Issue new interment right to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	Not Delegated CEO Only		relevant authority for cemetery or crematorium

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52	Deal with land which was a cemetery or natural burial ground closed in accordance with the Burial and Cremation Act in ordinary course of commerce	Not Delegated CEO Only		council
section 53(1)	Keep registers and plan prescribed by Burial and Cremation Act	DITS		relevant authority for cemetery or crematorium
section 53(3)	Keep records prescribed by Burial and Cremation Act	DITS		relevant authority for cemetery or crematorium
section 53(4)	Make registers prescribed by Burial and Cremation Act publicly available	DITS		relevant authority for cemetery or crematorium
section 53(5)	Produce a register prescribed by Burial and Cremation Act for inspection	DITS		relevant authority for cemetery or crematorium
section 56(1)	Request Public Trustee to act for interment right holder	DITS		relevant authority for cemetery or crematorium
section 58(2)	Appoint authorised officers	Not Delegated CEO Only		council
section 58(3)	Impose conditions on appointment of an authorised officer	Not Delegated CEO Only		council
section 58(4)	Issue identity card to an authorised officer	Not Delegated CEO Only		council

Burial and Cremation Act 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 58(7)	Vary or revoke appointment or impose further conditions on an authorised officer	Not Delegated CEO Only		council

Instrument of Delegation under the Burial and Cremation Regulations 2014

Burial and Cremation Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 12(1)	Ensure remains are placed in labelled container and stored in ossuary	DITS		relevant authority for cemetery or crematorium
regulation 12(2)	Provide notice to the Attorney-General and Registrar of removal of remains to ossuary	DITS		relevant authority for cemetery or crematorium
regulation 16	Fill interment site to level of natural surface	DITS		relevant authority for cemetery or crematorium
regulation 17(2)	Approve manner of marking name plate attached to coffin or bodily remains	DITS		relevant authority for cemetery or crematorium
regulation 18(1)(a)	Approve construction material for mausoleum or vault	DITS		relevant authority for cemetery or crematorium
regulation 18(5)	Be satisfied that mausoleum or vault is sealed	DITS		relevant authority for cemetery or crematorium
regulation 19(1)	Open and inspect mausoleum or vault	DITS		relevant authority for cemetery or crematorium
regulation 19(2)	Give notice to take remedial action if mausoleum or vault does not comply with the Burial and Cremation Regulations or offensive odours or noxious gases or fluids have escaped or are escalating from the mausoleum or vault	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 19(3)	Cause work to be undertaken if person fails to comply with notice provided under regulation 19(2)	DITS		relevant authority for cemetery or crematorium
regulation 19(3)	Recover costs of undertaking work if person fails to comply with notice provided under regulation 19(2)	DITS		relevant authority for cemetery or crematorium
regulation 21(1)	Dispose of name plate, metal or plastic fitting, any other object removed from the exterior of coffin or any other thing in possession due to cremation	Not Delegated CEO Only		relevant authority for cemetery or crematorium
regulation 21(3)	Ensure nameplate is provided to person holding the relevant cremation permit or a person authorised by that person	DITS		relevant authority for cemetery or crematorium
regulation 22	Fence the cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
regulation 24(1)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the driving of the vehicle	DITS		relevant authority for cemetery or crematorium
regulation 24(2)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the parking of the vehicle	DITS		relevant authority for cemetery or crematorium
regulation 25	Authorise removal, damage, defacement or interference of fixtures, structure or grounds within the cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
regulation 26(a)	Cause removal of unattached ornament, empty flower container, broken masonry, decayed or broken wreath or dead flowers from the cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium

Burial and Cremation Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 26(b)	Cause pruning, cutting down or removal of plants within the cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium
regulation 27	Require a person to leave the cemetery or natural burial ground	DITS		relevant authority for cemetery or crematorium

Instrument of delegation by the Chief Executive Officer (for the purposes of the Local Government Act and Food Act)

Food Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 46(1)	Serve a prohibition order on the proprietor of a food business	Not Delegated CEO Only	With approval from the CEO
section 46(5)	Provide a certificate of clearance	EHO	
section 88(5)	Consent to the delegation of power or function by a relevant authority to the Chief Executive Officer	Not Delegated CEO Only	
section 93(1)	Report to the relevant authority on the performance of functions under the Food Act by persons employed or engaged by the council	Not Delegated CEO Only	
section 93(2)	Forward to the relevant authority details of any proceedings for an offence under the Food Act or the regulations taken by an officer of the council	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 4(1aa)(a)(ii)(A)	Determine a website for the publication of a public notice by the council	Not Delegated CEO Only	
section 12(11c)(b)(iii)	Determine a website for the publication of a summary of issues surrounding a proposal which will be the subject of a poll	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 12(19)(b)(iii)	Refer a failure by the council of a type listed in section 12(1) of the Local Government Act to the Electoral Commissioner	Not Delegated CEO Only	
section 54(1)(b)	Receive notice of resignation of a council member	Not Delegated CEO Only	
section 54(6)	Notify council members of a vacancy in the office of a member of a council	Not Delegated CEO Only	
section 54(6)	Provide notice in the Gazette of a vacancy in the office of a member of a council	Not Delegated CEO Only	
section 55(c)	Receive a notice of disqualification from a member of the council	Not Delegated CEO Only	
section 56(1)	Publish a notice in the Gazette indicating that Division 2, Part 2, Chapter 5 of the Local Government Act applies to the council	Not Delegated CEO Only	
section 56(2)	Fix a polling day	Not Delegated CEO Only	
section 61(2)	Receive a request for access to a document	ESGO	
section 61(3)	Indicate that information contained in a document is confidential	ESGO	
section 65	Receive a primary return from a council member	ESGO	
section 66	Receive an ordinary return from a council member	ESGO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 67(1)	Receive notification from a council member of a change or variation in the information appearing on the Register of Interests	ESGO	
section 68(1)	Maintain a Register of Interests and cause information furnished pursuant to Division 2, Part 4, Chapter 5 of the Local Government Act and Schedule 3 to the Local Government Act to be entered on the register	ESGO	
section 68(2)	Notify a council member of a failure by that member to submit a return and the consequences of not submitting a return	ESGO	
section 68(4)	Suppress an address of a person from the Register of Interests	ESGO	
section 70(a1)	Determine a website for publication of the Register	Not Delegated CEO Only	
section 72(3)(a)	Receive a primary return or ordinary return from a board member of a regional subsidiary of the council	ESGO	
section 72(3)(b)	Participate in consultation with a regional subsidiary of the council to ensure that a Register of Interest relating to its board members is maintained and available for public inspection	Not Delegated CEO Only	
section 74(5)	Determine a website for publication of details of a material conflict of interest disclosed by a council member	Not Delegated CEO Only	
section 75A(4)	Determine a website for publication of details of an actual or perceived conflict of interest disclosed by a council member	Not Delegated CEO Only	
section 79(1)	Keep a Register of Allowances and Benefits	ESGO	
section 79(2)	Ensure that an appropriate record is made in the Register of Allowances and Benefits	ESGO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 81(3)	Appoint a time and place at which an ordinary meeting of the council will be held	Not Delegated CEO Only	
section 81(3)(a)	Appoint a time and place at which the first ordinary meeting of the council will be held after being constituted under Chapter 3 of the Local Government Act	Not Delegated CEO Only	
section 81(3)(b)	Appoint a time and place at which the first ordinary meeting of the council will be held after a general election of the council	Not Delegated CEO Only	
section 82(1)	Call a special meeting of the council	Not Delegated CEO Only	
section 83(1)	Provide notice of an ordinary meeting of the council	Not Delegated CEO Only	
section 83(2)	Provide notice of a special meeting of the council	Not Delegated CEO Only	
section 83(4)(a)	Ensure that items on an agenda for a council meeting are described with reasonable particularity and accuracy	ESGO	
section 83(4)(b)	Supply to a council member a copy of any documents or reports that are to be considered at a council meeting	ESGO	
section 83(5)	Indicate on a document or report any information or matters that may, if the council so determined, be considered in confidence under Part 3 of the Local Government Act and the basis for a confidentiality order	ESGO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 83(7)	Take action to bring a notice to the attention of a council member	Not Delegated CEO Only	
section 84(1)	Give notice to the public of the times and places of meetings of the council	Not Delegated CEO Only	
Section 84(1a)	Publicly display notice at principal office of the Council and publish notice and agenda in accordance with Section 132(1)(a) of the Local Government Act	ESGO	
section 84(2a)	Give notice to the public of the times and places of meetings of the council	Not Delegated CEO Only	
section 84(5)	Ensure that a reasonable number of copies of any document or report supplied to council members for consideration at a meeting are available for inspection by members of the public	Not Delegated CEO Only	
Section 84(5)(a)	Determine website for publication of document or report	Not Delegated CEO Only	
section 86(3)	Preside at a meeting of the council until a council member is chosen to preside	Not Delegated CEO Only	
section 87(4)	Provide notice to a member of a council committee of an ordinary meeting of the committee	Not Delegated CEO Only	
section 87(5)	Call a special meeting of a council committee	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 87(7)	Provide notice to a member of a council committee of a special meeting of the committee	Not Delegated CEO Only	
section 87(9)(a)	Ensure that items on an agenda for a council committee meeting are described with reasonable particularity and accuracy	CDM, DOF, CO	
section 87(9)(b)	Supply to a council committee member a copy of any documents or reports that are to be considered at a council committee meeting	CDM, DOF, CO	
section 87(10)	Indicate on a document or report any information or matters that may, if the council so determined, be considered in confidence under Part 3 of the Local Government Act and the basis for a confidentiality order	Not Delegated CEO Only	
section 87(12)	Take action to bring a notice to the attention of a council member	Not Delegated CEO Only	
section 87(13)	Maintain a record of all notices given under section 87 of the Local Government Act	Not Delegated CEO Only	
section 88(1)	Give public notice of the times and places of council committee meetings	Not Delegated CEO Only	
Section 88(1a)	Publicly display notice at principal office of the Council and publish the notice and agenda in accordance with Section 132(1)(a) of the Local Government Act	ESGO	
section 88(2a)	Give public notice of the times and places of council committee meetings	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 88(5)	Ensure that a reasonable number of copies of any document or report supplied to council committee members for consideration at a meeting are available for inspection by members of the public	CDM, DOF, CO	
section 90(8d)	Determine a website for publishing an informal gathering or discussions policy	Not Delegated CEO Only	
section 91(1)	Ensure minutes are kept of council and council committee meetings	CDM, ESGO, DOF, CO	
section 91(11)	Sign minutes of a council or council committee meeting	Not Delegated CEO Only	
section 92(5)	Determine a website for publishing a code of practice or alterations or substitutions to a code of practice	Not Delegated CEO Only	
section 93(2)	Give notice by advertisement in a newspaper circulating in the council area of the time and place of a meeting of electors	Not Delegated CEO Only	
section 93(2)	Ensure that minutes are kept of the proceedings at a meeting of electors	ESGO	
section 94A	Make available for inspection on the internet an up-to-date schedule of the dates, times and places set for meetings of the council and council committees	CDM, ESGO, DOF, CO	
section 99(1)(a)	Ensure that the policies and lawful decisions of the council are implemented in a timely and efficient manner	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 99(1)(b)	Undertake responsibility for the day-to-day operations and affairs of the council	Not Delegated CEO Only	
section 99(1)(c)	Provide advice and reports to the council on the exercise and performance of the council's powers and functions under the Local Government Act or any other Act	Not Delegated CEO Only	
section 99(1)(d)	Co-ordinate proposals for consideration by the council for developing objectives, policies and programs for the area	Not Delegated CEO Only	
section 99(1)(e)	Provide information to the council to assist the council to assess performance against its strategic management plans	Not Delegated CEO Only	
section 99(1)(f)	Ensure that timely and accurate information about council policies and programs is regularly provided to the council's community, and to ensure that appropriate and prompt responses are given to specific requests for information made to the council	Not Delegated CEO Only	
section 99(1)(g)	Ensure that the assets and resources of the council are properly managed and maintained	Not Delegated CEO Only	
section 99(1)(h)	Ensure that records required under this or another Act are properly kept and maintained	DOF	
section 99(1)(i)	Give effect to the principles of human resource management prescribed by the Local Government Act and to apply proper management practices	Not Delegated CEO Only	
section 99(1)(j)	Exercise, perform or discharge other powers, functions or duties conferred on the chief executive officer by or under the Local Government Act or other Acts, and to perform other functions lawfully directed by the council	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 99(2)	Consult with the council when determining, or changing to a significant degree, the organisational structure for the staff of the council, the processes, terms or conditions that are to apply to the appointment of senior executive officers or the appraisal scheme that is to apply to senior executive officers	Not Delegated CEO Only	
section 100(1)	Determine whether to have a deputy chief executive officer	Not Delegated CEO Only	
section 100(2)	Appoint a deputy chief executive officer	Not Delegated CEO Only	
section 100(3)	Obtain the concurrence of the council before appointing a deputy chief executive officer or removing a deputy chief executive officer	Not Delegated CEO Only	
section 103(1)	Appointing, managing, suspending and dismissing employees of the council	Not Delegated CEO Only	
section 104	Determine the conditions of service of an employee of the council	Not Delegated CEO Only	
section 105(1)	Ensure that a Register of Salaries is kept	HRPO	
section 105(2)	Ensure that a record is made in the Register of Salaries of a change in the salary, wage or remuneration, or an allowance or benefit, payable to, or provided for the benefit of, an employee or the payment or provision of an allowance or benefit not previously recorded in the Register	HRPO	
section 107(1)	Ensure that sound principles of human resource management are applied to employment in the administration of the council, and must take reasonable steps to ensure that those principles are known to all employees	HRPO	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 113(b)	Receive a primary return from a prescribed officer	ESGO	
section 114(b)	Receive an ordinary return from a prescribed officer	ESGO	
section 116(1)	Maintain a Register of Interests and cause to be entered in the Register all information pursuant to Division 2, part 4, Chapter 7 of the Local Government Act	ESGO	
section 116(2)	Notify a person who fails to submit a return of the failure	ESGO	
section 118	Enable the inspection of the Register of Interests by a council member	ESGO	
section 120(2)	Receive a disclosure of an interest in a matter from an employee of the council	Not Delegated CEO Only	
section 122(4a)(a)	Provide a report to the council on the sustainability of the council's long-term financial performance and position	DOF	
section 123(4)(a)	Determine a website for the publication of a notice informing the public of the preparation of a draft annual business plan and inviting attendance at a meeting or the making of submissions	Not Delegated CEO Only	
section 123(9)(c)	Determine a website for the publication of annual business plan and budget	Not Delegated CEO Only	
section 128(5)(b)	Receive a notice of resignation from an auditor	Not Delegated CEO Only	
section 129(5b)(b)	Participate in consultation with the principal member of the council in relation to whether the opinions and advice of the auditor should be a late item on the agenda for a council meeting	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 130(1)	Produce accounts, accounting records and other documents to the auditor	DOF	
section 130(2)	Produce explanations or information to the auditor	DOF	
section 130A(4)	Produce any documents relevant to an examination to, and provide any explanation or information required by, a person undertaking an examination under section 130A of the Local Government Act	DOF	
section 130(6)(b)	Participate in consultation with the principal member of the council in relation to whether a report on an examination under section 130A of the Local Government Act should be a late item on the agenda for a council meeting	Not Delegated CEO Only	
section 132(1)	Determine a website for the publication of documents referred to in Schedule 5 of the Local Government Act	Not Delegated CEO Only	
section 132(3a)	Determine website for the publication of a document or part of a document if an order under section 91(7) expires or ceases to apply to the document or a part of the document	Not Delegated CEO Only	
section 143(2)	Certify that reasonable attempts have been made to recover a debt or that the costs of recovery are likely to equal or exceed the amount to be recovered	DOF	
section 172(1)	Ensure that an assessment record is kept	DOF, PAO	
section 172(2)	Receive an application to have an occupier's name entered in the assessment record as the principal ratepayer in respect of land	PAO	
section 172(2)	Determine the manner and form of an application under section 172(2) of the Local Government Act	DOF	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 172(3)	Enter an occupier's name in the assessment record as the principal ratepayer in respect of land	PAO	
section 172(4)	Suppress the name or address of a person from the assessment record	PAO	
section 172(5)	Suppress the name or address of a person from the assessment record	PAO	
section 172(6)(b)	Make any alteration to the assessment record	PAO	
section 173(1)	Receive an application to alter the assessment record	PAO	
section 173(2)	Approve the manner and form of an application under section 173(1) of the Local Government Act	PAO	
section 184(15)	Provide a statutory declaration to the Registrar-General stating that the requirements of section 184 of the Local Government Act have been observed in regard to the sale of land	Not Delegated CEO Only	
section 187(3)(d)	Receive an application for a certificate of liabilities	Not Delegated CEO Only	
section 219(7)(c)	Determine a website for publishing a notice of the adoption or alteration of a policy under section 219 of the Local Government Act	Not Delegated CEO Only	
section 234A(6)(c)	Determine a website for publishing a resolution passed under section 234A of the Local Government Act	Not Delegated CEO Only	
section 252(7)	Provide a certificate for the purposes of section 252(5) or 252(6) of the Local Government Act	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
section 264(1)(b)	Lodge a complaint against a council member with the South Australian Civil and Administrative Tribunal	Not Delegated CEO Only	
section 287	Certify a copy of, or extract from, the assessment record kept under Chapter 10 of the Local Government Act	Not Delegated CEO Only	
section 289	Certify a copy of, or extract from, a register kept under the Local Government Act	Not Delegated CEO Only	
section 290(1)	Certify a copy of a by-law in force within the council area	Not Delegated CEO Only	
section 291	Issue a certificate giving details of the boundaries of the council area	Not Delegated CEO Only	
section 293	Issue a certificate giving details of the cost of work undertaken, the portion payable by a person and the date of the completion of the work	Not Delegated CEO Only	
clause 9(6), schedule 1B	Provide a statutory declaration stating that the requirements of clause 9 of Schedule 1B of the Local Government Act and the regulations have been observed in relation to the sale of land	Not Delegated CEO Only	
clause 3(5)(b), schedule 2	Determine a website for publishing a copy of a subsidiary charter	Not Delegated CEO Only	
clause 19(5)(b), schedule 2	Determine, in conjunction with the chief executive officers of the other constituent councils, a website for publishing a copy of a regional subsidiary charter	Not Delegated CEO Only	

Local Government (Financial Management) Regulations 2011

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 14(a)	Sign the financial statements of the council	Not Delegated CEO Only	
regulation 16(3)	Certify that the information provided under regulation 16(2) of the Local Government (Financial Management) Regulations has been reconciled to, and is consistent with, the audited financial statements of the council	Not Delegated CEO Only	
regulation 18(4)	Determine, in conjunction with the chief executive officers of other constituent councils, a website or websites for the publication of a notice given to a regional subsidiary under regulation 18 of the Local Government (Financial Management) Regulations	Not Delegated CEO Only	
regulation 18(4)	Ensure, in conjunction with the chief executive officers of the other constituent councils, that a notice given to a regional subsidiary under regulation 18 of the Local Government (Financial Management) Regulations is published on a website or websites determined by the chief executive officers	Not Delegated CEO Only	
regulation 21(4)	Lay before the council any audited financial statements of a subsidiary received for the purposes of clause 12(3)(a) or 28(2)(a) of Schedule 2 to the Local Government Act	Not Delegated CEO Only	
regulation 22(3)(a)	Provide a statement certifying compliance for the financial year with the requirement that the auditor be independent of the council	Not Delegated CEO Only	
regulation 22(3)(b)(i)	Provide a statement certifying compliance for the financial year with the requirement that the auditor be independent of the regional subsidiary	Not Delegated CEO Only	

Local Government (Procedures at Meetings) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 7(2)	Adjourn a meeting where the number of apologies received indicates that the meeting will lack a quorum to a specified day and time	Not Delegated CEO Only	
regulation 7(3)	Adjourn a meeting which lacks a quorum to a specified day and time	Not Delegated CEO Only	
regulation 7(4)	Record in the minute book the reason for an adjournment, the names of any members present and the date and time to which the meeting is adjourned	ESGO	
regulation 7(5)(a)	Give notice of an adjourned meeting to each council member setting out the date, time and place of the meeting	Not Delegated CEO Only	
regulation 7(5)(b)	Give notice of an adjourned meeting to the public setting out the date, time and place of the meeting	Not Delegated CEO Only	
regulation 9(1)	Receive written notice of a question on notice	Not Delegated CEO Only	
regulation 9(2)(a)	Place a question on notice on the agenda for the meeting at which the question will be asked	Not Delegated CEO Only	
regulation 10(2)	Place a petition (or, if provided for in a policy of the council, a summary of the petition as described in regulation 10(2) of the Local Government (Procedures at Meetings) Regulations) on the agenda for the next ordinary meeting of the council (or, if provided for in a policy of the council, on the agenda for the next ordinary meeting of a council committee)	Not Delegated CEO Only	
regulation 11(2)	Transmit a request for a deputation to the presiding member of the council	Not Delegated CEO Only	

Local Government (Procedures at Meetings) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 11(4)	Take reasonable steps to inform a person or persons requesting a deputation of the outcome of the request	Not Delegated CEO Only	
regulation 12(2)	Receive a notice of motion	Not Delegated CEO Only	
regulation 12(20)	Report on each question that lapses under regulation 12(19) at the first ordinary meeting of the council after a general election	Not Delegated CEO Only	
regulation 16(1)	Read out a motion before a vote is taken	Not Delegated CEO Only	
regulation 17(4)	Record in the minutes the names of the council members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote) when a division is taken	ESGO	
regulation 18(1)	Table documents relating to a motion that is before a meeting	ESGO	
regulation 18(2)	Indicate an opinion that consideration should be given to dealing with a document on a confidential basis under sections 90 or 91 of the Local Government Act	Not Delegated CEO Only	
regulation 21(1)	Submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council	Not Delegated CEO Only	
regulation 21(2)	Place a report under regulation 21(1) of the Local Government (Procedures at Meetings) Regulations on the agenda for the meeting at which the report is to be considered	Not Delegated CEO Only	

Local Government (General) Regulations 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
regulation 8AB	Determine website for publication of information listed in regulation 8AB of the Local Government (General) Regulations	Not Delegated CEO Only	
clause 1(2), Schedule 2A	Receive details of a gift or benefit received by an employee of the council	Not Delegated CEO Only	
clause 1(2), Schedule 2A	Determine any requirements applying to an employee of the council notifying the receipt of a gift or benefit	Not Delegated CEO Only	
clause 1(3), Schedule 2A	Maintain a register of gifts or benefits received by employees of the council	ESGO	
clause 1(4)(b), Schedule 2A	Determine a website for the publication of the register of gifts or benefits received by employees of the council	Not Delegated CEO Only	

Instrument of Delegation under the Community Titles Act 1996

Community Titles Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 3(11)	Endorse scheme description	PC1, PC2		relevant development authority
section 15A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	PC1, PC2		council (as holder of a statutory encumbrance)
section 27(1)(b)(i)	Consent to encroachment over land vested in, or under the control, of the council	PC1, PC2		council
section 30(4)	Require modification to a scheme description prior to endorsing the scheme description	PC1, PC2		relevant development authority
section 31(3)	Endorse a certified copy of an amended scheme description	PC1, PC2		relevant development authority
section 53A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	PC1, PC2		council (as holder of a statutory encumbrance)
section 70(3)	Approve the retention of a primary or secondary lot	PC1, PC2		relevant development authority

Instrument of Delegation under the Cost of Living Concessions Act 1986

Cost of Living Concessions Act 1986				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 6(1)	Apply to the Treasurer for the amount of rates remitted under the Cost of Living Concessions Act to be paid to the rating authority	Not Delegated CEO Only		rating authority

Instrument of Delegation under the Crown Land Management Act 2009

Crown Land Management Act 2009				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18A(1)	Seek the consent of the Minister to the exclusion of dedicated land from classification as community land	Not Delegated CEO Only		council
section 27(2)	Request the Minister to exercise power or functions under Division 4, Part 3 of the Crown Land Management Act in respect of the Adelaide Park Lands under the care, control and management of the council (other than land in relation to which a power to grant easements otherwise exists under the Act or the Real Property Act 1886).	N/A		Adelaide City Council

Instrument of Delegation under the Disability Inclusion Regulations 2019

Disability Inclusion Regulations 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(2)	Determine the manner and form and time period for the calling of public submissions under section 16(4)(c) of the Disability Inclusion Act	CDM		State authority
regulation 9(3)	Publish the disability access and inclusion plan on a website	CDM		State authority
regulation 9(4)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	CDM		State authority
regulation 10	Keep residents informed of the preparation by the council of a single disability access and inclusion plan which is for more than one council	Not Delegated CEO Only		council
regulation 11(1)	Comply with the steps under regulation 9 in regard to the variation of a disability access and inclusion plan as if the variation were the plan	CDM		State authority
regulation 11(2)	Vary a disability access and inclusion plan	CDM		State authority
regulation 11(3)	Provide public notice of a variation to a disability access and inclusion plan	CDM		State authority

Instrument of Delegation under the Dog and Cat Management Act 1995

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25A(1)	Appoint authorised persons	Not Delegated CEO Only		council
section 25A(2)	Impose conditions on appointment of an authorised person	Not Delegated CEO Only		council
section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	Not Delegated CEO Only		council
section 25B(1)	Issue identity card to an authorised person	Not Delegated CEO Only		council
section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	Not Delegated CEO Only		council
section 26(1)(a)	Maintain a register of dogs	CGVC CO, CO		council
section 26(1)(ab)	Provide information to the Dog and Cat Management Board	CGVC CO, CO		council
section 26(1)(ac)	Maintain other registers	CGVC CO, CO		council
section 26(1)(ad)	Make registers publicly available	CGVC CO, CO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(1)(ae)	Limit inspection of register	CGVC CO, CO		council
section 26(1)(b)	Appoint a Registrar	Not Delegated CEO Only		council
section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	CGVC CO, CO		council
section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	CGVC CO, CO		council
section 26(1)(e)	Make arrangements for the detention of dogs and cats	CGVC CO, CO, GA, TOPA, IO, MO		council
section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	CGVC CO, CO		council
section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	DOF, CO		council
section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	DOF, CO		council
section 26(5)	Pay moneys into the Dog and Cat Management Fund	DOF, CO		council
section 26(6)(a)	Charge fees for the provision of register extracts	CGVC CO, CO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(6)(ab)	Charge fees for receipt and management of information	CGVC CO, CO		council
section 26(b)(i)	Charge fees for registration of dogs or businesses	CGVC CO, CO		council
section 26(b)(ii)	Charge fees for late payment of registration	CGVC CO, CO		council
section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	CGVC CO, CO		council
section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	DOF, CO		council
section 26A(1)	Prepare a dog and cat management plan	CGVC CO, CO		council
section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	CGVC CO, CO		council
section 26A(5)	Amend dog and cat management plan	CGVC CO, CO		council
section 33(4)(c)	Approve boarding kennel	CGVC CO, CO		council
section 39	Rectify the register	CGVC CO, CO		council
section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	CGVC CO, CO		council
section 47(5)	Recover cost of giving effect to order if an order has been contravened and authorised person takes steps to effect the order	CGVC CO, CO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(1)(a)	Make a Destruction Order	CGVC CO, CO	With approval from the CEO	council
section 50(1)(b)	Make a Control (Dangerous Dog) Order	CGVC CO, CO		council
section 50(1)(c)	Make a Control (Menacing Dog) Order	CGVC CO, CO		council
section 50(1)(d)	Make a Control (Nuisance Dog) Order	CGVC CO, CO		council
section 50(1)(e)	Make a Control (Barking Dog) Order	CGVC CO, CO		council
section 50(2)(b)	Approve a place to detain dogs	CGVC CO, CO, GA, TOPA, IO, MO		council
section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	CGVC CO, CO		council
section 52(1)(a)	Ascertain owners or persons responsible for a dog	CGVC CO, CO		council
section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	CGVC CO, CO		council
section 52(2)(b)	Note order in register	CGVC CO, CO		council
section 52(3)	Provide notice of order to each owner or person responsible for a dog	CGVC CO, CO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52(4)	Revoke order	CGVC CO, CO		council
section 52(5)	Note revocation of order in register	CGVC CO, CO		council
section 52(6)	Note order made by Dog and Cat Management Board in register	CGVC CO, CO		council
section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	CGVC CO, CO		council
section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	CGVC CO, CO		council
section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area	CGVC CO, CO		council
section 59A(1)	Make a Prohibition Order	CGVC CO, CO		council
section 59A(2)	Approve place to detain dog	CGVC CO, CO, GA, TOPA, IO, MO		council
section 59A(5)(b)	Record a Prohibition Order	CGVC CO, CO		council
section 59A(6)	Revoke a Prohibition Order	CGVC CO, CO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 59A(7)	Note revocation of a Prohibition Order in register	CGVC CO, CO		council
section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	CGVC CO, CO		council
section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CGVC CO, CO		council
section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CGVC CO, CO		council
section 61(6)	Recover cost of microchipping or desexing dog	CGVC CO, CO		council
section 64(2)(c)	Nominate facility for the detention of cats	CGVC CO, CO		council
section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	CGVC CO, CO		council
section 64B(2)	Recover cost of microchipping or desexing a dog or cat	CGVC CO, CO		council
section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	CGVC CO, CO		council
section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision	CGVC CO, CO		council

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiration of Offences Act 1996	CGVC CO, CO		council
section 89	Lay a complaint regarding offence under Dog and Cat Management Act	CGVC CO, CO		council

Instrument of Delegation under the Dog and Cat Management Regulations 2017

Dog and Cat Management Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(3)(b)	Apply payment received under regulation 6(2) to furthering the objects of the Dog and Cat Management Act	CGVC CO, CO		council
regulation 20(1)(a)	Receive notification of prescribed information regarding the keeping of guard dogs on premises	CGVC CO, CO		council

Instrument of Delegation under the Electricity Act 1996

Electricity Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4(1)	Authorise a person to exercise powers conferred on a council officer under the Electricity Act	Not Delegated CEO Only		council
section 47(3)	Agree with an electricity entity to the carrying out of work on public land	Not Delegated CEO Only		council
section 47(7)	Refer a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	Not Delegated CEO Only		council
section 47(9)(a)	Make representations to the Minister in relation to a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	Not Delegated CEO Only		council
section 47(9)(b)	Agree to settle a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work	Not Delegated CEO Only		council
section 55(1a)	Comply with the requirements of a vegetation clearance scheme	Not Delegated CEO Only		council
section 55(3)	Carry out vegetation clearance work in relation to vegetation planted or nurtured contrary to the principles of vegetation clearance.	Not Delegated CEO Only		council

Electricity Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 55(3)	Recover the cost of carrying out vegetation clearance work under section 55(3) from a person who planted or nurtured the vegetation	Not Delegated CEO Only		council
section 55A(1)	Agree a vegetation clearance scheme with an electricity entity	Not Delegated CEO Only		council
section 55A(4)	Modify a vegetation clearance scheme by written agreement with the electricity entity	Not Delegated CEO Only		council
section 55B(2)	Ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5	Not Delegated CEO Only		council
section 55C(2)(c)	Apply to the Technical Regulator for a decision not to determine a vegetation clearance scheme dispute under Division 2, Part 5	Not Delegated CEO Only		council
section 55D(2)(a)	Consent to the Technical Regulator conferring on the council the duty to keep vegetation clear of public powerlines	Not Delegated CEO Only		council
section 55M	Enforce a vegetation clearance scheme with an electricity entity as a contract	Not Delegated CEO Only		council
section 56(1)	Make an arrangement with an electricity entity conferring on the council a specified role in relation to vegetation clearance around public powerlines outside of prescribed areas	Not Delegated CEO Only		council
section 58A(2)	Agree to contribute to the cost of undergrounding powerlines in the council area on the basis determined by the Minister	Not Delegated CEO Only		council

Electricity Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 58A(5)	Participate in consultation with, and provide proposals to, the Minister in respect of the undergrounding of powerlines	Not Delegated CEO Only		council
section 58A(8)	Participate in consultation with the Minister in respect of a variation of the program for undergrounding of powerlines	Not Delegated CEO Only		council

Instrument of Delegation under the Electricity (Principles of Vegetation Clearance) Regulations 2021

Electricity (Principles of Vegetation Clearance) Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	DITS		council
regulation 4(2)	Inspect overhead powerlines and clear vegetation	DITS		council
regulation 4(4)	Seek approval of the Technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	DITS		council
regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	DITS		council
regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area	DITS		council
regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	DITS		council
regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	DITS		council
regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	DITS		council
regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	DITS		council

Instrument of Delegation Under the Electronic Conveyancing National Law (South Australia) Act 2013 (Superseded)

Electronic Conveyancing National Law (South Australia) Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s10(1)	<p>1. Client Authorisation</p> <p>1.1 The power pursuant to Section 10(1) of the Electronic Conveyancing National Law (South Australia) Act 2013 (the Act) to:</p> <p>1.1.1 complete a client authorisation:</p> <p>1.1.1.1 that is in the form required by the participation rules; and</p> <p>1.1.1.2 by which the Delegate authorises a subscriber to do one or more things on the Council's behalf in connection with a conveyancing transaction so that the transaction, or part of the transaction, can be completed electronically.</p>	DOF	

Instrument of Delegation under the Environment Protection Act 1993

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees	Not Delegated CEO Only		council
section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act	Not Delegated CEO Only		council
section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act	Not Delegated CEO Only		council
section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act	Not Delegated CEO Only		council
section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	Not Delegated CEO Only		administering agency
section 18C(1)	Delegate a function conferred on the administering agency under Division 1A, Part 3	Not Delegated CEO Only		administering agency
section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	Not Delegated CEO Only		administering agency
section 59(1)	Enter into an environment performance agreement with the Minister	Not Delegated CEO Only		public authority

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement	Not Delegated CEO Only		council
section 85(3)	Appoint authorised officers	Not Delegated CEO Only		council
section 85(4)	Impose conditions on the appointment of an authorised officer	Not Delegated CEO Only		council
section 85(5)	Revoke the appointment of an authorised officer	Not Delegated CEO Only		council
section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer	Not Delegated CEO Only		council
section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the other council's area	Not Delegated CEO Only		council
section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87	EHO, DITS		council
section 93(1)	Issue an environment protection order	Not Delegated CEO Only		administering agency
section 93(2a)	Provide notice to the authority under the Natural Resource Management Act 2004	Not Delegated CEO Only		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	Not Delegated CEO Only		administering agency
section 93(7)	Revoke or vary an environment protection order	Not Delegated CEO Only		administering agency
section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	Not Delegated CEO Only		administering agency
section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	Not Delegated CEO Only		administering agency
section 94(6)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	Not Delegated CEO Only		administering agency
section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	Not Delegated CEO Only		administering agency
section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	Not Delegated CEO Only		administering agency
section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	Not Delegated CEO Only		administering agency
section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	Not Delegated CEO Only		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a charge on land or the cancellation of such registration	Not Delegated CEO Only		administering agency
section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	Not Delegated CEO Only		administering agency
section 96(1)	Issue an information discovery order	Not Delegated CEO Only		administering agency
section 96(4)	Vary or revoke an information discovery order	Not Delegated CEO Only		administering agency
section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	Not Delegated CEO Only		administering agency
section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	Not Delegated CEO Only		administering agency
section 97(3)(a)	Issue an instrument of authority to a person authorised under section 97(2) who is not an authorised officer	Not Delegated CEO Only		administering agency
section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	Not Delegated CEO Only		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 99(1)	Issue a clean-up order	Not Delegated CEO Only		administering agency
section 99(2a)	Give notice to the relevant authority under the Natural Resources Management Act 2004 of proposed issuing or variation of a clean-up order	Not Delegated CEO Only		administering agency
section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	Not Delegated CEO Only		administering agency
section 99(7)	Vary or revoke a clean-up order	Not Delegated CEO Only		administering agency
section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	Not Delegated CEO Only		administering agency
section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	Not Delegated CEO Only		administering agency
section 101(8)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	EHO, DITS		administering agency
section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	EHO, DITS		administering agency
section 102(2)	Authorise a person to take action on behalf of the council under section 102(1)	EHO, DITS		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	EHO, DITS		administering agency
section 103(1)	Recover reasonable costs and expenses incurred in council taking action on non-compliance with a clean-up order	EHO, DITS		administering agency
section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	Not Delegated CEO Only		administering agency
section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	Not Delegated CEO Only		administering agency
section 104(1)(d)	Application for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm	EHO, DITS		public authority
section 104(7)(a)	Apply for an order under section 104	Not Delegated CEO Only		administering agency
section 104(7)(b)	Apply for an order under section 104	EHO, DITS		council
section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	Not Delegated CEO Only		administering agency
section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	Not Delegated CEO Only		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 116(b)	Allow the payment a fee or levy by instalments	Not Delegated CEO Only		administering agency
section 120	Require the verification of information by statutory declaration	Not Delegated CEO Only		administering agency
section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	Not Delegated CEO Only		administering agency
section 130	Advise a person who submits a report to the council of the action which the council has taken or proposes to take in respect of the allegation	Not Delegated CEO Only		administering agency
section 135(1)	Issue a notice requiring a person who has contravened the Environment Protection Act to pay a fee fixed by, or calculated in accordance with, the regulations or the reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking sample or conducting tests, examination or analyses	Not Delegated CEO Only		administering agency
section 135(2)	Fix the period for payment of an amount under section 135	Not Delegated CEO Only		administering agency
section 135(3)(a)	Extend the period for payment of an amount under section 135	Not Delegated CEO Only		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	Not Delegated CEO Only		administering agency
section 135(8)	Recover an unpaid amount under section 135 as a debt	Not Delegated CEO Only		administering agency
section 138(1)	Exercise the powers of a mortgagee under the Real Property Act 1886 in regard to a default on the payment of money secured by the mortgage in the event that there is a default in the payment of an amount subject to a charge on land in favour of the council	Not Delegated CEO Only		administering agency
section 139(1)(a)	Execute a certificate certifying as to a matter relating to an environmental authorisation of other authorisation under the Environment Protection Act	Not Delegated CEO Only		administering agency
section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	Not Delegated CEO Only		administering agency
section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or authority under the Environment Protection Act	Not Delegated CEO Only		administering agency
section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	Not Delegated CEO Only		administering agency
section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	Not Delegated CEO Only		administering agency

Environment Protection Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	Not Delegated CEO Only		administering agency
section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred	EHO, DITS		public authority
section 140(3a)(b)	Certify a code, standard or other document for the purposes of legal proceedings	Not Delegated CEO Only		administering agency

Instrument of Delegation under the Environment Protection Regulations 2009

Environment Protection Regulations 2009				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulations 71 and 71(2) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulations 75(2)(b)	DITS		council

Instrument of Delegation under the Environment Protection (Air Quality) Policy 2016

Environment Protection (Air Quality) Policy 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 6(1)	Issue a burning permit	CO		administering agency (as the relevant council delegate)
clause 16(1)	Fix a testing point in premises to evaluate emissions from the premises	CO		administering agency
clause 6(2)	Determine the manner and form for applying for a burning permit	CO		administering agency (as the relevant council delegate)

Instrument of Delegation under the Environment Protection (Noise) Policy 2007

Environment Protection (Noise) Policy 2007				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions	PC1, PC2		council
clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in what land use category a land use principally promoted by relevant Development Plan provisions falls	PC1, PC2		council

Instrument of Delegation under the Environment Protection (Used Packaging Materials) Policy 2012

Environment Protection (Used Packaging Materials) Policy 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 9	Provide prescribed information to the Environment Protection Authority	DOF		council

Instrument of Delegation under the Environment Protection (Waste to Resources) Policy 2010

Environment Protection (Waste to Resources) Policy 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 10(1)(b)	Provide a receptacle or waste collection service for the kerbside collection of waste	DITS		council
clause 10(2)	Provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) to residential premises in the council area	DITS		council
clause 15(2)(a)	Provide a receptacle or waste collection service for the kerbside collection of listed waste	DITS		council
clause 16(1)(a)	Collect medical waste produced in the course of prescribed activity	DITS		council
clause 17(2)	Comply with prescribed requirements in respect of medical waste received by the council	DITS		council
clause 18(1)(a)	Provide a receptacle or service for the collection of sharps by a kerbside waste collection service	DITS		council

Instrument of Delegation under the Expiation of Offences Act 1996

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 5(1)	Give an expiation notice to an alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that offence is trifling	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 8A(2)	Require applicant to provide further information	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 8A(3)	Require application to be verified by a statutory declaration	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 8A(4)	Determine application	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 11(1)	Issue an expiation reminder notice to alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 11A(1)	Assess acceptability of statutory declaration or other document provided by alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 12	Accept a later payment of amount due under an expiation notice	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 16(1)	Withdraw an expiation notice in prescribed circumstances	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 16(5)	Prosecute offence following withdrawal of expiation notice	BO, CGVC CO, EHO,		issuing authority

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		CO, PC1, PC2		
section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority

Instrument of Delegation under the Fences Act 1975 (Superseded)

Fences Act 1975			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s5(1)	<p>1. Notice of Intention to Perform Fencing Work</p> <p>1.1 The power pursuant to Section 5(1) of the Fences Act 1975 ("the Act") to serve notice, in accordance with Section 5(2) of the Act, on an adjoining land owner of a proposal to erect a fence to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.</p>	DITS	
s 5(3)	<p>1. Notice of Intention to Perform Fencing Work</p> <p>1.2 The power pursuant to Section 5(3) of the Act to serve notice in accordance with Section 5(4) of the Act on an adjoining land owner of a proposal to perform any replacement, repair or maintenance work in relation to a fence dividing the Council's land (being land of less than one hectare) and the adjoining owner's land.</p>	DITS	
s6(1)	<p>2. Cross-notice</p> <p>2.1 The power pursuant to Section 6(1) of the Act to serve in the prescribed form and to determine the criteria under Section 6(2) of the Act, a cross-notice on an adjoining land owner, objecting to and/or putting forward counter-proposals in relation to fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.</p>	DITS	
s6(3)	<p>2. Cross-notice</p> <p>2.2 The power pursuant to Section 6(3) of the Act to object and serve notice on the adjoining owner to any counter-proposal contained in any cross-notice under Section 6(2) of the Act.</p>	DITS	
s 7	<p>3. Agreement upon Basis of Proposals and Counter proposals</p> <p>3.1 The power pursuant to Section 7 of the Act to authorise payment of part or all of the cost of constructing or maintaining a fence adjacent to Council land, (being land which is less than one hectare in area).</p>	DITS	
s8	<p>4. Performance of Fencing Work</p>	DITS	

Fences Act 1975			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	4.1 The power pursuant to Section 8 of the Act to authorise the commencement and completion of fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land-owner.		

Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017

Fines Enforcement and Debt Recovery Act 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 9(2)	Pay prescribed fee to Chief Recovery officer for a determination under section 9	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 20(4)	Receive notice of an arrangement between the Chief Recovery Officer and an alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 20(18)	Receive notice from the Chief Recovery Officer of the termination or an arrangement with an alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 20(19)(c)	Receive notice from the Chief Recovery Officer of the reinstatement of an arrangement with an alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 22(1)	Provide to the Chief Recovery Officer prescribed particulars to enable enforcement of an expiation notice against an alleged offender	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 22(2)	Pay prescribed fee to Chief Recovery Officer for enforcement of an expiation notice	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority
section 22(16)	Receive notice from the Chief Recovery Officer of an enforcement determination	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority

Fines Enforcement and Debt Recovery Act 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 23(3)	Participate in proceedings reviewing an enforcement determination of the Chief Recovery Officer	BO, CGVC CO, EHO, CO, PC1, PC2		issuing authority

Instrument of Delegation under the Fire and Emergency Services Act 2005

Fire and Emergency Services Act 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	Not Delegated CEO Only		rural council councils with a designated urban bushfire risk area

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area	CO, DITS		council
section 71C	Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities	CO, DITS		council
section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities	CO, DITS		council
section 73A(7)(b)(iv)	Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area plan which includes the council area	CO, DITS		council
section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (SACFS Chief Officer) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under	CO		rural council councils with a designated urban bushfire risk area

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	section 81 of the Fire and Emergency Services Act 2005			
section 87(1)	Require a person to remove flammable debris on or in the vicinity of, a road as a result of work carried on by that person	CO		rural council councils with a designated urban bushfire risk area
section 87(2)(a)	Burn or remove flammable debris left on road in contravention of a requirement under section 87(1)	CO		rural council councils with a designated urban bushfire risk area
section 87(2)(b)	Recover costs of burning or removing flammable debris left on road in contravention of a requirement under section 87(1)	CO		rural council councils with a designated urban bushfire risk area
section 94(3)	Participate in consultation with the (SACFS Chief Officer) SACFS Chief Officer with respect to a proposed withdrawal of council functions and powers	CO		rural council councils with a designated urban bushfire risk area
section 94(4)(a)	Make a written submission to the Minister in relation to a recommendation of the SASES Chief Officer to withdraw council function and powers	CO		rural council councils with a designated urban bushfire risk area
section 94(4)(b)	Request and undertake a delegation to the Minister to discuss a recommendation of the SASES Chief Officer to withdraw council function and powers	CO		rural council councils with a designated urban bushfire risk area
section 94(6)	Receive written reasons for a decision of the Minister to withdraw the powers and functions of the council	CO		rural council councils with a designated urban bushfire risk area

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 103(1)	Request the SASES Chief Officer to appoint a person as a fire control officer	CO, DITS		council
section 103(2)	Participate in consultation with the SASES Chief Officer regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area	CO, DITS		council
section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council	CO, DITS		council
section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act	CO, DITS		council
section 105B(1)	Appoint a fire prevention officer by a rural council or a council with a designated urban bushfire risk area	CO, DITS		council
section 105B(4)	Apply to SASES Chief Officer for an exemption from requirement to appoint a fire prevention officer	CO, DITS		council
section 105D(1)(c)	Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body	CO, DITS		council
section 105D(4)	Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body	CO, DITS		council
section 105E	Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for	CO, DITS		council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	the council area to the SAFES Commission, the State Bushfire Coordination Committee or a bushfire management committee for the council area			
section 105F(5)	Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property	CO, DITS		authorised person
section 105F(9)(c)	Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land	CO, DITS		authorised person
section 105F(10)	Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property	CO, DITS		authorised person
section 105G(1)	Take reasonable steps in regard to land under the care, control or management of the council which is situated in the country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land	CO, DITS		council
section 105G(5)	Participate in consultation with the Minister regarding a referral from the SASES Chief Officer alleging a failure of the council to comply with section 105G(1)	CO, DITS		council

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105G(6)	Receive notice of requirements from the Minister	CO, DITS		council
section 105G(7)	Comply with requirements of a notice issued to the council by the Minister under section 105G(6)	CO, DITS		council
section 105J(1)(a)	Give notice of intended entry of land to the owner of land	CO, DITS		authorised person
section 105J(1)(b)	Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required	CO, DITS		authorised person
section 105J(3)	Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land	CO, DITS		authorised person
section 105J(4)(a)	Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing	CO, DITS		authorised person
section 105J(4)(b)	Take photographs, films, audio, video or other recordings	CO, DITS		authorised person
section 105J(4)(a)	Give directions reasonably required in connection with the exercise of a power under Part 4A	CO, DITS		authorised person
section 105J(5)	Select assistants to accompany authorised person in exercise of power under Part 4A	CO, DITS		authorised person
section 105J(6)	Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply	CO, DITS		authorised person

Fire and Emergency Services 2005				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 105J(7)	Authorise a person to carry out requirements of a notice under section 105F(6) on behalf of an authorised person if the owner of land fails to comply	CO, DITS		council
section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)	CO, DITS		authorised person
section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency	CO, DITS		council

Instrument of Delegation under the Fire and Emergency Services Regulations 2021

Fire and Emergency Services Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 30(4)	Participate in consultation with the South Australian Country Fire Service Chief Officer in regard to a notice prohibiting or restricting the lighting or maintaining of a fire	CO		council
regulation 32(3)	Declare by notice in the Gazette that part of the council area is an area in which a person may operate a gas or electric element for cooking purposes in the open air contrary to the terms of a total fire ban	CO		council
regulation 32(4)(d)	Determine conditions to apply to a notice published under regulation 32(3)	CO		council
regulation 32(5)	Provide a copy of a notice published under regulation 32 to the South Australian Country Fire Service Chief Officer	CO		council
regulation 48(2)	Issue a certificate of identity to a fire prevention officer or assistant fire prevention officer	CO		council
regulation 48(4)	Accept the surrender of a certificate of identity on person ceasing to be a fire prevention officer or assistant fire prevention officer	CO		council
regulation 49(1)(a)	Light a fire on a road or on the verge of a road	CO		responsible authority
regulation 49(1)(b)	Direct or regulate the movement of persons, vehicles or animals along a road where a fire lit by the council under regulation 49(1)(a) is burning	CO		responsible authority

Fire and Emergency Services Regulations 2021				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 64(b)	Make representations in relation to a fire or other emergency to the South Australian Fire and Emergency Services Commission or an emergency services organisation	CO		council

Instrument of Delegation under the Food Act 2001

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 29	Elect to charge a person with a summary offence	EHO		council
section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	EHO		enforcement agency
section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order	EHO		enforcement agency
section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	EHO		enforcement agency
section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	EHO		enforcement agency
section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	EHO		enforcement agency
section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	EHO		enforcement agency
section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	EHO		enforcement agency
section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	EHO		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	EHO		enforcement agency
section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	EHO		enforcement agency
section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	EHO		enforcement agency
section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented	EHO		enforcement agency
section 79(4)	Change the priority classification of a food business in the council area	EHO		enforcement agency
section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business	EHO		enforcement agency
section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act	EHO		enforcement agency
section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	EHO		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	EHO		enforcement agency
section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area	EHO		enforcement agency
section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	EHO		enforcement agency
section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	EHO		enforcement agency
section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	EHO		enforcement agency
section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the Act or by delegation	EHO		enforcement agency
section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	EHO		enforcement agency
section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	Not Delegated CEO Only		enforcement agency

Food Act 2001				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 94(2)	Prepare and maintain a list of authorised officers	Not Delegated CEO Only		enforcement agency
section 95(1)	Provide each authorised officer with a certificate of authority	Not Delegated CEO Only		enforcement agency
section 95(2)	Limit the authority of an authorised officer	Not Delegated CEO Only		enforcement agency
section 104(1)	Send samples retained under the Act to an independent analyst in accordance with court order	EHO		enforcement agency

Instrument of Delegation under the Food Regulations 2017

Food Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 13(a)	Impose a fee for the carrying out of an inspection of food premises or food transport vehicles	EHO		enforcement agency
regulation 13(b)	Recover a fee imposed under regulation 13(a) from the occupier of the premises or owner or operator of the vehicle	EHO		enforcement agency

Instrument of Delegation under the Freedom of Information Act 1991

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations	ESGO		agency
section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public	ESGO		agency
section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified	ESGO		agency
section 16(1)	Transfer an application for access to a document to another agency	ESGO		agency
section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency	ESGO		agency
section 17(1)	Request the applicant to pay a reasonable amount by way of advance deposit if the cost of dealing with an application is likely to exceed the application fee	ESGO		agency
section 17(2)	Request the applicant to pay a reasonable amount by way of further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid	ESGO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	ESGO		agency
section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	ESGO		agency
section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information	ESGO		agency
section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request	ESGO		agency
section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application	ESGO		agency
section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application	ESGO		agency
section 19(1)	Determine: (a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and	ESGO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	(c) any charge payable for dealing with the application			
section 20(1)	Refuse access to a document	ESGO		agency
section 21(1)	Defer access to a document	ESGO		agency
section 22(1)	Determine the form of access to a document	ESGO		agency
section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant	ESGO		agency
section 22(4)	Agreeing with an applicant the form of access to a document	ESGO		agency
section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid	ESGO		agency
section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document	ESGO		agency
section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of another State) as to whether a document is an exempt document	ESGO		agency
section 25(2)	Provide view as to whether a document is an exempt document	ESGO		council

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25(3)	<p>Notify the relevant government or council</p> <p>(a) that the agency has determined to provide access to the document;</p> <p>(b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and</p> <p>(c) the procedures to be followed to exercise those rights of review</p>	ESGO		agency
section 25(3)(d)	Apply for a review of a decision to provide access to a document under section 25(3)	ESGO		council
section 26(2)	Notify a person that access to a document containing information concerning his or her personal affairs is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	ESGO		agency
section 26(3)	<p>Notify the relevant person:</p> <p>(a) that the agency has determined to provide access to the document;</p> <p>(b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and</p> <p>(c) the procedures to be followed to exercise those rights of review</p>	ESGO		agency
section 26(4)(c)	Form the opinion that disclosure of information may have an adverse effect on the physical or mental health, or emotional state, of the applicant	ESGO		agency
section 27(2)	Notify a person that access to a document concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of	ESGO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document			
section 27(3)	<p>Notify the relevant person:</p> <p>(a) that the agency has determined to provide access to the document;</p> <p>(b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and</p> <p>(c) the procedures to be followed to exercise those rights of review</p>	ESGO		agency
section 28(2)	<p>Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or on behalf of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document</p>	ESGO		agency
section 28(3)	<p>Notify the relevant person:</p> <p>(a) that the agency has determined to provide access to the document;</p> <p>(b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and</p> <p>(c) the procedures to be followed to exercise those rights of review</p>	ESGO		agency
section 29(3)	<p>Confirm, vary or reverse a determination under Part 3 following an application for an internal review</p>	ESGO		agency
section 29(4)	<p>Refund any application fee paid in respect of the internal review if the agency varies or</p>	ESGO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	reverses a determination so that access to a document is given			
section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given	ESGO		agency
section 34(a)	Amend records in accordance with an application under section 30	ESGO		agency
section 34(a)	Refuse to amend records in accordance with an application under section 30	ESGO		agency
section 35	Refuse an application to amend records	ESGO		agency
section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record	ESGO		agency
section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date	ESGO		agency
section 37(2)	Notify the applicant of the nature of the notation	ESGO		agency
section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its records in compliance with section 37(2)	ESGO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 37(3)(b)	Provide a statement as to the reasons for the agency's refusal to amend the records in accordance with the notation	ESGO		agency
section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review	ESGO		agency
section 39(5)(c)(i)	Participate in a settlement between the participants to a review	ESGO		agency
section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated	ESGO		agency
section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review	ESGO		agency
section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest	ESGO		agency
section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law	ESGO		agency
section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest	ESGO		agency
section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the	ESGO		agency

Freedom of Information Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	party's representative in respect of a restricted document			
section 53(2a)	Waive, reduce or remit a fee or charge	ESGO		agency
section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge	ESGO		agency
section 53(5)	Recover a fee or charge as a debt	ESGO		agency
section 54AA(a)	Furnish information to the Minister as required by notice in the Gazette	ESGO		agency
section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records	ESGO		agency
clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State	ESGO		council
clause 13(2)(b)(iii), Schedule 1	Approve a term of a contract which contains matter the disclosure of which would constitute a breach of contract or found an action for breach of confidence	ESGO		agency
clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)	ESGO		agency

Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018

Freedom of Information (Fees and Charges) Regulations 2018				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5	Waive or remit fee or charge	ESGO		agency

Instrument of Delegation under the Gas Act 1997

Gas Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 47(3)(b)	Agree to a gas entity carrying out work on public land owned by the council	Not Delegated CEO Only		council
section 47(7)	Refer a dispute between the council and a gas entity regarding whether work should be permitted on public land of the conditions on which work should be permitted to the Minister	Not Delegated CEO Only		council
section 47(9)(a)	Make representations to the Minister on questions at issue in the dispute	Not Delegated CEO Only		council
section 47(9)(b)	Settle a dispute with a gas entity by agreement	Not Delegated CEO Only		council

Instrument of Delegation under the Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)

Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 13(1)(b)	Consent to the Regulator making an HML declaration	DITS		road manager
regulation 14(3)	Require a condition on an HML declaration that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies	DITS		road manager
regulation 14(4)(a)	Provide to the regulator written reasons for the road manager's decision to give consent to the making of the declaration subject to the condition	DITS		road manager
regulation 14(4)(a)	Provide to the regulator written reasons for the road manager's decision to give consent to the making of the declaration subject to the condition	DITS		road manager
regulation 15(4)(b)	Consent to the amendment of a map or list	DITS		road manager
regulation 18(2)	Request the Regulator to amend or cancel an HML declaration	DITS		road manager
regulation 22(1)(b)	Consent to the Regulator granting an HML permit for an HML heavy vehicle	DITS		road manager
regulation 29(4)(c)	Consent to an amendment to an HML permit sought by the holder of the permit	DITS		road manager
regulation 31(2)	Request the Regulator to amend or cancel an HML permit	DITS		road manager

Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 41(1)	Consent to the declaration by the regulator of areas, roads and routes and major roads under regulation 40	DITS		road manager

Instrument of Delegation under the Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 118(1)(b)	Consent to a mass or dimension exemption (notice) for a category of heavy vehicle	DITS		road manager
section 124(1)(b)	Consent to a mass or dimension exemption (permit) for a heavy vehicle	DITS		road manager
section 139(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (notice)	DITS		road manager
section 145(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (permit)	DITS		road manager
section 156(2)	Request an extension to the time periods in section 156(1)	DITS		road manager
section 156A(4)	Provide a written statement to the Regulator explaining the road manager's decision not to consent to the grant of a mass or dimension authority	DITS		road manager
section 159(2)	Notify the regulator that a route assessment is required for the road manager determining whether to give consent and the fee payable under law (if any) for the route assessment	DITS		road manager
section 159(4)(a)	Cease considering whether or not to provide consent pending the payment of a fee	DITS		road manager
section 160(1)	Require a condition on the mass or dimension authority that: (a) except in the case of a class 2 heavy vehicle authorisation (notice)—the condition	DITS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	that a stated road condition is imposed on the authority; or (b) in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority			
section 160(2)(a)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	DITS		road manager
section 161(1)	Require a condition on the mass or dimension authority that a stated travel condition is imposed on the authority	DITS		road manager
section 161(2)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	DITS		road manager
section 162(1)	Request the Regulator to impose a stated vehicle conditions on a mass or dimension authority	DITS		road manager
section 167(2)(b)	Provide notice of objection to the Regulator in relation to a proposed replacement authority	DITS		road manager
section 167(2)(b)	Seek an extension of time in which to lodge a notice of objection to a proposed replacement authority	DITS		road manager
section 167(2)(b)	Provide notice to Regulator that the road manager gives or refuses consent to a proposed replacement authority	DITS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 169(1)	Consent to the grant of a mass or dimension authority for a trial period	DITS		road manager
section 170(3)	Lodge an objection with the Regulator in respect of the renewal of a mass or dimension authority for a further trial period	DITS		road manager
section 174(2)	Request the Regulator to amend the mass or dimension authority or cancel the authority	DITS		road manager
section 176(4)(c)	Consent to an amendment of a mass or dimension authority requested by the holder of the permit	DITS		road manager
section 178(2)	Request the Regulator to amend or cancel a mass or dimension authority	DITS		road manager
section 611(2)	Apply for a compensation order	DITS		road manager
section 612(2)(c)	Issue a certificate for the purposes of the assessment of a compensation order	DITS		road manager
section 613(1)	Provide a copy of a certificate to be submitted under section 612(2)(c) in a proceeding for a compensation order to the defendant at least 28 days prior to the date fixed for the hearing or the proceeding	DITS		public authority
section 643(2)	Undertake an internal review of a reviewable decision	DITS		road manager
section 645(5)	Provide notice of internal review decision and reasons for decision to the Regulator	DITS		road manager

Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 646(6)(a)(ii)	Agree with the Regulator a longer period for undertaking an internal review	DITS		road manager

Instrument of Delegation under the Independent Commission Against Corruption Act 2012

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	Not Delegated CEO Only		public authority
section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act	Not Delegated CEO Only		public authority
section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	Not Delegated CEO Only		public authority
section 18E(3)(a)	Produce a specified document or document relating to specified matter	Not Delegated CEO Only		public authority
section 18F(1)(b)	Act on a referral from the Office for Public Integrity	Not Delegated CEO Only		public authority
section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration	Not Delegated CEO Only		public authority
section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	Not Delegated CEO Only		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act	Not Delegated CEO Only		public authority
section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	Not Delegated CEO Only		public authority
section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	Not Delegated CEO Only		public authority
section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	Not Delegated CEO Only		public authority
section 36(8)	Provide comments to the Independent Commission Against Corruption	Not Delegated CEO Only		public authority
section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	Not Delegated CEO Only		public authority
section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	Not Delegated CEO Only		public authority
section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	Not Delegated CEO Only		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 41(4)	Provide comments to the Independent Commission Against Corruption	Not Delegated CEO Only		public authority
section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	Not Delegated CEO Only		public authority
section 56A(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action	Not Delegated CEO Only		public authority/ prosecution authority
Clause 9(6), Schedule 4	Act on a referral of the inspector	Not Delegated CEO Only		public authority

SA Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(b)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.</p>	N/A	
s22(4)(a)(i)	<p>2. Functions</p> <p>2.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.</p>	Not Delegated CEO Only	
s35(1)(a)	<p>3. Planning Agreements</p> <p>3.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.</p>	Not Delegated CEO Only	
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</p>	Not Delegated CEO Only	

**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design
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(Instrument A)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>3.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>3.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>3.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>3.2.2.4 the terms of office of members; and</p> <p>3.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 3.2.2.6 the appointment of deputy members; and</p> <p>3.2.2.7 the procedures of the board; and</p>	Not Delegated CEO Only	
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and</p>	Not Delegated CEO Only	
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p>	Not Delegated CEO Only	

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(Instrument A)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.2.4 the staffing and other support issues associated with the operations of the joint planning board; and		
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.5 financial and resource issues associated with the operations of the joint planning board, including:</p> <p>3.2.5.1 the formulation and implementation of budgets; and</p> <p>3.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and</p>	Not Delegated CEO Only	
s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.6 such other matters as the delegate thinks fit.</p>	Not Delegated CEO Only	
s35(5)(a)	<p>3. Planning Agreements</p> <p>3.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).</p>	Not Delegated CEO Only	
s35(5)(b)	<p>3. Planning Agreements</p> <p>3.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.</p>	Not Delegated CEO Only	
s44(6)(a)	<p>4. Community Engagement Charter</p> <p>4.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).		
s44(9)(b)	<p>4. Community Engagement Charter</p> <p>4.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.</p>	Not Delegated CEO Only	
s44(10)	<p>4. Community Engagement Charter</p> <p>4.3 The power pursuant to Section 44(10) of the PDI Act to:</p> <p>4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and</p> <p>4.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.</p>	Not Delegated CEO Only	
s45(2)(c)	<p>5. Preparation and Amendment of Charter</p> <p>5.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.</p>	Not Delegated CEO Only	
s73(6)	<p>6. Preparation and Amendment</p> <p>6.1 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:</p> <p>6.1.1 to prepare a draft of the relevant proposal; and</p> <p>6.1.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>6.1.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and</p>	Not Delegated CEO Only	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6.1.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:</p> <p>6.1.4.1 an owner or occupier of the land; and</p> <p>6.1.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p> <p>6.1.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and</p> <p>6.1.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>6.1.7 to comply with any requirement prescribed by the regulations.</p>		
s73(8)	<p>6. Preparation and Amendment</p> <p>6.2 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.</p>	Not Delegated CEO Only	
s73(9)	<p>6. Preparation and Amendment</p> <p>6.3 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).</p>	Not Delegated CEO Only	
s74(8)(c)	<p>7. Parliamentary Scrutiny</p> <p>7.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s75(3)	<p>8. Complying Changes – Planning and Design Code</p> <p>8.1 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).</p>	Not Delegated CEO Only	
s82(d)	<p>9. Entities Constituting Relevant Authorities</p> <p>9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.</p>	Council	
s83(1)	<p>10. Panels Established by Joint Planning Boards or Councils</p> <p>10.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to:</p> <p>10.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess;</p> <p>10.1.2 determine:</p> <p>10.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and</p> <p>10.1.2.2 the procedures to be followed with respect to the appointment of members; and</p> <p>10.1.2.3 the terms of office of members; and</p> <p>10.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and</p> <p>10.1.2.5 the appointment of deputy members; and</p> <p>10.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.</p>	Council	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s83(1)(h)	10. Panels Established by Joint Planning Boards or Councils 10.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.	Not Delegated CEO Only	
s83(1)(i)	10. Panels Established by Joint Planning Boards or Councils 10.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.	Council	
s83(2)	10. Panels Established by Joint Planning Boards or Councils 10.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.	Council	
s86(2)(a)	11. Substitution of Local Panels 11.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	Not Delegated CEO Only	
s89(b)	12. Notification of Acting 12.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.	BO, PC1, PC2	
s102(1)(c)(iv)	13. Matters Against which Development Must be Assessed 13.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.	BO, PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)(d)(iv)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.</p>	BO, PC1, PC2	
s102(11)(b)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.</p>	BO, PC1, PC2	
s110(2)(b)	<p>14. Restricted Development</p> <p>14.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.</p>	BO, PC1, PC2	
s110(c)(ii)	<p>14. Restricted Development</p> <p>14.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.</p>	BO, PC1, PC2	
s110(7)	<p>14. Restricted Development</p> <p>14.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.</p>	Not Delegated CEO Only	
s112(b)	<p>15. Level of Detail</p> <p>15.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.</p>	PC1, PC2	
s130(6)	16. Essential Infrastructure – Alternative Assessment Process	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	16.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.		
s130(14)	16. Essential Infrastructure – Alternative Assessment Process 16.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.	PC1, PC2	
s131(7)	17. Development Assessment – Crown Development 17.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.	PC1, PC2	
s131(15)	17. Development Assessment – Crown Development 17.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.	PC1, PC2	
s138(1)	18. Land Division Certificate 18.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.	Not Delegated CEO Only	
s138(2)	18. Land Division Certificate 18.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s141(1)	<p>19. Action if Development Not Completed</p> <p>19.1 The power pursuant to Section 141(1) of the PDI Act, if:</p> <p>19.1.1 an approval is granted under the PDI Act; but</p> <p>19.1.2 -</p> <p>19.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or</p> <p>19.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval,</p> <p>to apply to the Court for an order under Section 141 of the PDI Act.</p>	Not Delegated CEO Only	
s141(5)	<p>19. Action if Development Not Completed</p> <p>19.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.</p>	Not Delegated CEO Only	
s141(6)	<p>19. Action if Development Not Completed</p> <p>19.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act:</p> <p>19.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	PC1, PC2	
s142(1)	<p>20. Completion of Work</p> <p>20.1 The power pursuant to Section 142(1) of the PDI Act, if:</p> <p>20.1.1 an approval is granted under the PDI Act; but</p>	Not Delegated CEO Only	

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	20.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.		
s142(2)	20. Completion of Work 20.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.	Not Delegated CEO Only	
s142(3)	20. Completion of Work 20.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.	Not Delegated CEO Only	
s142(4)	20. Completion of Work 20.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 20.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	PC1, PC2	
s146(3)	21. Notification During Building 21.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.	PC1, PC2	
s151(2)	22. Classification of Buildings	BO, PC1, PC2	

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	22.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.		
s151(3)	<p>22. Classification of Buildings</p> <p>22.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.</p>	BO, PC1, PC2	
s152(2)	<p>23. Certificates of Occupancy</p> <p>23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.</p>	BO, PC1, PC2	
s152(3)(a)	<p>23. Certificates of Occupancy</p> <p>23.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.</p>	BO, PC1, PC2	
s152(5)	<p>23. Certificates of Occupancy</p> <p>23.4 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.</p>	BO, PC1, PC2	
s152(6)	<p>23. Certificates of Occupancy</p> <p>23.5 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.</p>	BO, PC1, PC2	

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s152(10)	<p>23. Certificates of Occupancy</p> <p>23.6 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:</p> <p>23.6.1 the refusal; and</p> <p>23.6.2 the reasons for the refusal; and</p> <p>23.6.3 the applicant's right of appeal under the PDI Act.</p>	BO, PC1, PC2	
s152(12)	<p>23. Certificates of Occupancy</p> <p>23.7 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.</p>	BO, PC1, PC2	
s152(13)	<p>23. Certificates of Occupancy</p> <p>23.8 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.</p>	BO, PC1, PC2	
s153(1)	<p>24. Temporary Occupation</p> <p>24.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.</p>	BO, PC1, PC2	
s153(2)	<p>24. Temporary Occupation</p> <p>24.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.</p>	BO, PC1, PC2	
s153(3)	<p>24. Temporary Occupation</p> <p>24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:</p> <p>24.3.1 the refusal; and</p> <p>24.3.2 the reasons for the refusal; and</p> <p>24.3.3 the applicant's right of appeal under the PDI Act.</p>	BO, PC1, PC2	

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s155(5)	<p>25. Emergency Orders</p> <p>25.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.</p>	BO, PC1, PC2	With approval from the CEO
s155(6)	<p>25. Emergency Orders</p> <p>25.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.</p>	BO, PC1, PC2	
s155(7)	<p>25. Emergency Orders</p> <p>25.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	BO, PC1, PC2	
s157(16)	<p>26. Fire Safety</p> <p>26.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.</p>	Not Delegated CEO Only	
s157(17)	<p>26. Fire Safety</p> <p>26.2 The power pursuant to Section 157(17) of the PDI Act to:</p> <p>26.2.1 appoint to the appropriate authority:</p> <p>26.2.1.1 a person who holds prescribed qualifications in building surveying; and</p> <p>26.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and</p> <p>26.2.1.3 a person with expertise in the area of fire safety; and</p>	Not Delegated CEO Only	

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	26.2.1.4 if so determined by the delegate, a person selected by the delegate;		
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;	Not Delegated CEO Only	
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.3 remove a member of the appropriate authority from office for any reasonable cause;	Not Delegated CEO Only	
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.4 appoint deputy members;	Not Delegated CEO Only	
s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.5 determine the appropriate authority's procedures (including as to quorum).	Not Delegated CEO Only	
s166(1)(c)	27. Consideration of Proposed Scheme 27.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.	PC1, PC2	
s169(2)(b)	28. Funding Arrangements 28.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed	PC1, PC2	

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	person or body as part of a periodic review of the levels and amounts of those contributions.		
s169(9)	<p>28. Funding Arrangements</p> <p>28.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.</p>	PC1, PC2	
s180(7)	<p>29. Imposition of Charge by Councils</p> <p>29.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.</p>	PC1, PC2	
s187(1)	<p>30. Authorised Works</p> <p>30.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.</p>	PC1, PC2	
s187(5)	<p>30. Authorised Works</p> <p>30.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:</p> <p>30.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and</p> <p>30.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and</p> <p>30.2.3 ensure that proper consideration is given to the views of the road maintenance authority.</p>	PC1, PC2	
s187(5)(b)	30. Authorised Works	PC1, PC2	

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	30.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.		
s187(6)	30. Authorised Works 30.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.	PC1, PC2	
s188(1)	31. Entry onto Land 31.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to: 31.1.1 enter and pass over any land; and 31.1.2 bring onto any land any vehicles, plant or equipment; and 31.1.3 temporarily occupy land; and 31.1.4 do anything else reasonably required in connection with the exercise of the power.	PC1, PC2	
s188(4)	31. Entry onto Land 31.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.	PC1, PC2	
s192(1)	32. Land Management Agreements 32.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.	PC1, PC2	
s192(2)	32. Land Management Agreements	PC1, PC2	

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	32.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.		
s192(4)	<p>32. Land Management Agreements</p> <p>32.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:</p> <p>32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and</p> <p>32.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.</p>	PC1, PC2	
s192(5)	<p>32. Land Management Agreements</p> <p>32.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.</p>	PC1, PC2	
s192(8)	<p>32. Land Management Agreements</p> <p>32.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.</p>	PC1, PC2	
s192(9)	<p>32. Land Management Agreements</p> <p>32.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.</p>	PC1, PC2	
s192(10)	32. Land Management Agreements	PC1, PC2	

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	32.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.		
s192(11)	32. Land Management Agreements 32.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.	PC1, PC2	
s192(12)	32. Land Management Agreements 32.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	PC1, PC2	
s192(15)	32. Land Management Agreements 32.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	PC1, PC2	
s192(16)	32. Land Management Agreements 32.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.	PC1, PC2	
s192(17)	32. Land Management Agreements 32.12 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.	PC1, PC2	

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s192(18)	<p>32. Land Management Agreements</p> <p>32.13 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.</p>	PC1, PC2	
s193(1)	<p>33. Land Management Agreements – Development Applications</p> <p>33.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:</p> <p>33.1.1 the person; and</p> <p>33.1.2 any other person who has the benefit of the development authorisation; and</p> <p>33.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).</p>	PC1, PC2	
s193(2)	<p>33. Land Management Agreements – Development Applications</p> <p>33.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).</p>	PC1, PC2	
s193(3)	<p>33. Land Management Agreements – Development Applications</p> <p>33.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:</p> <p>33.3.1 the provisions of the Planning and Design Code; and</p> <p>33.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.</p>	PC1, PC2	

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s193(5)	33. Land Management Agreements – Development Applications 33.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.	PC1, PC2	
s193(11)	33. Land Management Agreements – Development Applications 33.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.	PC1, PC2	
s193(13)	33. Land Management Agreements – Development Applications 33.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	PC1, PC2	
s193(15)	33. Land Management Agreements – Development Applications 33.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	PC1, PC2	
s193(16)	33. Land Management Agreements – Development Applications 33.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.	PC1, PC2	
s197(2)	34. Off-setting Contributions 34.1 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:	Not Delegated CEO Only	

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	<p>34.1.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or</p> <p>34.1.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or</p> <p>34.1.3 any other initiative or policy:</p> <p>34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;</p> <p>34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.</p>		
s197(3)	<p>34. Off-setting Contributions</p> <p>34.2 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:</p> <p>34.2.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act):</p> <p>34.2.1.1 to make a contribution to a fund established as part of the scheme; or</p> <p>34.2.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or</p> <p>34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,</p> <p>in order to provide for or address a particular matter identified by the scheme; and</p> <p>34.2.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and</p> <p>34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.</p>	Not Delegated CEO Only	
s197(4)	<p>34. Off-setting Contributions</p> <p>34.3 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	with any directions or approvals of the Treasurer made or given after consultation with the Minister.		
s197(4)(c)	<p>34. Off-setting Contributions</p> <p>34.4 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.</p>	PC1, PC2	
s198(1)	<p>35. Open Space Contribution Scheme</p> <p>35.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:</p> <p>35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>35.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or</p> <p>35.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,</p> <p>according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.</p>	PC1, PC2	
s198(3)	<p>35. Open Space Contribution Scheme</p> <p>35.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.</p>	PC1, PC2	
s198(4)(a)	<p>35. Open Space Contribution Scheme</p> <p>35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.</p>	PC1, PC2	

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s198(11)	<p>35. Open Space Contribution Scheme</p> <p>35.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.</p>	PC1, PC2	
s198(12)	<p>35. Open Space Contribution Scheme</p> <p>35.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.</p>	PC1, PC2	
s200(2)	<p>36. Urban Trees Fund</p> <p>36.1 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.</p>	Not Delegated CEO Only	
s200(3)	<p>36. Urban Trees Fund</p> <p>36.2 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.</p>	Not Delegated CEO Only	
s200(5)	<p>36. Urban Trees Fund</p> <p>36.3 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.</p>	Not Delegated CEO Only	
s200(6)	<p>36. Urban Trees Fund</p> <p>36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:</p> <p>36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or</p>	Not Delegated CEO Only	

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	36.4.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.		
s200(7)	36. Urban Trees Fund 36.5 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).	Not Delegated CEO Only	
s210(1)	37. Appointment of Authorised Officers 37.1 The power pursuant to Section 210(1) of the PDI Act to: 37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 37.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.	Not Delegated CEO Only	
s210(2)	37. Appointment of Authorised Officers 37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.	Not Delegated CEO Only	
s210(3)	37. Appointment of Authorised Officers 37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 37.3.1 containing a photograph of the authorised officer; and 37.3.2 stating any conditions of appointment limiting the authorised officer's appointment.	Not Delegated CEO Only	
s210(5)	37. Appointment of Authorised Officers 37.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	vary or revoke a condition of such an appointment or impose a further such condition.		
s213(1)	<p>38. Enforcement Notices</p> <p>38.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:</p> <p>38.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;</p> <p>38.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>38.1.3 take such urgent action as is required because of any situation resulting from the breach.</p>	PC1, PC2	
s213(2)	<p>38. Enforcement Notices</p> <p>38.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.</p>	PC1, PC2	
s213(5)	<p>38. Enforcement Notices</p> <p>38.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.</p>	PC1, PC2	
s213(6)	<p>38. Enforcement Notices</p> <p>38.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s213(7)	<p>38. Enforcement Notices</p> <p>38.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	PC1, PC2	
s214(1)	<p>39. Applications to Court</p> <p>39.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.</p>	PC1, PC2	
s214(2)	<p>39. Applications to Court</p> <p>39.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.</p>	PC1, PC2	
s214(4)	<p>39. Applications to Court</p> <p>39.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.</p>	PC1, PC2	
s214(6)	<p>39. Applications to Court</p> <p>39.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.</p>	PC1, PC2	
s214(9)	<p>39. Applications to Court</p> <p>39.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.</p>	PC1, PC2	
s214(10)	<p>39. Applications to Court</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	39.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.		
s214(11)	39. Applications to Court 39.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.	PC1, PC2	
s214(12)	39. Applications to Court 39.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent	PC1, PC2	
s214(13)	39. Applications to Court 39.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	PC1, PC2	
s214(17)	39. Applications to Court 39.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.	PC1, PC2	
s219(1)	40. Proceedings for Offences 40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s223(2)	<p>41. Adverse Publicity Orders</p> <p>41.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.</p>	Not Delegated CEO Only	
s223(4)	<p>41. Adverse Publicity Orders</p> <p>41.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:</p> <p>41.2.1 take the PDI Action or actions specified in the order; and</p> <p>41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.</p>	Not Delegated CEO Only	
s223(5)	<p>41. Adverse Publicity Orders</p> <p>41.3 The power pursuant to Section 223(5) of the PDI Act, if:</p> <p>41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and</p> <p>41.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,</p> <p>to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.</p>	Not Delegated CEO Only	
s223(6)	<p>41. Adverse Publicity Orders</p> <p>41.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s225(1)	<p>42. Civil Penalties</p> <p>42.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.</p>	Not Delegated CEO Only	
s225(2)	<p>42. Civil Penalties</p> <p>42.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.</p>	Not Delegated CEO Only	
s225(3)	<p>42. Civil Penalties</p> <p>42.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.</p>	Not Delegated CEO Only	
s225(13)	<p>42. Civil Penalties</p> <p>42.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.</p>	Not Delegated CEO Only	
s225(17)	<p>42. Civil Penalties</p> <p>42.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.</p>	Not Delegated CEO Only	
s228(7)	<p>43. Make Good Order</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	43.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.		
s229(5)	<p>44. Recovery of Economic Benefit</p> <p>44.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.</p>	Not Delegated CEO Only	
s230(1)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.</p>	Not Delegated CEO Only	
s230(4)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.</p>	Not Delegated CEO Only	
s230(7)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:</p> <p>45.3.1 vary the undertaking; or</p> <p>45.3.2 withdraw the undertaking.</p>	Not Delegated CEO Only	
s230(11)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s230(12)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.</p>	Not Delegated CEO Only	
s230(14)	<p>45. Enforceable Voluntary Undertakings</p> <p>45.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.</p>	Not Delegated CEO Only	
s231(1)	<p>46. Advertisements</p> <p>46.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:</p> <p>46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or</p> <p>46.1.2 is contrary to the character desired for a locality under the Planning and Design Code,</p> <p>to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).</p>	PC1, PC2	
s231(3)	<p>46. Advertisements</p> <p>46.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s235(1)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</p>	PC1, PC2	
s235(2)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</p>	PC1, PC2	
s239(1)	<p>48. Charges on Land</p> <p>48.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.</p>	PC1, PC2	
s239(6)	<p>48. Charges on Land</p> <p>48.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.</p>	PC1, PC2	
s240(1)	<p>49. Registering Authorities to Note Transfer</p> <p>49.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.</p>	Not Delegated CEO Only	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl13(3)(b) sch2	<p>50. Reporting</p> <p>50.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.</p>	Not Delegated CEO Only	
cl3(16) sch4	<p>51. Review of Performance</p> <p>51.1 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r11B(1)	<p>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:</p> <p>52.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and</p> <p>52.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.</p>	Not Delegated CEO Only	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r11B(5)	<p>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>52.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and</p> <p>52.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.</p>	Not Delegated CEO Only	
r47(4)(d)	<p>53. Performance Assessed Development and Restricted Development</p> <p>53.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.</p>	PC1, PC2	
r78(1)	<p>54. Underground Main Areas</p> <p>54.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.</p>	PC1, PC2	
r78(2)	<p>54. Underground Main Areas</p> <p>54.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r81(4)	<p>55. Width of Roads and Thoroughfares</p> <p>55.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.</p>	PC1, PC2	
r81(5)	<p>55. Width of Roads and Thoroughfares</p> <p>55.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.</p>	PC1, PC2	
r81(6)	<p>55. Width of Roads and Thoroughfares</p> <p>55.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.</p>	PC1, PC2	
r82(1)	<p>56. Road Widening</p> <p>56.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.</p>	PC1, PC2	
r83(1)	<p>57. Requirement as to Forming of Roads</p> <p>57.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.</p>	PC1, PC2	
r83(2)	<p>57. Requirement as to Forming of Roads</p> <p>57.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	7.4m, in view of the volume or type of traffic that is likely to traverse that road.		
r83(4)	<p>57. Requirement as to Forming of Roads</p> <p>57.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.</p>	PC1, PC2	
r83(5)	<p>57. Requirement as to Forming of Roads</p> <p>57.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.</p>	PC1, PC2	
r83(6)	<p>57. Requirement as to Forming of Roads</p> <p>57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.</p>	PC1, PC2	
r84(1)	<p>58. Construction of Roads, Bridges, Drains and Services</p> <p>58.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.</p>	PC1, PC2	
r85(1)	<p>59. Supplementary Provisions</p> <p>59.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.</p>	PC1, PC2	
r85(2)	<p>59. Supplementary Provisions</p> <p>59.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.		
r85(4)	<p>59. Supplementary Provisions</p> <p>59.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.</p>	PC1, PC2	
r89(1)	<p>60. General Provisions</p> <p>60.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.</p>	PC1, PC2	
r89(3)	<p>60. General Provisions</p> <p>60.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:</p> <p>60.2.1 evidences the consent of the Council to an encroachment by a building over other land; and</p> <p>60.2.2 sets out:</p> <p>60.2.2.1 the date on which any relevant building was erected (if known); and</p> <p>60.2.2.2 the postal address of the site.</p>	PC1, PC2	
r89(6)(b)	<p>60. General Provisions</p> <p>60.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r89(8)	<p>60. General Provisions</p> <p>60.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7).</p>	PC1, PC2	
r93(1)(b)	<p>61. Notifications During Building Work</p> <p>61.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</p>	BO, PC1, PC2	
r93(1)(c)	<p>61. Notifications During Building Work</p> <p>61.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.</p>	BO, PC1, PC2	
r94(13)	<p>62. Essential Safety Provisions</p> <p>62.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if:</p> <p>62.1.1 the essential safety provisions were installed</p> <p>62.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or</p> <p>62.1.1.2 as part of a performance solution under the Building Code; or</p> <p>62.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.</p>	BO, PC1, PC2	
r102(3)	<p>63. Classification of Buildings</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>63.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:</p> <p>63.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.</p>		
r102(4)	<p>63. Classification of Buildings</p> <p>63.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>	BO, PC1, PC2	
r102(5)	<p>63. Classification of Buildings</p> <p>63.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).</p>	BO, PC1, PC2	
r102(6)	<p>63. Classification of Buildings</p> <p>63.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:</p> <p>63.4.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>63.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 103A(1)	<p>64. Required Documentation</p> <p>64.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation:</p> <p>64.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;</p> <p>64.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show –</p> <p>64.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or</p> <p>64.1.2.2 in any other case – that the building is suitable for occupation.</p>	BO	
Regulation 103A(2)	<p>64. Required Documentation</p> <p>64.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 July 2022 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:</p> <p>64.2.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,</p>	BO	
Regulation 103A(3)	<p>64. Required Documentation</p> <p>64.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –</p>	BO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>64.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>64.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>		
Regulation 103C(1)(c)	<p>65. Statement of site suitability</p> <p>65.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy 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.</p>	BO	
Regulation 103D(1)	<p>66. Report from fire authority</p> <p>66.1 The power pursuant to Regulation 103D(1) of the General Regulations, if –</p> <p>66.1.1 a building is –</p> <p>66.1.1.1 to be equipped with a booster assembly for use by a fire authority; or</p> <p>66.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and</p> <p>66.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,</p> <p>to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.</p>	BO	
Regulation 103D(2)	<p>66. Report from fire authority</p> <p>66.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report.</p>	BO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 103D(3)	<p>66. Report from fire authority</p> <p>66.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy.</p>	BO	
Regulation 103E(1)(b)	<p>67. Issue of certificate of occupancy</p> <p>67.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer.</p>	BO	
Regulation 103E(3)(c)	<p>67. Issue of certificate of occupancy</p> <p>67.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work.</p>	BO	
Regulation 103F	<p>68. Revocation</p> <p>68.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy –</p> <p>68.1.1 if –</p> <p>68.1.1.1 there is a change in the use of the building; or</p> <p>68.1.1.2 the classification of the building changes; or</p> <p>68.1.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m² is about to commence, or is being or has been carried out; or</p> <p>68.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,</p> <p>68.1.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</p> <p>68.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>68.1.4 if the delegate considers –</p> <p>68.1.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</p> <p>68.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.</p>		
r109(1)(b)	<p>69. Mining Production Tenements</p> <p>69.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.</p>	PC1, PC2	
r111(2)	<p>70. Register of Land Management Agreements (Section 193)</p> <p>70.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.</p>	PC1, PC2	
r111(3)	<p>70. Register of Land Management Agreements (Section 193)</p> <p>70.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.</p>	PC1, PC2	
r112(1)	<p>71. Authorised Officers and Inspections</p> <p>71.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act:</p> <p>71.1.1 who is an accredited professional who is:</p> <p>71.1.1.1 an Accredited professional - building level 1; or</p> <p>71.1.1.2 an Accredited professional - building level 2; or</p> <p>71.1.1.3 an Accredited professional - building level 3; or</p> <p>71.1.1.4 an Accredited professional - building level 4; or</p>	Not Delegated CEO Only	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>71.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or</p> <p>71.1.3 who holds an approval from the Chief Executive.</p>		

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>72. Calculation of Assessment of Fees</p> <p>72.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):</p> <p>72.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</p> <p>72.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</p>	PC1, PC2	
r5(2)	<p>72. Calculation of Assessment of Fees</p> <p>72.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.</p>	PC1, PC2	
r5(3)	<p>72. Calculation or Assessment of Fees</p> <p>72.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an</p>	PC1, PC2	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.		
r7	<p>73. Waiver or Refund of Fee</p> <p>73.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>73.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>73.1.2 refund the whole or a part of the fee.</p>	PC1, PC2	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>74. Requirements in Relation to Preparing an Engagement Plan</p> <p>74.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that:</p> <p>74.1.1 meets the principles and performance outcomes of the Charter;</p> <p>74.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>74.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>74.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p> <p>74.1.2.3 who must be consulted with under the Charter;</p> <p>70.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>70.1.4 describes the evaluation framework for the engagement.</p>	PC1, PC2	
cl5(2)	<p>74. Requirements in Relation to Preparing an Engagement Plan</p> <p>74.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the</p>	PC1, PC2	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Commission for approval prior to commencement of formal engagement on the proposal.		
cl6(2)	<p>75. Preparation of an Engagement Report (Following Consultation)</p> <p>75.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:</p> <p>75.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;</p> <p>75.1.2 the outcome of the engagement including a summary of the written submission or feedback made;</p> <p>75.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:</p> <p>75.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>75.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>	Council	
cl6(3)	<p>75. Requirements in Relation to Preparing an Engagement Report Following Consultation</p> <p>75.2 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether:</p> <p>75.2.1 the principles of the Charter have been achieved; and</p> <p>75.2.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).</p>	Council	
cl7(1)	<p>76. Initiating a Code Amendment</p> <p>76.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets out:</p> <p>76.1.1 Code Policy – an outline of:</p>	PC1, PC2	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>76.1.1.1 any overlay, general policy, zone or subzones in the Code being proposed for amendment; and/or</p> <p>76.1.1.2 the intended spatial application of an overlay, general policy, zone or subzone in the Code over an identified area;</p> <p>76.1.2 Affected Area</p> <p>76.1.2.1 a map or description of the Affected Area;</p> <p>76.1.3 State Planning Policies</p> <p>76.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;</p> <p>76.1.4 Regional Plan</p> <p>76.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;</p> <p>76.1.5 Consultation -</p> <p>76.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;</p> <p>76.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed code Amendment;</p> <p>76.1.6 Investigations -</p> <p>76.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment</p> <p>76.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment;</p> <p>76.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided;</p> <p>76.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment</p> <p>76.1.7 Timetable</p> <p>76.1.7.1 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps</p>		

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to update the timetable and seek approval from the Department if it appears that timeframes will not be met.		
cl7(3)	<p>76. Initiating a Code Amendment</p> <p>The power pursuant to clause 7(3) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:</p> <p>76.2.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <p>76.2.1.1 all relevant property details and descriptions (including images);</p> <p>76.2.1.2 historical background and thematic analysis;</p> <p>76.2.1.3 a statement of heritage value;</p> <p>76.2.1.4 an assessment against the Local Heritage Criteria; and</p> <p>76.2.1.5 the extent of listing (including any exclusions);</p> <p>76.2.2 includes an analysis of historic themes of importance to the area;</p> <p>76.2.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>76.2.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.</p>	PC1, PC2	
cl 7(4)	<p>76. Initiating a Code Amendment</p> <p>76.3 The power pursuant to clause 7(4) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which:</p> <p>76.3.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary)</p> <p>76.3.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;</p> <p>76.3.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.</p>	PC1, PC2	
cl8(1)	77. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)	PC1, PC2	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>77.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to:</p> <p>77.1.1 carry out investigations and obtain such information:</p> <p>77.1.1.1 as provided in the Proposal to Initiate approved by the Minister;</p> <p>77.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and</p> <p>77.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;</p> <p>77.1.2 provide the Department with:</p> <p>77.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>77.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;</p> <p>77.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;</p> <p>77.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and</p> <p>77.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.</p>		
cl8(2)	<p>77. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>77.2 The power pursuant to clause 8(2) of PD2, where an engagement plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal</p>	PC1, PC2	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl9(1)	<p>78. Requirements For a Draft Code Amendment</p> <p>78.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>78.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)</p> <p>78.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>78.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;</p> <p>78.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>78.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.</p>	PC1, PC2	
cl11(1)	<p>79. Complying Changes to the Code</p> <p>79.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department:</p> <p>79.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>79.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p> <p>79.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p>	PC1, PC2	

State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	79.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment		
cl12(1)	<p>80. Early Commencement of a Code Amendment</p> <p>80.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:</p> <p>80.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:</p> <p>80.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and</p> <p>80.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;</p> <p>80.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>80.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>	PC1, PC2	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(3)(b)	<p>81. Responsibility to Undertake Notification</p> <p>81.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the</p>	PC1, PC2	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.		

State Planning Commission Practice Direction (Council Inspections) 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl2(2)	<p>82. Mandatory Inspections</p> <p>82.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:</p> <p>82.1.1 primary structural elements;</p> <p>82.1.2 structural framing and roof trusses;</p> <p>82.1.3 wet areas and waterproofing;</p> <p>82.1.4 barriers to prevent falls;</p> <p>82.1.5 cladding;</p> <p>82.1.6 egress provisions;</p> <p>82.1.7 bushfire protection systems;</p> <p>82.1.8 passive and active fire safety elements;</p> <p>82.1.9 private bushfire shelters; and</p> <p>82.1.10 performance solutions.</p>	BO, PC1, PC2	
cl3(2)	<p>83. Additional Inspections</p> <p>83.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.</p>	BO, PC1, PC2	

State Planning Commission Practice Direction (Council Inspections) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl4(3)	<p>84. Inspections Generally</p> <p>84.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.</p>	BO, PC1, PC2	
cl1(2)	<p>85. General Requirements</p> <p>85.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.</p>	BO, PC1, PC2	

State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(2)	<p>86. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building</p> <p>86.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.</p>	BO, PC1, PC2	

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 9	<p>83. Use of Money from Fund</p> <p>83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose):</p>	Council	

Urban Tree Canopy Off-set Scheme			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>83.1.2 the purchase of land within a designated local government area to ensure:</p> <p>83.1.2.1 the preservation of trees; or</p> <p>83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss.</p>		

Instrument B – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	N/A	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</p>	N/A	
s99(2)(b)(ii)	<p>2. Related Provisions</p> <p>2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.</p>	BO, PC1, PC2	
s99(3)	<p>2. Related Provisions</p> <p>2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.</p>	BO, PC1, PC2	
s102(1)	<p>3. Matters Against Which Development Must be Assessed</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.1 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 the relevant provisions of the Building Rules (building consent).		
s102(8)	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.	BO, PC1, PC2	
s118(1)	4. Building Consent 4.1 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).	BO	
s118(2)(a)	4. Building Consent 4.2 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.	BO	
s118(2)	4. Building Consent 4.3 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: 4.3.1 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: 4.3.1.1 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	BO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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 4.3.1.2 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.		
s118(4)	4. Building Consent 4.4 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.	BO	
s118(6)	4. Building Consent 4.5 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.	BO	
s118(7)	4. Building Consent 4.6 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.	BO	
s118(8)	4. Building Consent 4.7 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:	BO	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or</p> <p>4.7.2 such compliance is certified by a building certifier.</p>		
s118(10)	<p>4. Building Consent</p> <p>4.8 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</p>	BO	
s118(11)	<p>4. Building Consent</p> <p>4.9 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):</p> <p>4.9.1 the variance; and</p> <p>4.9.2 the grounds on which the decision is being made.</p>	BO	
s119(1)(b)	<p>5. Application and Provision of Information</p> <p>5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.</p>	BO, PC1, PC2	
s119(3)	<p>5. Application and Provision of Information</p> <p>5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>5.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>5.2.4 to comply with any other requirement prescribed by the regulations.</p>		
s119(6)(b)	<p>5. Application and Provision of Information</p> <p>5.3 The power pursuant to Section 119(6)(b) 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, subject to Section 119(6)(b)(ii), to refuse the application.</p>	BO, PC1, PC2	
s119(7)	<p>5. Application and Provision of Information</p> <p>5.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</p>	BO, PC1, PC2	
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.1 permit an applicant:</p> <p>5.5.1.1 to vary an application;</p> <p>5.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application,</p> <p>(provided that the essential nature of the proposed development is not changed);</p>	BO, PC1, PC2	
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	5.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;		
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);</p>	BO, PC1, PC2	
s119(9)	<p>5. Application and Provision of Information</p> <p>5.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>5.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</p>	BO, PC1, PC2	
s119(10)	<p>5. Application and Provision of Information</p> <p>5.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.</p>	BO, PC1, PC2	
s119(12)	<p>5. Application and Provision of Information</p> <p>5.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.</p>	BO, PC1, PC2	
s119(14)	<p>5. Application and Provision of Information</p> <p>5.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s120(1)	<p>6. Outline Consent</p> <p>6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.</p>	BO, PC1, PC2	
s120(3)	<p>6. Outline Consent</p> <p>6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>6.2.1 grant any consent contemplated by the outline consent; and</p> <p>6.2.2 not impose a requirement that is inconsistent with the outline consent.</p>	BO, PC1, PC2	
s122(1)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>7.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p> <p>7.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made</p> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>	BO, PC1, PC2	
s122(5)(b)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>7.2.1 to refuse the application; or</p> <p>7.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	where the regulations so provide.		
s122(7)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.</p>	BO, PC1, PC2	
s122(10)	<p>7. Referrals to Other Authorities or Agencies</p> <p>7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.</p>	BO, PC1, PC2	
s124(1)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).</p>	BO, PC1, PC2	
s124(5)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:</p> <p>8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;</p> <p>8.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.</p>	BO, PC1, PC2	
s124(6)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.3 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,</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.		
s124(7)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.</p>	BO, PC1, PC2	
s126(1)	<p>9. Determination of Application</p> <p>9.1 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).</p>	BO, PC1, PC2	
s126(3)	<p>9. Determination of Application</p> <p>9.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.</p>	BO, PC1, PC2	
s127(1)	<p>10. Conditions</p> <p>10.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.</p>	BO, PC1, PC2	
s127(2)(c)	<p>10. Conditions</p> <p>10.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.</p>	BO, PC1, PC2	
s128(2)(d)	<p>11. Variation of Authorisation</p> <p>11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation</p>	PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.		
s133(3)	<p>12. Saving Provisions</p> <p>12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.</p>	BO, PC1, PC2	
s134(1)	<p>13. Requirement to Up-grade</p> <p>13.1 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.</p>	BO, PC1, PC2	
s134(1)	<p>13. Requirement to Up-grade</p> <p>13.2 The power pursuant to Section 134(1) of the PDI Act, if:</p> <p>13.2.1.1 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</p> <p>13.2.1.2 a change of classification of a building; and</p> <p>13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,</p> <p>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.</p>	BO, PC1, PC2	
s134(2)	<p>13. Requirement to Up-grade</p> <p>13.3 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.</p>	BO, PC1, PC2	
s134(3)	<p>13. Requirement to Up-grade</p> <p>13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:</p>	BO, PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>13.4.1 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</p> <p>13.4.2 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</p>		
s134(4)	<p>13. Requirement to Up-grade</p> <p>13.5 The power pursuant to Section 134(4) of the PDI Act if:</p> <p>13.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and</p> <p>13.5.2 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,</p> <p>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).</p>	BO, PC1, PC2	
s134(5)	<p>13. Requirement to Up-grade</p> <p>13.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:</p> <p>13.6.1 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</p> <p>13.6.2 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.</p>	BO, PC1, PC2	
s135(2)(d)	14. Urgent Building Work	PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.		
s143(1)	15. Cancellation of Development Authorisation 15.1 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.	PC1, PC2	
s143(2)	15. Cancellation of Development Authorisation 15.2 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.	PC1, PC2	
s235(1)	16. Professional Advice to be Obtained in Relation to Certain Matters 16.1 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.	BO, PC1, PC2	Where costs are involved, with approval from the CEO
s235(2)	16. Professional Advice to be Obtained in Relation to Certain Matters 16.2 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.	BO, PC1, PC2	Where costs are involved, with approval from the CEO
cl18(2) sch8	17. Continuation of Processes 17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to: 17.1.1 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 17.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and</p> <p>17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>17.1.4 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</p> <p>17.1.5 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.</p>		

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r25(7)(c)	<p>18. Accredited Professionals</p> <p>18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (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.</p>	PC1, PC2	
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.1 determine the nature of the development; and</p>	PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.2 if the application is for planning consent - determine:</p> <p>19.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>	PC1, PC2	
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	PC1, PC2	
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>19.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>19.1.4.2 confirm the prescribed fees required to be paid at that point ; and</p> <p>19.1.4.3 provide an appropriate notice via the SA planning portal; and</p>	PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r31(1)	<p>19. Verification of Application</p> <p>19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>19.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>19.1.5.2 provide an appropriate notice via the SA planning portal.</p>	PC1, PC2	
r35(3)	<p>20. Amended Applications</p> <p>20.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	PC1, PC2	
r35(4)	<p>20. Amended Applications</p> <p>20.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	PC1, PC2	
r38(1)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	21.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.		
r38(2)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	BO, PC1, PC2	
r38(3)	<p>21. Withdrawing/Lapsing Applications</p> <p>21.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to:</p> <p>21.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>21.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	BO, PC1, PC2	
r40	<p>22. Court Proceedings</p> <p>22.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</p>	PC1, PC2	
r42(1)	<p>23. Additional Information or Amended Plans</p> <p>23.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</p>	PC1, PC2	
r45(1)	24. Building Matters	BO	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>24.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that:</p> <p>24.1.1 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</p> <p>24.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or</p> <p>24.1.3 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 relevant authority that a referral is not required.</p>		
r45(2)	<p>24. Building Matters</p> <p>24.2 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.</p>	BO, PC1, PC2	
r45(3)	<p>24. Building Matters</p> <p>24.3 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.</p>	BO, PC1, PC2	
r45(4)	<p>24. Building Matters</p> <p>24.4 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:</p> <p>24.4.1 recommends against the granting of building consent; or</p> <p>24.4.2 concurs in the granting of consent on conditions specified in its report,</p> <p>but the delegate:</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>24.4.4 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,</p> <p>to:</p> <p>24.4.5 refer the application to the Commission; and</p> <p>24.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>		
r45(5)	<p>24. Building Matters</p> <p>24.5 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.</p>	BO, PC1, PC2	
r57(4)(a)	<p>25. Notice of Decision (Section 126(1))</p> <p>25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	PC1, PC2	
r60	<p>26. Consideration of Other Development Authorisations</p> <p>26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	BO, PC1, PC2	
r61(4)(c)	<p>27. Certificate of Independent Technical Expert in Certain Cases</p> <p>27.1 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</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	other qualifications, qualify the person to act as a technical expert under this regulation.		
r63(1)	<p>28. Urgent Work</p> <p>28.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	PC1, PC2	
r63(2)	<p>28. Urgent Work</p> <p>28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	PC1, PC2	
r63(3)	<p>28. Urgent Work</p> <p>28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	PC1, PC2	
r65(1)(a)	<p>29. Variation of Authorisation (Section 128)</p> <p>29.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.</p>	BO, PC1, PC2	
r99(4)	<p>30. Construction Industry Training Fund</p> <p>30.1 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</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	building consent until the delegate is satisfied that the levy has been paid or is not payable.		
r99(5)	<p>30. Construction Industry Training Fund</p> <p>30.2 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.</p>	BO, PC1, PC2	
cl4(3) sch8	<p>31. Plans for Building Work</p> <p>31.1 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:</p> <p>31.1.1 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</p> <p>31.1.2 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,</p> <p>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.</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>32. Calculation or Assessment of Fees</p> <p>32.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation</p>	BO, PC1, PC2	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal):</p> <p>32.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>32.1.2 to make any other determination for the purposes of the Fees Regulations a related set of regulations or a fee notice (even if the Council is not a relevant authority)</p>		
r5(2)	<p>32. Calculation or Assessment of Fees</p> <p>32.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	BO, PC1, PC2	
5(3)	<p>32. Calculation or Assessment of Fees</p> <p>32.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	BO, PC1, PC2	
r7	<p>33. Waiver or Refund of Fee</p> <p>33.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>33.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>33.1.2 refund the whole or a part of the fee.</p>	PC1, PC2	

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

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	N/A	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</p>	N/A	
s85(1)	<p>2. Appointment of Additional Members</p> <p>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.</p>	MNRAP	
s94(3)(a)	<p>3. Relevant Authority – Commission</p> <p>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</p>	PC1, PC2	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	for development authorisation that has been under consideration by the relevant authority.		
s99(1)	<p>4. Relevant Provisions</p> <p>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:</p> <p>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</p> <p>4.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.</p>	MNRAP	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.1 -</p> <p>5.1.1.1 the relevant provisions of the Planning Rules; and</p> <p>5.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development, (planning consent);</p>	PC1, PC2	<p>The delegation of the power to grant or refuse planning consent pursuant to Section 102(1)(a) of the Act is limited to applications in relation to which:</p> <ul style="list-style-type: none"> • no valid representations are received; or • all valid representations are withdrawn; or • no representor who has lodged a valid representation wishes to be heard in support of their representation; or • The application is for the division of land and the final number of allotments resulting from the division will not exceed 10. <p>Except in cases where a deemed consent notice has been served on the RAP, 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</p>

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			relevant provisions of the Planning Rules without limitation.
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.2 the relevant provisions of the Building Rules (building consent);</p>	MNRAP	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>5.1.3.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>5.1.3.3 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>5.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	5.1.3.5 requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;		
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>5.1.4.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>5.1.4.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>5.1.4.3 any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p> <p>5.1.4.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>5.1.4.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;</p> <p>5.1.4.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;</p> <p>5.1.4.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the</p>	PC1, PC2	<hr/> <p>ONLY - 5.1.4.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied</p>

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>5.1.4.8 any building situated on the land complies with the Building Rules;</p> <p>5.1.4.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;</p>		
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.5 any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p>	PC1, PC2	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>5.1.6 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;</p>	PC1, PC2	
s102(1)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters</p>	PC1, PC2	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(insofar as they are relevant to the particular development):</p> <p>5.1.7 such other matters as may be prescribed.</p>		
s102(3)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>5.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, reserve the delegate's decision on a specified matter or reserve the delegate's decision to grant a planning consent:</p> <p>5.2.1 until further assessment of the relevant development under the PDI Act; or</p> <p>5.2.2 until further assessment or consideration of the proposed development under another Act; or</p> <p>5.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.</p>	PC1, PC2	
s102(4)	<p>5. Matters Against Which Development Must Be Assessed</p> <p>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.</p>	PC1, PC2	
s107(2)(c)	<p>6. Performance Assessed Development</p> <p>6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations).</p>	PC1, PC2	
s107(3)	<p>6. Performance Assessed Development</p> <p>6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under</p>	PC1, PC2	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Section 107 of the PDI Act to make a decision in accordance with a practice direction.		
s107(4)	<p>6. Performance Assessed Development</p> <p>6.3 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</p>	PC1, PC2	
s118(1)	<p>7. Building Consent</p> <p>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).</p>	MNRAP	
s118(2)(a)	<p>7. Building Consent</p> <p>7.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.</p>	MNRAP	
s118(2)	<p>7. Building Consent</p> <p>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:</p> <p>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:</p> <p>7.3.1.1 that:</p>	MNRAP	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(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</p> <p>(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</p> <p>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.</p>		
s118(4)	<p>7. Building Consent</p> <p>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.</p>	MNRAP	
s118(6)	<p>7. Building Consent</p> <p>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.</p>	MNRAP	
s118(7)	<p>7. Building Consent</p> <p>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</p>	MNRAP	

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	with the performance requirements of the Building Code or a Ministerial building standard.		
s118(8)	<p>7. Building Consent</p> <p>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:</p> <p>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</p> <p>7.7.2 such compliance is certified by a building certifier.</p>	MNRAP	
s118(10)	<p>7. Building Consent</p> <p>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</p>	MNRAP	
s118(11)	<p>7. Building Consent</p> <p>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):</p> <p>7.9.1 the variance; and</p> <p>7.9.2 the grounds on which the decision is being made.</p>	MNRAP	
s119(1)(b)	<p>8. Application and Provision of Information</p> <p>8.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.		
s119(3)	<p>8. Application and Provision of Information</p> <p>8.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>8.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</p> <p>8.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>8.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>8.2.4 to comply with any other requirement prescribed by the regulations.</p>	PC1, PC2	
s119(6)	<p>8. Application and Provision of Information</p> <p>8.3 The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to</p> <p>8.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and</p> <p>8.3.2 refuse the application in prescribed circumstances (including, if the regulations so provide, in a case involving development that is deemed to satisfy development).</p>	PC1, PC2	
s119(7)	<p>8. Application and Provision of Information</p> <p>8.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.1 permit an applicant:</p> <p>8.5.1.1 to vary an application;</p>	PC1, PC2	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.1 permit an applicant:</p> <p>8.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);</p>	PC1, PC2	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;</p>	PC1, PC2	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);</p>	PC1, PC2	
s119(9)	<p>8. Application and Provision of Information</p> <p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s119(10)	8. Application and Provision of Information 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.	PC1, PC2	
s119(12)	8. Application and Provision of Information 8.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	PC1, PC2	
s119(14)	8. Application and Provision of Information 8.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	PC1, PC2	
s120(1)	9. Outline Consent 9.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	PC1, PC2	
s120(3)	9. Outline Consent 9.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>9.2.1 grant any consent contemplated by the outline consent; and</p> <p>9.2.2 not impose a requirement that is inconsistent with the outline consent.</p>		
s121(7)	<p>10. Design Review</p> <p>10.1 The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).</p>	PC1, PC2	
s122(1)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>11.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p> <p>11.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made</p> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>	PC1, PC2	
s122(5)(b)	<p>11. Referrals to Other Authorities or Agencies</p> <p>11.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>11.2.1 to refuse the application; or</p> <p>11.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s122(7)	11. Referrals to Other Authorities or Agencies 11.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.	CGVC AM	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.
s122(10)	11. Referrals to Other Authorities or Agencies 11.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.	PC1, PC2	
s123(2)	12. Preliminary Advice and Agreement 12.1 The power pursuant to Section 123(2) of the PDI Act, if: 12.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and 12.1.2 the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and 12.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions), to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).		
s123(4)	<p>12. Preliminary Advice and Agreement</p> <p>12.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.</p>	PC1, PC2	
s124(1)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).</p>	PC1, PC2	
s124(5)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:</p> <p>13.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or</p> <p>13.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications</p>	PC1, PC2	
s124(6)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s124(7)	<p>13. Proposed Development Involving Creation of Fortifications</p> <p>13.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal.</p>	CGVC AM	The delegation of the power to apply for the relevant authority to be joined as a party to the proceedings pursuant to Section 124(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.
s125(6)	<p>14. Time Within Which Decision Must be Made</p> <p>14.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.</p>	CGVC AM	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.
s125(7)	<p>14. Time Within Which Decision Must be Made</p> <p>14.2 The power pursuant to Section 125(7) of the Act to apply to the Court for an extension of time to make an application under Section 125(6) of the Act.</p>	CGVC AM	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.
s126(1)	<p>15. Determination of Application</p> <p>15.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	refusal and any appeal rights that exist under the PDI Act).		
s126(3)	<p>15. Determination of Application</p> <p>15.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.</p>	PC1, PC2	
s127(1)	<p>16. Conditions</p> <p>16.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.</p>	PC1, PC2	
s127(2)(c)	<p>16. Conditions</p> <p>16.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.</p>	PC1, PC2	
s127(4)	<p>16. Conditions</p> <p>16.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s127(6)	<p>16. Conditions</p> <p>16.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.</p>	PC1, PC2	
s127(8)(b)	<p>16. Conditions</p> <p>16.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</p> <p>16.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</p> <p>16.5.2 to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</p>	PC1, PC2	
s128(2)(d)	<p>17. Variation of Authorisation</p> <p>17.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.</p>	PC1, PC2	
s134(1)	<p>18. Requirement to Up-grade</p> <p>18.1 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.</p>	MNRAP	
s134(1)	<p>18. Requirement to Up-grade</p> <p>18.2 The power pursuant to Section 134(1) of the PDI Act, if:</p> <p>18.2.1 an application for a building consent relates to:</p>	MNRAP	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>18.2.1.1 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</p> <p>18.2.1.2 a change of classification of a building; and</p> <p>18.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,</p> <p>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.</p>		
s134(2)	<p>18. Requirement to Up-grade</p> <p>18.3 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.</p>	MNRAP	
s134(3)	<p>18. Requirement to Up-grade</p> <p>18.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:</p> <p>18.4.1 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</p> <p>18.4.2 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</p>	MNRAP	
s134(4)	<p>18. Requirement to Up-grade</p> <p>18.5 The power pursuant to Section 134(4) of the PDI Act if:</p>	MNRAP	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>18.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and</p> <p>18.5.2 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,</p> <p>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).</p>		
s134(5)	<p>18. Requirement to Up-grade</p> <p>18.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:</p> <p>18.6.1 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</p> <p>18.6.2 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.</p>	MNRAP	
s135(2)(d)	<p>19. Urgent Building Work</p> <p>19.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.</p>	MNRAP	
s143(1)	<p>20. Cancellation of Development Authorisation</p> <p>20.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.		
s143(2)	<p>20. Cancellation of Development Authorisation</p> <p>20.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.</p>	PC1, PC2	
s235(1)	<p>21. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>	PC1, PC2	
s235(2)	<p>21. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>21.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</p>	PC1, PC2	
cl12(7) sch8	<p>22. General Transitional Schemes for Panels</p> <p>22.1 The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to</p> <p>22.1.1 adopt any findings or determinations of a council development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and</p> <p>22.1.2 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</p>	N/A	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>22.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>22.1.4 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</p> <p>22.1.5 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.</p> <p>(Only applicable to assessment panels appointed by a council or a joint planning board)</p>		
cl13(5) sch8	<p>23. Regional Assessment Panels</p> <p>23.1 The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:</p> <p>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</p> <p>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</p> <p>23.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>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</p> <p>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.</p> <p>(Relevant to regional assessment panels only)</p>	MNRAP	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl18(2) sch8	<p>24. Continuation of Processes</p> <p>24.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>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</p> <p>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</p> <p>24.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>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</p> <p>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.</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 3(6)(b)	<p>25. Interpretation</p> <p>25.1 The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Environment Protection Authority directs the relevant authority to do so in relation to a particular application		
r25(7)(c)	<p>26. Accredited Professionals</p> <p>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.</p>	MNRAP	
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.1 determine the nature of the development; and</p> <p>27.1.2 if the application is for planning consent - determine:</p> <p>27.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>27.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p> <p>27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p> <p>27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>27.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>27.1.4.2 confirm the prescribed fees required to be paid at that point; and</p> <p>27.1.4.3 provide an appropriate notice via the SA planning portal; and</p> <p>27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>27.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>27.1.5.2 provide an appropriate notice via the SA planning portal.</p>		
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.2 if the application is for planning consent - determine:</p> <p>27.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>27.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>	PC1, PC2	
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	PC1, PC2	
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>27.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>27.1.4.2 confirm the prescribed fees required to be paid at that point; and</p> <p>27.1.4.3 provide an appropriate notice via the SA planning portal; and</p>		
r31(1)	<p>27. Verification of Application</p> <p>27.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>27.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>26.1.5.2 provide an appropriate notice via the SA planning portal.</p>	PC1, PC2	
r 32A(1)	<p>28. Site Contamination – Detailed Site Investigation Report</p> <p>28.1 The power pursuant to Regulation 32A(1) of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:</p> <p>28.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and</p> <p>28.1.2 the delegate considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to:</p> <p>28.1.2.1 site contamination; and</p> <p>28.1.2.2 if remediation is required, the extent of that remediation; and</p>	N/A	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	28.1.3 the application is not required to be referred to the Environment Protection Authority under Item 9A or 9AB of the table in Schedule 9 clause 3.		
r 32A(2)	28. Site Contamination – Detailed Site Investigation Report 28.2 The power pursuant to Regulation 32A(2) of the General Regulations to require that a detailed site investigation report be prepared by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	N/A	
r 32B	29. Site Contamination – Statement of Suitability 29.1 The power pursuant to Regulation 32B of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority issues a planning consent in relation to the application.	N/A	
r33(4)	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.	PC1, PC2	
r35(3)	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.	PC1, PC2	
r35(4)	31. Amended Applications 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.	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r38(1)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>32.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>32.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>	PC1, PC2	
r38(2)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	PC1, PC2	
r38(3)	<p>32. Withdrawing/Lapsing Applications</p> <p>32.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:</p> <p>32.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>32.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	PC1, PC2	
r40	<p>33. Court Proceedings</p> <p>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.</p>	CGVC AM	
r42(1)	<p>34. Additional Information or Amended Plans</p> <p>34.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
r45(1)	<p>35. Building Matters</p> <p>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:</p> <p>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</p> <p>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</p> <p>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.</p>	MNRAP	
r45(2)	<p>35. Building Matters</p> <p>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.</p>	MNRAP	
r45(3)	<p>35. Building Matters</p> <p>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.</p>	MNRAP	
r45(4)	35. Building Matters	MNRAP	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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:</p> <p>35.4.1 recommends against the granting of building consent; or</p> <p>35.4.2 concurs in the granting of consent on conditions specified in its report,</p> <p>but the delegate:</p> <p>35.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>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,</p> <p>to:</p> <p>35.4.5 refer the application to the Commission; and</p> <p>35.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>		
r45(5)	<p>35. Building Matters</p> <p>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.</p>	MNRAP	
r46(6)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>36.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</p> <p>36.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,</p> <p>to refer the application (unless withdrawn) to the prescribed body:</p> <p>36.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>36.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(7)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>36.2.1 an application is withdrawn by the applicant; and</p> <p>36.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify relevant prescribed body of the withdrawal.</p>	PC1, PC2	
r46(8)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.3 The power pursuant to Regulation 46(8) of the General Regulations, if:</p> <p>36.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</p> <p>36.3.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application, to notify the relevant prescribed body of the lapsing.</p>	PC1, PC2	
r46(9)	<p>36. Preliminary Advice and Agreement (Section 123)</p> <p>36.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</p> <p>36.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>36.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations, to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.</p>	PC1, PC2	
r48	<p>37. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>37.1 The power pursuant to Regulation 48 of the General Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:</p> <p>37.1.1 give the owner notice of the application within 5 business days after the application is made; and</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	37.1.2 give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.		
r49(3)	<p>38. Public Inspection of Applications</p> <p>38.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</p>	PC1, PC2	
r50(5)	<p>39. Representations</p> <p>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:</p> <p>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</p> <p>39.1.2 who has indicated an interest in appearing before the delegate, 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.</p>	MNRAP	
r51(1)	<p>40. Response by Applicant</p> <p>40.1 The power pursuant to Regulation 51(1) of the General Regulations to allow a response to a representation by the applicant to be made within such longer period as the delegate may allow.</p>	PC1, PC2	
r57(4)(a)	<p>41. Notice of Decision (Section 126(1))</p> <p>41.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	PC1, PC2	
r60	<p>42. Consideration of Other Development Authorisations</p> <p>42.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.		
r61(4)(c)	<p>43. Certificate of Independent Technical Expert in Certain Cases</p> <p>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.</p>	MNRAP	
r63(1)	<p>44. Urgent Work</p> <p>44.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>44.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>44.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	PC1, PC2	
r63(2)	<p>44. Urgent Work</p> <p>44.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	PC1, PC2	
r63(3)	<p>44. Urgent Work</p> <p>44.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.</p>	PC1, PC2	
r65(1)(a)	<p>45. Variation of Authorisation (Section 128)</p> <p>45.1 The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the</p>	PC1, PC2	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	opinion and be satisfied that the variation is minor in nature, and approve the variation.		
r76(2)	<p>46. Advice from Commission</p> <p>46.1 The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</p>	PC1, PC2	
r78(3)	<p>47. Underground Mains Area</p> <p>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.</p>	PC1, PC2	
r99(4)	<p>48. Construction Industry Training Fund</p> <p>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.</p>	PC1, PC2	
r99(5)	<p>48. Construction Industry Training Fund</p> <p>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.</p>	MNRAP	
cl 2(1)(b)	49. New Dwellings	PC1, PC2	

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
cl4(3)	<p>50. Plans for Building Work</p> <p>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:</p> <p>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</p> <p>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,</p> <p>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.</p>	MNRAP	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>51. Calculation or Assessment of Fees</p> <p>51.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</p>	PC1, PC2	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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).		
r5(2)	51. Calculation or Assessment of Fees 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.	PC1, PC2	
r5(3)	51. Calculation or Assessment of Fees 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.	PC1, PC2	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	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.	PC1, PC2	
PD Code	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.	PC1, PC2	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>53. Procedural Referrals</p> <p>53.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:</p> <p>53.2.1 alteration to an existing access or public road junction;</p> <p>53.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.</p>	PC1, PC2	
PD Code	<p>53. Procedural Referrals</p> <p>53.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.</p>	PC1, PC2	
PD Code	<p>53. Procedural Referrals</p> <p>53.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.</p>	PC1, PC2	
PD Code	<p>53. Procedural Referrals</p> <p>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.</p>	PC1, PC2	
PD Code	<p>53. Procedural Referrals</p> <p>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.</p>	PC1, PC2	
PD Code	<p>53. Procedural Referrals</p> <p>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.</p>	PC1, PC2	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>54. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001</p> <p>54.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.</p>	PC1, PC2	

State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl6(4)	<p>55. Responsibility to Undertake Notification</p> <p>55.1 The power pursuant to clause 6(4) of the State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019 (PD3), should the applicant request the relevant authority to place the notice on the land and pay the relevant fee, to (either personally or by engagement of a contractor) give notice of the application to members of the public by notice placed on the relevant land in accordance with Section 107(3)(a)(ii) of the PDI Act.</p>	PC1, PC2	
cl8	<p>56. Preparing for Notification</p> <p>56.1 The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:</p> <p>56.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and</p> <p>56.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land; and</p> <p>56.1.3 advise the applicant of the position and number of notice(s) to be erected on the land in accordance with clause 10 of PD3.</p>	PC1, PC2	
cl10(1)(a)	<p>57. Notice on Land</p> <p>57.1 The power pursuant to clause 10(2) of PD3, in relation to clause 10(1)(a) of PD3, to determine the most appropriate position for the</p>	PC1, PC2	

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

State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl4(6)	<p>58. Qualifications and Experience of Additional members</p> <p>58.1 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.</p>	MNRAP	
cl4(7)	<p>58. Qualifications and Experience of Additional members</p> <p>58.2 The power pursuant to clause 4(7) of PD5 to be satisfied of the minimum experience and qualifications of an additional assessment panel member.</p>	MNRAP	

State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>59. Scheme Provisions</p> <p>59.1 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</p>	PC1, PC2	

State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
cl5(3)	<p>59. Scheme Provisions</p> <p>59.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.</p>	PC1, PC2	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	<p>60. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>60.1 The power pursuant to clause 12 of the State Planning Commission Practice Direction (Site Contamination Assessment) 2021 (PD14) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant.</p>	N/A	
cl 13	<p>61. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>61.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:</p> <p>A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a</p>	N/A	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.		

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(2)	<p>62. Reserved Matter</p> <p>62.1 The power pursuant to clause 6(2) of State Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme (PD16) to where an applicant has elected to reserve consideration of the DTS/DPF Policy in the Overlay, as provided for in the Code and under Section 102(4) of the PDI Act, to require the applicant to provide documents which are considered by the delegate as sufficient to confirm whether the relevant development site includes a Designated Soil Type.</p>	N/A	
cl 7	<p>63. Process for Payments to the Fund</p> <p>63.1 The power pursuant to clause 7 of PD16 where an applicant has elected to make a payment into the Fund, in lieu of planting a tree (or trees) as provided in the DTS/DPF Policy in the Overlay, to verify the payment as being correct in accordance with the Scheme, prior to the granting of development authorisation under the PDI Act.</p>	N/A	
cl 8(3)	<p>64. Development within Council Fund Designated Areas</p> <p>64.1 The power pursuant to clause 8(3) of PD16, where a development application relates to a site which is located both within a Council Fund Designated Area and within the Overlay to impose a condition requiring payment into a Council Fund, irrespective of an election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.</p>	N/A	

Urban Tree Canopy Off-set Scheme			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>65. Payment into Fund</p> <p>65.1 The power pursuant to clause 6(4) of the Urban Tree Canopy Off-set Scheme (UTCOS) where an applicant has elected to make a contribution to the fund under this scheme to impose a condition on the relevant development authorisation for planning consent requiring that payment of the amount specified in clause 6(1) of the UTCOS be made into the fund before the issue of development approval for the subject development application.</p>	N/A	

Instrument D – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(5)(a)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.</p>	N/A	
s7(5)(d)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.</p>	N/A	
s94(3)(a)	<p>2. Relevant Authority – Commission</p> <p>2.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.</p>	N/A	
s99(1)	<p>3. Relevant Provisions</p> <p>3.1 The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:</p> <p>3.1.1 refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or</p> <p>3.1.2 require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.</p>	N/A	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.1 -</p> <p>4.1.1.1 the relevant provisions of the Planning Rules; and</p> <p>4.1.1.2 to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development,</p> <p>(planning consent);</p>	N/A	
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.2 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>4.1.2.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>4.1.2.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>4.1.2.3 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>4.1.2.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>4.1.2.5 requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;</p>	N/A	
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each</p>	N/A	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.3 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):</p> <p>4.1.3.1 requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;</p> <p>4.1.3.2 any relevant requirements set out in a design standard has been satisfied;</p> <p>4.1.3.3 any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;</p> <p>4.1.3.4 where land is to be vested in a council or other authority - the council or authority consents to the vesting;</p> <p>4.1.3.5 a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;</p> <p>4.1.3.6 the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;</p> <p>4.1.3.7 the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are satisfied;</p> <p>4.1.3.8 any building situated on the land complies with the Building Rules;</p> <p>4.1.3.9 requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;</p>		
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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;		
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.5 if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;</p>	N/A	
s102(1)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):</p> <p>4.1.6 such other matters as may be prescribed.</p>	N/A	
s102(3)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.2 The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, reserve the delegate's decision on a specified matter or reserve the delegate's decision to grant a planning consent:</p> <p>4.2.1 until further assessment of the relevant development under the PDI Act; or</p> <p>4.2.2 until further assessment or consideration of the proposed development under another Act; or</p> <p>4.2.3 until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.</p>	N/A	
s102(4)	<p>4. Matters Against Which Development Must Be Assessed</p> <p>4.3 The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Section 102(4) of the PDI Act to be reserved on the application of the applicant.		
s106(2)	<p>5. Deemed-to-satisfy Assessment</p> <p>5.1 The power pursuant to Section 106(2) of the PDI Act to form the opinion and be satisfied that development is deemed-to-satisfy development except for 1 or more minor variations and assess it as being deemed-to-satisfy.</p>	N/A	
s107(2)(c)	<p>6. Performance Assessed Development</p> <p>6.1 The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations).</p>	N/A	
s107(3)	<p>6. Performance Assessed Development</p> <p>6.2 The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.</p> <p>6.2.1 The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.</p>	N/A	
s119(1)(b)	<p>7. Application and Provision of Information</p> <p>7.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.</p>	N/A	
s119(3)	<p>7. Application and Provision of Information</p> <p>7.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant:</p> <p>7.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;</p>	N/A	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>7.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;</p> <p>7.2.3 to consult with an authority or body prescribed by the regulations;</p> <p>7.2.4 to comply with any other requirement prescribed by the regulations.</p>		
s119(6)	<p>7. Application and Provision of Information</p> <p>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</p> <p>7.3.1 subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and</p> <p>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).</p>	N/A	
s119(7)	<p>7. Application and Provision of Information</p> <p>7.4 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.</p>	N/A	
s119(9)	<p>7. Application and Provision of Information</p> <p>7.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>7.5.1 permit an applicant:</p> <p>7.5.1.1 to vary an application;</p> <p>7.5.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application,</p> <p>(provided that the essential nature of the proposed development is not changed);</p>	N/A	
s119(9)	<p>7. Application and Provision of Information</p> <p>7.5 The power pursuant to Section 119(9) of the PDI Act to:</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	7.5.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;		
s119(9)	<p>7. Application and Provision of Information</p> <p>7.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>7.5.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);</p>	N/A	
s119(9)	<p>7. Application and Provision of Information</p> <p>7.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>7.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</p>	N/A	
s119(10)	<p>7. Application and Provision of Information</p> <p>7.6 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.</p>	N/A	
s119(12)	<p>7. Application and Provision of Information</p> <p>7.7 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.</p>	N/A	
s119(14)	<p>7. Application and Provision of Information</p> <p>7.8 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.</p>	N/A	
s120(1)	8. Outline Consent	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	8.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.		
s120(3)	<p>8. Outline Consent</p> <p>8.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:</p> <p>8.2.1 grant any consent contemplated by the outline consent; and</p> <p>8.2.2 not impose a requirement that is inconsistent with the outline consent.</p>	N/A	
s121(7)	<p>9. Design Review</p> <p>9.1 The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).</p>	N/A	
s122(1)	<p>10. Referrals to Other Authorities or Agencies</p> <p>10.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:</p> <p>10.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and</p> <p>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</p> <p>where the regulations so provide, subject to Section 122 of the PDI Act.</p>	N/A	
s122(5)(b)	<p>10. Referrals to Other Authorities or Agencies</p> <p>10.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:</p> <p>10.2.1 to refuse the application; or</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>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)</p> <p>where the regulations so provide.</p>		
s122(7)	<p>10. Referrals to Other Authorities or Agencies</p> <p>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.</p>	N/A	
s122(10)	<p>10. Referrals to Other Authorities or Agencies</p> <p>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.</p>	N/A	
s123(2)	<p>11. Preliminary Advice and Agreement</p> <p>11.1 The power pursuant to Section 123(2) of the PDI Act, if:</p> <p>11.1.1 a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and</p> <p>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</p> <p>11.1.3 the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),</p> <p>to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s123(4)	<p>11. Preliminary Advice and Agreement</p> <p>11.2 The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.</p>	N/A	
s124(1)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>12.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).</p>	N/A	
s124(5)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>12.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:</p> <p>12.2.1 if the proposed development consists only of the creation fortifications - refuse the application; or</p> <p>12.2.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications</p>	N/A	
s124(6)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>12.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.</p>	N/A	
s124(7)	<p>12. Proposed Development Involving Creation of Fortifications</p> <p>12.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal.</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s125(6)	<p>13. Time Within Which Decision Must be Made</p> <p>13.1 The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.</p>	N/A	
s125(7)	<p>13. Time Within Which Decision Must be Made</p> <p>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.</p>	N/A	
s126(1)	<p>14. Determination of Application</p> <p>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).</p>	N/A	
s126(3)	<p>14. Determination of Application</p> <p>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.</p>	N/A	
s127(1)	<p>15. Conditions</p> <p>15.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.</p>	N/A	
s127(2)(c)	<p>15. Conditions</p> <p>15.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.</p>	N/A	
s127(4)	<p>15. Conditions</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	15.3 The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).		
s127(6)	<p>15. Conditions</p> <p>15.4 The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.</p>	N/A	
s127(8)(b)	<p>15. Conditions</p> <p>15.5 The power pursuant to Section 127(8)(b) of the PDI Act to:</p> <p>15.5.1 determine that it is appropriate to grant an exemption under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;</p> <p>15.5.2 to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.</p>	N/A	
s128(2)(d)	<p>16. Variation of Authorisation</p> <p>16.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.</p>	N/A	
s135(2)	<p>17. Urgent Building Work</p> <p>17.1 The power pursuant to Section 135(2) of the PDI Act to issue any direction.</p>	N/A	
s143(1)	18. Cancellation of Development Authorisation	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	18.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.		
s143(2)	18. Cancellation of Development Authorisation 18.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	N/A	
s235(1)	19. Professional Advice to be Obtained in Relation to Certain Matters 19.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	N/A	
s235(2)	19. Professional Advice to be Obtained in Relation to Certain Matters 19.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	N/A	
cl12(7)	20. General Transitional Schemes for Panels 20.1 The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to 20.1.1 adopt any findings or determinations of a council development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and 20.1.2 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 20.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and 20.1.4 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	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>20.1.5 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.</p> <p>(Only applicable to assessment panels appointed by a council)</p>		
cl13(5)	<p>21. Regional Assessment Panels</p> <p>21.1 The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:</p> <p>21.1.1 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</p> <p>21.1.2 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</p> <p>21.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and</p> <p>21.1.4 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</p> <p>21.1.5 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.</p> <p>(Only applicable to regional assessment panels)</p>	N/A	
cl18(2)	<p>22. Continuation of Processes</p> <p>22.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p>	N/A	

Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Manager (Instrument D)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>22.1.1 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</p> <p>22.1.2 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</p> <p>22.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>22.1.4 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</p> <p>22.1.5 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.</p>		

Planning, Development and Infrastructure (General) Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 3(6)(b)	<p>23. Interpretation</p> <p>23.1 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.</p>	N/A	
r22(2)	<p>24. Prescribed Scheme (Section 93)</p> <p>24.1 The power pursuant to Regulation 22(2) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations), to, in connection with Regulation 22(1)(a)(ii) of the General Regulations act as a relevant authority for the purposes of:</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>24.1.1 making a decision in accordance with a practice direction under Section 107(3)(a) of the PDI Act; and</p> <p>24.1.2 determining whether a proposed development the subject of an application falls within a specified class of development excluded from the operation of Section 107(3) and (4) of the PDI Act by the Planning and Design Code.</p>		
r31(1)	<p>25. Verification of Application</p> <p>25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>25.1.1 determine the nature of the development; and</p>	N/A	
r31(1)	<p>25. Verification of Application</p> <p>25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>25.1.2 if the application is for planning consent - determine:</p> <p>25.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>25.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>	N/A	
r31(1)	<p>25. Verification of Application</p> <p>25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>25.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r31(1)	<p>25. Verification of Application</p> <p>25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>25.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>25.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>25.1.4.2 confirm the prescribed fees required to be paid at that; and</p> <p>25.1.4.3 provide an appropriate notice via the SA planning portal; and</p>	N/A	
r31(1)	<p>25. Verification of Application</p> <p>25.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>25.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>25.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>25.1.5.2 provide an appropriate notice via the SA planning portal.</p>	N/A	
r 32A(1)	<p>26. Site Contamination – Detailed Site Investigation Report</p> <p>26.1 The power pursuant to Regulation 32A(1) of the General Regulations to for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>26.1.1 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</p> <p>26.1.2.1 site contamination; and</p> <p>26.1.2.2 if remediation is required, the extent of that remediation; and</p> <p>26.1.3 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.</p>		
r 32A(2)	<p>26. Site Contamination – Detailed Site Investigation Report</p> <p>26.2 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.</p>	N/A	
r 32B	<p>27. Site Contamination – Statement of Site Suitability</p> <p>27.1 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.</p>	N/A	
r33(4)	<p>28. Application and Further Information</p> <p>28.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.</p>	N/A	
r35(3)	<p>29. Amended Applications</p> <p>29.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r35(4)	<p>29. Amended Applications</p> <p>29.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.</p>	N/A	
r38(1)	<p>30. Withdrawing/Lapsing Applications</p> <p>30.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:</p> <p>30.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and</p> <p>30.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.</p>	N/A	
r38(2)	<p>30. Withdrawing/Lapsing Applications</p> <p>30.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.</p>	N/A	
r38(3)	<p>30. Withdrawing/Lapsing Applications</p> <p>30.3 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:</p> <p>30.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>30.3.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r40	<p>31. Court Proceedings</p> <p>31.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.</p>	N/A	
r42(1)	<p>32. Additional Information or Amended Plans</p> <p>32.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.</p>	N/A	
r46(6)	<p>33. Preliminary Advice and Agreement (Section 123)</p> <p>33.1 The power pursuant to Regulation 46(6) of the General Regulations, if:</p> <p>33.1.1 the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and</p> <p>33.1.2 the delegate determines that the application no longer accords with the agreement indicated by the prescribed body,</p> <p>to refer the application (unless withdrawn) to the prescribed body:</p> <p>33.1.3 to obtain a variation to the agreement under Section 123 of the PDI Act; or</p> <p>33.1.4 to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.</p>	N/A	
r46(7)	<p>33. Preliminary Advice and Agreement (Section 123)</p> <p>33.2 The power pursuant to Regulation 46(7) of the General Regulations if:</p> <p>33.2.1 an application is withdrawn by the applicant; and</p> <p>33.2.2 the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,</p> <p>to notify relevant prescribed body of the withdrawal.</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r46(8)	<p>33. Preliminary Advice and Agreement (Section 123)</p> <p>33.3 The power pursuant to Regulation 46(8) of the General Regulations, if:</p> <p>33.3.1 an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and</p> <p>33.3.2 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.</p>	N/A	
r46(9)	<p>33. Preliminary Advice and Agreement (Section 123)</p> <p>33.4 The power pursuant to Regulation 46(9) of the General Regulations, if:</p> <p>33.4.1 an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and</p> <p>33.4.2 a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations, to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 57 of the General Regulations.</p>	N/A	
r48	<p>34. Notification of Application of Tree-damaging Activity to Owner of Land</p> <p>34.1 The power pursuant to Regulation 48 of the General Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:</p> <p>34.1.1 give the owner notice of the application within 5 business days after the application is made; and</p> <p>34.1.2 give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r49(3)	<p>35. Public Inspection of Applications</p> <p>35.1 The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.</p>	N/A	
r57(4)(a)	<p>36. Notice of Decision (Section 126(1))</p> <p>36.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	N/A	
r60	<p>37. Consideration of Other Development Authorisations</p> <p>37.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.</p>	N/A	
r61(4)(c)	<p>38. Certificate of Independent Technical Expert in Certain Cases</p> <p>38.1 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.</p>	N/A	
r63(1)	<p>39. Urgent Work</p> <p>39.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>39.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>39.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>	N/A	
r63(2)	<p>39. Urgent Work</p>	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	39.2 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.		
r63(3)	39. Urgent Work 39.3 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.	N/A	
r65(1)(a)	40. Variation of Authorisation (Section 128) 40.1 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.	N/A	
r76(2)	41. Advice from Commission 41.1 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.	N/A	
r78(3)	42. Underground Mains Area 42.1 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.	N/A	
r99(4)	43. Construction Industry Training Fund 43.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the	N/A	

Planning, Development and Infrastructure (General) Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
r99(5)	<p>43. Construction Industry Training Fund</p> <p>43.2 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</p>	N/A	
cl 2(1)(b)	<p>44. New Dwellings</p> <p>44.1 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.</p>	N/A	
cl4(3)	<p>45. Plans for Building Work</p> <p>45.1 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:</p> <p>45.1.1 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</p> <p>45.1.2 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,</p> <p>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.</p>	N/A	

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r5(1)	<p>46. Calculation or Assessment of Fees</p> <p>46.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):</p> <p>46.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate a prescribed fee; and</p> <p>46.1.2 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).</p>	N/A	
r5(2)	<p>46. Calculation or Assessment of Fees</p> <p>46.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate a prescribed fee on the basis of estimates made by the delegate.</p>	N/A	
r5(3)	<p>46. Calculation or Assessment of Fees</p> <p>46.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.</p>	N/A	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>47. Procedural Matter</p> <p>47.1 The power pursuant to and in accordance with the Planning and Design Code (the PD Code) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.</p>	N/A	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.</p>	N/A	
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.2 The power pursuant to and in accordance with the PD Code to form the opinion and deem:</p> <p>48.2.1 alteration to an existing access or public road junction; or</p> <p>48.2.2 development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access, to be minor.</p>	N/A	
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.3 The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.</p>	N/A	
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.4 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.</p>	N/A	
Part 9.4 PD Code	<p>49. Referral Body: Minister Responsible for the Administration of the Aquaculture Act 201</p> <p>49.1 The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.</p>	N/A	
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.5 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.</p>	N/A	

Planning and Design Code			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.6 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.</p>	N/A	
PD Code	<p>48. Procedural Matters: Referrals</p> <p>48.7 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.</p>	N/A	

State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl5(1)	<p>50. Scheme Provisions</p> <p>50.1 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.</p>	N/A	
cl5(3)	<p>50. Scheme Provisions</p> <p>50.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.</p>	N/A	

Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 12	<p>51. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>51.1 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.</p>	N/A	
cl 13	<p>52. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>52.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:</p> <p>A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.</p>	N/A	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(2)	<p>53. Reserved Matter</p> <p>53.1 The power pursuant to clause 6(2) of State Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme (PD16) to where an applicant has elected to reserve consideration of the DTS/DPF Policy in the Overlay, as provided for in the Code and under Section 102(4) of the PDI Act, to require the applicant to provide documents which are considered by the delegate as sufficient to confirm whether the relevant development site includes a Designated Soil Type.</p>	N/A	

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

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 7	<p>54. Process for Payments to the Fund</p> <p>54.1 The power pursuant to clause 7 of PD16 where an applicant has elected to make a payment into the Fund, in lieu of planting a tree (or trees) as provided in the DTS/DPF Policy in the Overlay, to verify the payment as being correct in accordance with the Scheme, prior to the granting of development authorisation under the PDI Act.</p>	N/A	
cl 8(3)	<p>55. Development within Council Fund Designated Areas</p> <p>55.1 The power pursuant to clause 8(3) of PD16, where a development application relates to a site which is located both within a Council Fund Designated Area and within the Overlay to impose a condition requiring payment into a Council Fund, irrespective of an election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.</p>	N/A	

Urban Tree Canopy Off-set Scheme

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
cl 6(4)	<p>56. Payment into Fund</p> <p>56.1 The power pursuant to clause 6(4) of the Urban Tree Canopy Off-set Scheme (UTCOS) where an applicant has elected to make a contribution to the fund under this scheme to impose a condition on the relevant development authorisation for planning consent requiring that payment of the amount specified in clause 6(1) of the UTCOS be made into the fund before the issue of development approval for the subject development application.</p>	N/A	

Instrument of Delegation under the Labour Hire Licensing Act 2017

Labour Hire Licensing Act 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 16(1)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence under section 15 of the Labour Hire Licensing Act 2017	Not Delegated CEO Only		designated entity
section 32(2)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence to which section 31 of the Labour Hire Licensing Act 2017 applies	Not Delegated CEO Only		designated entity
section 42(2)	Appeal against the grant of a licence to the District Court	Not Delegated CEO Only		designated entity
section 42(4)	Require the Commissioner for Consumer Affairs to provide reasons for the Commissioner's decision of grant a licence	Not Delegated CEO Only		designated entity

Instrument of Delegation under the Land and Business (Sale and Conveyancing) Act 1994

Land and Business (Sale and Conveyancing) Act 1994				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7	Respond to inquiries regarding prescribed matters by a vendor of land	DOF, PAO		council
section 8	Respond to inquiries regarding prescribed matters by a vendor of a small business	DOF, PAO		council
section 12	Provide information regarding any charge or prescribed encumbrance over land within the council's area of which the council has the benefit or insurance under Division 3 of Part 5 of the Building Work Contractors Act 1995 in relation to a building on land within the council's area	DOF, PAO		council

Instrument of Delegation under the Landscape South Australia Act 2019

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 17(4)(a)	Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board	Not Delegated CEO Only		council
section 25(4)	Work collaboratively with the regional landscape board	DITS		council
section 32(7)	Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council	Not Delegated CEO Only		council
section 37(1)(c)	Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council	Not Delegated CEO Only		council
section 41(b)	Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council	DITS		public authority
section 47(7)	Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act	DITS		council
section 51(5)(b)	Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by regulations	DITS		council
section 66(1)	Contribute to the costs of the regional landscape board performing its functions	Not Delegated CEO Only		council

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions	Not Delegated CEO Only		council
section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions	Not Delegated CEO Only		council
section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy	DITS		council
section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council	DITS		public authority
section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council	DITS		public authority
section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource	DITS		relevant authority
section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority'	Not Delegated CEO Only		relevant authority
section 104(3)	Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility)	Not Delegated CEO Only		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act	DITS		relevant authority
section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed	DITS		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	by section 103(2)(d) of the Landscape South Australia Act			
section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	DITS		relevant authority
section 112(14)	Serve notice of the variation or revocation of a permit	DITS		relevant authority
section 113(2)	Give notice of an application for a permit in accordance with the regulations	DITS		relevant authority
section 113(3)	Receive representations in relation to the granting or refusal of a permit	DITS		relevant authority
section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing	DITS		relevant authority
section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority	DITS		relevant authority
section 113(7)	Allow an applicant to appear personally or by representative before the authority	DITS		relevant authority
section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act	DITS		relevant authority

Landscape South Australia Act 2019				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape south Australia Act	DITS		relevant authority
section 113(13)	Provide for inspection and purchase written representations made under section 113 of the Landscape south Australia Act and the written response of the applicant	DITS		relevant authority
section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer	Not Delegated CEO Only		council
section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and provide submissions to the Minister on the proposed agreement	DITS		council
clause 89(4)(e) Schedule 5	Consent to property, assets, rights or liabilities vesting in or attaching to the Council	DOF, DITS		authority

Instrument of Delegation under the Landscape South Australia (General) Regulations 2020

Landscape South Australia (General) Regulations 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 10(1)(b)	Make submissions to the regional landscape board	DOF		council
regulation 13(3)	Pay monies to the regional landscape board	DOF		council
regulation 14(9)	Furnish a regional landscape board with a reasonable estimate of the costs that the council expects to claim under regulation 14 of the Landscape South Australia (General) Regulations 2019	DOF		council
regulation 14(13)	Furnish a regional landscape board with an invoice setting out the amount the council is claiming and the calculations used by the council to determine the amount	DOF		council

Instrument of Delegation under the Landscape South Australia (Water Management) Regulations 2020

Landscape South Australia (Water Management) Regulations 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 22(2)	Determine the form of notice to be provided for the purpose of section 113(2)(c) of the Landscape South Australia Act	DITS		relevant authority
regulation 24(2)	Increase the period of time for the purposes of section 113(5) of the Landscape South Australia Act from the period prescribed in regulation 24(1) of the Landscape South Australia (Water Management) Regulations	DITS		relevant authority

Instrument of Delegation under the Liquor Licensing Act 1997

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	Not Delegated CEO Only		council
section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	Not Delegated CEO Only		prescribed body
section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	ESGO		council
section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	Not Delegated CEO Only		council
section 106(4)	Request that the matter proceed direct to a hearing	Not Delegated CEO Only		council
section 106(5)	Request that the Commissioner determine the matter	Not Delegated CEO Only		council
section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	Not Delegated CEO Only		council
section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	Not Delegated CEO Only		council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 128H(3)	Request a variation of a local liquor accord	ESGO, PC1, PC2		council
section 128H(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	ESGO, PC1, PC2		council
section 128H(6)	Request the Commissioner to terminate a local liquor accord	ESGO, PC1, PC2		council
section 128H(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	ESGO, PC1, PC2		council
section 131(1c)	Vary or revoke a notice published under section 131(1ab)	ESGO		council

Instrument of Delegation under the Local Government Act 1999

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	Not Delegated CEO Only		council
section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	Not Delegated CEO Only		council
section 7(ba)	Determine appropriate financial contribution to be made by ratepayers to resources of the council	Council		council
section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	Not Delegated CEO Only		council
section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	Not Delegated CEO Only		council
section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	Not Delegated CEO Only		council
section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	Not Delegated CEO Only		council
section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	Not Delegated CEO Only		council
section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	Not Delegated CEO Only		council
section 7(j)	Manage, improve and develop resources available to the council	Not Delegated CEO Only		council
section 7(k)	Undertake other functions and activities conferred by or under an Act	Not Delegated CEO Only		council
section 12(1)	Publish a notice in the Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council into wards or abolishing the division of the area of the council into wards	Not Delegated CEO Only		council
section 12(2)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(3)	Undertake a review under section 12 of the Local Government Act	Not Delegated CEO Only		council
section 12(4)	Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations	Not Delegated CEO Only		council
section 12(5)	Initiate the preparation of a paper	Not Delegated CEO Only		council
section 12(7)(a)	Inform the public by public notice of the preparation of the representation options paper and inviting written submissions within a period of not less than 6 weeks specified by the council	Not Delegated CEO Only		council
section 12(7)(a)	Publish a copy of the public notice in a newspaper circulating in the council area	Not Delegated CEO Only		council
section 12(8)	Make copies of the representation options paper available for inspection and purchase at the principal office of the council during the period for making written submissions	Not Delegated CEO Only		council
section 12(8a)	Prepare a report addressing the prescribed matters	Not Delegated CEO Only		council
section 12(9)(a)	Make copies of the council report available for inspection at the principal office of the council	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(9)(b)	Inform the public by public notice of the preparation of the report and its availability and invite written submissions	Not Delegated CEO Only		council
section 12(9)(c)	Publish a copy of the public notice in a newspaper circulating in the council area	Not Delegated CEO Only		council
section 12(10)	Provide an opportunity to any person who makes a written submission an opportunity to appear personally or by representative to be heard on the submission	Not Delegated CEO Only		council
section 12(11)	Finalise the council report	Not Delegated CEO Only		council
section 12(11b)(a)	Separate a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa from any other proposal in the council's report	Not Delegated CEO Only		council
section 12(11b)(b)	Determine to conduct a poll on the proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa either at the next general election or some other time	Not Delegated CEO Only		council
section 12(11c)(b)(i)	Prepare a summary of the issues surrounding a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa to assist persons who may vote at the poll	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(11c)(b)(ii)	Obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner	Not Delegated CEO Only		council
section 12(11c)(b)(iii)	Make copies of the summary available for public inspection at the principal office of the council and on a website determined by the chief executive officer, and publish or distribute copies of the summary as directed by the Electoral Commissioner	Not Delegated CEO Only		council
section 12(12)	Refer report finalised under section 12(11) to the Electoral Commissioner	Not Delegated CEO Only		council
section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	Not Delegated CEO Only		council
section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	Not Delegated CEO Only		council
section 12(16)(b)	Refer report back to the Electoral Commissioner	Not Delegated CEO Only		council
section 12(17)	Comply with requirements of sections 12(9) and 12(1) (unless alteration of report is of a minor nature only)	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(24)	Undertake a review within period specified by the Electoral Commissioner	Not Delegated CEO Only		council
section 13(1)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward	Not Delegated CEO Only		council
section 13(2)(a)	Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward	Not Delegated CEO Only		council
section 13(2)(b)	Invite written submissions	Not Delegated CEO Only		council
section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	Not Delegated CEO Only		council
section 13(2)(c)	Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission	Not Delegated CEO Only		council
section 28(1)(c)	Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	Not Delegated CEO Only		council
section 31(10)(c)	Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed	Not Delegated CEO Only		council
section 36(1)(a)	Exercise the legal capacity of a natural person, including entering into contracts or arrangements, suing and being sued and acting in conjunction with another council or authority or person	DITS		council
section 36(1)(c)	Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives	DITS		council
section 36(2)	Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State	DITS		council
section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	DITS		council
section 41(1)	Establish a committee	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 41(2)	Determine the role of the committee	Not Delegated CEO Only		council
section 41(3)	Determine the membership of the committee	Not Delegated CEO Only		council
section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	Not Delegated CEO Only		council
section 41(6)	Appoint the principal member as an ex officio member of the committee	Not Delegated CEO Only		council
section 41(8)	Determine the reporting and other accountability requirements applying to a committee	Not Delegated CEO Only		council
section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	Not Delegated CEO Only		council
section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	Not Delegated CEO Only		council
section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	Not Delegated CEO Only		council
section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 45(1)	Nominate a place as the council's principal office	Not Delegated CEO Only		council
section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	Not Delegated CEO Only		council
section 45(3)	Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements	Not Delegated CEO Only		council
section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	Not Delegated CEO Only		council
section 46(2)(a)	Establish a business in connection with a commercial project	Not Delegated CEO Only		council
section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	Not Delegated CEO Only		council
section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest	Not Delegated CEO Only		council
section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	DOF		council
section 48(6)	Take steps to prevent the disclosure of specific information in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council)	DOF		council
section 49(a1)	Maintain procurement policies, practices and procedures directed towards: (a) obtaining value in the expenditure of public money; (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability and transparency in procurement operations	DOF		council
section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services; (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; (c) the use of local goods and services; and (d) the sale or disposal of land or other assets.	DOF		council
section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	Not Delegated CEO Only		council
section 50(1)	Prepare and adopt a public consultation policy	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(5)	Alter or substitute the public consultation policy	Not Delegated CEO Only		council
section 50(6)(c)	Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy	Not Delegated CEO Only		council
section 50(6)(d)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions	Not Delegated CEO Only		council
section 50(6)(d)	Consider submissions	Not Delegated CEO Only		council
section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	Not Delegated CEO Only		council
section 50(8)	Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council	Not Delegated CEO Only		council
section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	Not Delegated CEO Only		council
section 54(1)(d)	Grant a leave of absence from council	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 54(1)(d)	Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council	Not Delegated CEO Only		council
section 57(6)	Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the members of the councils at the time the contract was made or lease was entered	Not Delegated CEO Only		council
section 70(a1)	Publish prescribed details contained in the Register	Not Delegated CEO Only		council
section 70(1))	Provide a copy of the Register for inspection at the principal office of the council	Not Delegated CEO Only		council
section 70(2)	Provide for the purchase of a copy of the Register	Not Delegated CEO Only		council
section 77(1)	Provide reimbursement of prescribed expenses of a member of council	Not Delegated CEO Only		council
section 80	Take out a policy of insurance insuring every member of the council and a spouse or domestic partner or another person who may be accompanying a member of the councils against the risks associated with the performance or discharge of official functions or duties by members	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 80A(1)	Prepare a training and development policy for members	Not Delegated CEO Only		council
section 80A(3)	Alter or substitute a training and development policy for members	Not Delegated CEO Only		council
section 84(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting	ESGO		council
section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	Not Delegated CEO Only		council
section 88(3)	Keep notice on public display and continue to publish notice in accordance with section 132(1)(a) of the Local Government Act until completion of meeting	ESGO		council
section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	Not Delegated CEO Only		council
section 90(8a)(a)	Adopt a policy on the holding of informal gatherings	Not Delegated CEO Only		council
section 90(8c)	Alter or substitute a new policy	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 90(8d)	Provide for inspection at the principal office of the council a copy of the policy under section 90(8a)	Not Delegated CEO Only		council
section 90(8e)	Provide for the purchase of a copy of the policy under section 90(8a)	Not Delegated CEO Only		council
section 90A(1)	Hold or arrange for the holding of an information or briefing session to which more than 1 member of the council is invited to attend or be involved in for the purposes of providing information or a briefing	Not Delegated CEO Only		council
section 90A(4)	Order that an information or briefing session be closed to the public	Not Delegated CEO Only		council
section 90A(5)	If an order under section 90A(4) of the Local Government Act is made, to make a record of the matters specified in section 90A(5)	Not Delegated CEO Only		council
section 90A(7)	Comply with the requirements of the regulations regarding the publication of prescribed information	Not Delegated CEO Only		council
section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	Not Delegated CEO Only		council
section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 92(1)	Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act	Not Delegated CEO Only		council
section 92(2)	Review code of practice	Not Delegated CEO Only		council
section 92(3)	Alter or substitute a new code of practice	Not Delegated CEO Only		council
section 92(5)	Undertake public consultation on proposed code, alterations or substitute code	ESGO		council
section 93(1)	Convene a meeting of electors of the council area or part of the council area	Not Delegated CEO Only		council
section 93(11)	Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors	Not Delegated CEO Only		council
section 93(14)	Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act	Not Delegated CEO Only		council
section 94(6)	Make submissions to the Minister	Not Delegated CEO Only		council
section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 97(6)(b)	Determine a person has appropriate qualifications or experience in human resource management	Not Delegated CEO Only		council
section 98(3)	Invite applications including by advertising on website and take other action	Council, Not Delegated CEO Only		council
section 98(3)	Determine website to advertise invitation for applications	Council		council
section 98(4a)(a)	Appoint at least one person to selection panel not being a member or employee	Council		council
section 98(7)(b)	Determine a person has appropriate qualifications or experience in human resource management	Council		council
section 102A(3)(b)	Determine a person has appropriate qualifications or experience in human resource management	Council		council
section 106(2)	Pay contribution to another council	DOF		council
section 106(3)	Recover a contribution from another council as a debt	DOF		council
section 106(4)	Provide details of the service of an employees or former employee to another council	DOF		council
section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 111(b)	Declare that an officer or an officer of a class is subject to Division 2, Part 4, Chapter 7 of the Local Government Act	Not Delegated CEO Only		council
section 122(1)	Develop a strategic management plan	Not Delegated CEO Only		council
section 122(1a)(a)	Develop a long-term financial plan	Not Delegated CEO Only		council
section 122(1a)(b)	Develop an infrastructure and asset management plan	Not Delegated CEO Only		council
section 122(4)	Review strategic management plans	Not Delegated CEO Only		council
section 122(6)	Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans	Not Delegated CEO Only		council
section 123(3)(a)	Prepare a draft annual business plan	DOF		council
section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	DOF		council
section 123(5)	Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	and purchase (at the principal office of the council and on the council's website			
section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	DOF		council
section 123(9)(a)(i)	Prepare a summary of the annual business plan	DOF		council
section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	DOF		council
section 124(1)(a)	Keep accounting records	DOF		council
section 125	Implement and maintain appropriate policies, practices and procedures of internal control	DOF		council
section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	DOF		council
section 127(3)	Provide statements to auditor	DOF		council
section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	DOF		council
section 128(2)	Appoint an auditor on the recommendation of the council's audit committee	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	DOF		council
section 130A(1)	Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives	Not Delegated CEO Only		council
section 131(1)	Prepare annual report	Not Delegated CEO Only		council
section 131(4)	Provide a copy of the annual report to each council member	Not Delegated CEO Only		council
section 131(5)	Submit a copy of the annual report to the persons or bodies prescribed by regulation	Not Delegated CEO Only		council
section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	Not Delegated CEO Only		council
section 131A(1)	Provide to the Minister the material specified in Schedule 4 of the Local Government Act and any other information specified by the Minister	Not Delegated CEO Only		council
section 132(1)(a)	Publish a document referred to in Schedule 5 of the Local Government Act on a website determined by chief executive officer	ESGO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 132(1)(b)	Provide a printed copy of a document referred to in Schedule 5 of the Local Government Act	ESGO		council
section 132(3a)	Publish a document or part of a document on a website determined by the chief executive officer where an order under section 91(7) of the Local Government Act expires or ceases to apply	ESGO		council
section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration	Not Delegated CEO Only		council
section 133	Obtain funds as permitted by the Local Government Act or other Act	DOF		council
section 135(1)	Provide security	DOF		council
section 135(2)(a)	Assign a distinguishing classification to a debenture	DOF		council
section 135(2)(b)	Appoint a trustee for the debenture holders	DOF		council
section 137	Expend funds in the performance or discharge of the council's powers, functions or duties under the Local Government Act or other Acts	HRPO, CDM, ESGO, DOF, CO, GA, RO, MS, PMSO, PAO, SRDO, TAO, TOPA, TOE, TEC, DITS, WSM,		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		ACF, AO, IO, CS, MO		
section 139(1)	Invest money under the council's control	DOF		council
section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	DOF		council
section 140	Review performance of investments at least annually	DOF		council
section 141(1)	Accept a gift	DOF, DITS		council
section 141(2)	Carry out the terms of a trust applying to a gift	DOF, DITS		council
section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	DOF, DITS		council
section 141(4)	Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court	DOF, DITS		council
section 141(6)	Publish an order of the made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette	DOF, DITS		council
section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	DOF		council
section 143(1)	Write off bad debts	DOF		council
section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	Not Delegated CEO Only		council
section 144(2)	Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property	Not Delegated CEO Only		council
section 144(2)	Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property	Not Delegated CEO Only		council
section 151(5)(d)	Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	DOF		council
section 151(5)(e)	Follow the relevant steps in the public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	DOF		council
section 151(8)	Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	under section 151(7)(a)(i) of the Local Government Act			
section 156(10)	Extend the time period for lodging an objection	DOF		council
section 156(11)	Decide an objection to attribution of a particular use to land	DOF		council
section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	DOF		council
section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	DOF		council
section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land	DOF		council
section 156(14e)	Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act	DOF		council
section 159(1)	Determine the manner and form of an application for a rebate of rates	DOF		council
section 159(3)	Grant a rebate of rates	DOF		council
section 159(4)	Increase a rebate of rates	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 159(10)	Determine that proper cause for a rebate of rates no longer applies	DOF		council
section 159(11)	Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies	DOF		council
section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	DOF		council
section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	DOF		council
section 165(2)	Grant a rebate of rates greater than 75% on land being used by a university or university college to provide accommodation and other forms of support on a not-for-profit basis	DOF		council
section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	DOF		council
section 166(2)	Attach conditions to the granting of a rebate of rates or service charges under section 166(1) of the Local Government Act	DOF		council
section 167(1)	Adopt valuations	DOF		council
section 167(6)	Publish a notice of the adoption of valuations in the Gazette	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 168(1)	Request the Valuer-General to value land in the council area	DOF, PAO		council
section 168(2)	Furnish information to the Valuer-General requested information	DOF, PAO		council
section 168(3)(b)	Enter valuation into the assessment record	DOF, PAO		council
section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	DOF, PAO		council
section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	DOF, PAO		council
section 169(5)	Refer an objection to the valuation of land to the valuer who made the valuation with a request to reconsider the valuation	DOF, PAO		council
section 169(7)	Provide written notice to an objector of the outcome of the objection	DOF, PAO		council
section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	DOF, PAO		council
section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	DOF, PAO		council
section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 169(16)	Pay the prescribed fee to the Valuer-General	DOF, PAO		council
section 170	Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area	DOF, PAO		council
section 173(5)	Determine a review of the outcome of a request to alter the assessment record	DOF, PAO		council
section 173(6)	Provide written notice of decision on review	DOF, PAO		council
section 173(7)	Participate in a review of decision of council	DOF, PAO		council
section 174(1)	Provide the assessment record for inspection at the principal offices of the council	DOF, PAO		council
section 174(2)	Provide for the purchase of an entry in the assessment record	DOF, PAO		council
section 178(3)	Recover rates as a debt	DOF, PAO		council
section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates	DOF, PAO		council
section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 179(2)	Adopt a valuation of land	DOF, PAO		council
section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	DOF, PAO		council
section 180(1)	Provide a rates notice to the principal ratepayer	DOF, PAO		council
section 181(2)	Determine the day on which an instalment of rates falls due	DOF, PAO		council
section 181(3)	Adjust the months in which instalments of rates are payable	DOF, PAO		council
section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	DOF, PAO		council
section 181(5)	Provide rates notice to principal ratepayer	DOF, PAO		council
section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	DOF, PAO		council
section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	DOF, PAO		council
section 181(11)	Grant discounts or other incentives in relation to the payment of rates	DOF, PAO		council
section 181(12)(b)	Impose a surcharge or administrative levy not exceeding 1 per cent of the rates payable in a particular financial year with	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	respect to the payment of rates by instalments			
section 181(13)	Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates	DOF, PAO		council
section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	DOF, PAO		council
section 182(1)(a)	Postpone payment of rates	DOF, PAO		council
section 182(1)(b)	Remit the whole or part payment of rates	DOF, PAO		council
section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	DOF, PAO		council
section 182(2)(b)	Impose other conditions on the postponement of rates	DOF, PAO		council
section 182(2)(c)	Revoke a postponement of rates	DOF, PAO		council
section 182(3)	Postpone the payment of rates	DOF, PAO		council
section 182(4)	Grant a remission of rates	DOF, PAO		council
section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	DOF, PAO		council
section 182A(1)	Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year	DOF, PAO		council
section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	DOF, PAO		council
section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	DOF, PAO		council
section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	DOF, PAO		council
section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	DOF, PAO		council
section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	DOF, PAO		council
section 184(2)	Send a notice to the principal ratepayer	DOF, PAO		council
section 184(3)	Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee, the holder of any caveat over the land and, if the land is held from the Crown under a lease, licence or agreement to purchase,	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	to the Minister who is responsible for the administration of the Crown Lands Act 1929.			
section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	DOF, PAO		council
section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	DOF, PAO		council
section 184(6)	Set a reserve price for the auction	DOF, PAO		council
section 184(7)	Seek the consent of the Minister who is responsible for the administration of the Crown Lands Act 1929 to have the land sold by public auction	DOF, PAO		council
section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	DOF, PAO		council
section 184(9)	Call off an auction	DOF, PAO		council
section 184(10)	Sell land by private contract	DOF, PAO		council
section 184(11)	Apply money receive in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11)	DOF, PAO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 184(12)	Deal with money under the Unclaimed Money Act 1891	DOF, PAO		council
section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act	DOF		council
section 186(2)(a)	Repay an amount of overpaid rates	DOF, PAO		council
section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	DOF, PAO		council
section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	DOF, PAO		council
section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	DOF, PAO		council
section 186(5)	Refund an amount to a person ceasing to be a ratepayer	DOF, PAO		council
section 187(1)	Issue a certificate stating the amount of any liability for rates or charges on the land and any amount received on account of rates or charges that is held in credit against future liabilities for rates or charges on the land	DOF, PAO		council
section 187A(5)(b)	Receive a report from the Ombudsman	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 187B(5)	Receive a report from the Ombudsman	Not Delegated CEO Only		council
section 187B(6)	Provide a written response to the Ombudsman and complainant	Not Delegated CEO Only		council
section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	Not Delegated CEO Only		council
section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	DOF		council
section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	DOF		council
section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	DOF		council
section 188(3)	Provide for: (a) specific fees and charges; (b) maximum fees and charges and minimum fees and charges; (c) annual fees and charges; (d) the imposition of fees or charges according to specified conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges.	DOF		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 188(5)(b)	Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act	DOF		council
section 188(7)	Take reasonable steps to bring a variation of a fee or charge to the notice of a person who may be affected	DOF		council
section 190	Agree to acquire land	Not Delegated CEO Only		council
section 191(1)	Seek the Minister's consent to acquire land compulsorily	Not Delegated CEO Only		council
section 191(1)	Acquire land compulsorily	Not Delegated CEO Only		council
section 191(2)	Acquire land compulsorily	Not Delegated CEO Only		council
section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	DOF, DITS		council
section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	Not Delegated CEO Only		council
section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 193(6)	Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land	Not Delegated CEO Only		council
section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	Not Delegated CEO Only		council
section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	Not Delegated CEO Only		council
section 194(3)(a)	Submit the proposal to revoke the classification of land as community land with a report on all submissions made in respect of the proposal to the Minister	Not Delegated CEO Only		council
section 194(4)	Participate in consultation with the Minister	Not Delegated CEO Only		council
section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	Not Delegated CEO Only		council
section 196(1)	Prepare and adopt a management plan for community land	Not Delegated CEO Only		council
section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Not Delegated CEO Only		Adelaide City Council
section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	DOF, DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 197(1)(a)	Make copies of a proposed management plan available or inspection of purchase at the council's principal office	DOF, DITS		council
section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	DOF, DITS		council
section 197(3)	Give public notice of the adoption of the management plan	DOF, DITS		council
section 198(1)	Amend or revoke a management plan	Not Delegated CEO Only		council
section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	DOF, DITS		council
section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	DOF, DITS		council
section 199	Manage community land in accordance with any relevant management plan	DOF, DITS		council
section 200(1)	Approve the use of community land for a business purpose	DOF, DITS		council
section 200(3)	Impose conditions on an approval to use community land for a business purpose	DOF, DITS		council
section 201(1)	Sell or otherwise dispose of an interest in land	DOF, DITS		council
section 202(1)	Grant a lease or licence over community land	DOF, DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 202(2)	Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land	DOF, DITS		council
section 207(1)	Keep a register of community land in the council area	DOF		council
section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	DOF		council
section 208(4)	Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette	DITS		council
section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	DITS		council
section 210(1)	Declare a private road to be a public road	DITS		council
section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	DITS		council
section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	DITS		council
section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	DITS		council
section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	DITS		council
section 211(1)(a)	Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway	DITS		council
section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	DITS		council
section 212(1)	Carry out roadwork in the council area	DITS		council
section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	DITS		council
section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	DITS		council
section 212(3)(b)	Consult with the Commissioner of Highways	DITS		council
section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	DITS		council
section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	DITS		council
section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 212(3)(d)	Obtain the agreement of the owner of private land	DITS		council
section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	DITS		council
section 213(2)	Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road	DITS		council
section 213(3)(a)	Recover the cost of roadwork on private land or a contribution to the cost of the work determined by the council as a debt from the owner of the private	DITS		council
section 214(2)(a)	Agree the amount of contribution to roadwork with another council	DITS		council
section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	DITS		council
section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	DITS		council
section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	DITS		council
section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	DITS	With approval from the CEO	council
section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork	DITS	With approval from the CEO	council
section 217(2)(a)	Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment	DITS		council
section 217(2)(a)	Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment	DITS		council
section 218(1)	Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land	DITS	With approval from the CEO	council
section 219(1)	Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place	Not Delegated CEO Only		council
section 219(1a)	Assign a name to a public road created by land division	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	DITS		council
section 219(2)(b)	Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act	DITS		council
section 219(3)(a)	Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name	DITS		council
section 219(3)(b)	Provide information to the Registrar-General, the Surveyor-General and the Valuer-General about the name of roads and public places in the council area	DITS		council
section 219(4)	Provide public notice on the assigning or changing of a road name	DITS		council
section 219(5)	Prepare and adopt a policy on the assigning of road names	Not Delegated CEO Only		council
section 219(6)	Alter or substitute a policy on the assigning of road names	Not Delegated CEO Only		council
section 219(7)	Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	Not Delegated CEO Only		council
section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	Not Delegated CEO Only		council
section 220(2)	Alter or substitute a new numbering system	Not Delegated CEO Only		council
section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	DOF, DITS		council
section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	DOF, DITS		council
section 220(6)	Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council	DOF, DITS		council
section 221(1)	Grant an authorisation to alter a public road	DITS		council
section 222(1)	Grant a permit authorising the use of a public road for business purposes	DITS		council
section 223(1)	Follow the relevant steps in the council's public consultation policy	DITS		council
section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 224(1)	Attach conditions to an authorisation or permit	DITS		council
section 224(2)	Comply with any requirements prescribed by the regulations in relation to attaching conditions under section 224(1) of the Local Government Act	DITS		council
section 225(1)	Cancel an authorisation or permit	DITS		council
section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	DITS		council
section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	DITS		council
section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	DITS		council
section 231(1)	Keep a register of public roads in the council area	DITS		council
section 232	Plant vegetation on a road	DITS		council
section 232	Authorise the planting of vegetation on a road	DITS		council
section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road or structure belonging to the councils associated with a road	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 234(1)	Remove and dispose of any structure, object or substance from a road	DITS		council
section 234(2)	Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road	DITS		council
section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	Not Delegated CEO Only		council
section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	Not Delegated CEO Only		council
section 234A(5)	Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place	DITS		council
section 234A(6)	Give public notice of a resolution under section 234A(1) or 234A(2) of the Local Government Act	DITS		council
section 236(2)	Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle	CO		council
section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	CO		council
section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice	CO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	published in a newspaper circulating generally within the State			
section 237(5)	Sell a vehicle by public auction or public tender	CO		council
section 237(6)	Dispose of a vehicle	CO		council
section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	DOF		council
section 238(3)	Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land	N/A		council
section 242(3)	Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act	CDM, TEC, DITS		council
section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	CDM, TEC, DITS		council
section 243(1)	Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act	DOF, DITS		council
section 245(2)	Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree	DOF, DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an approval under the Planning, Development and Infrastructure Act 2016 which could cause damage to any local government land (including a road) within the vicinity of the site of the development	Not Delegated CEO Only		council
section 245A(3)	Participate in the hearing of an appeal by a person against the requirements to enter and agreement of the terms or conditions of the agreement	Not Delegated CEO Only		council
section 246(4a)	Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area	Not Delegated CEO Only		council
section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	Not Delegated CEO Only		council
section 249(1)(a)	Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection at the principal offices of the council and on the internet	Not Delegated CEO Only		council
section 249(1)(b)	Publish a notice in a newspaper circulating in the council area informing the public of the availability of the by-laws and the terms of the by-law, or describing the by-laws nature and effect	Not Delegated CEO Only		council
section 249(2)	Consider submissions made on a proposed by-law	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 249(4)	Obtain a certificate signed by a legal practitioner	Not Delegated CEO Only		council
section 249(5)	Publish a by-law in the Gazette	Not Delegated CEO Only		council
section 249(7)	Publish a notice of making a by-law	Not Delegated CEO Only		council
section 250(5)	Publish a resolution adopting a model by-law in the Gazette	Not Delegated CEO Only		council
section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	Not Delegated CEO Only		council
section 252(1)	Maintain a register of the by-laws made or adopted by the council	Not Delegated CEO Only		council
section 252(5)	Provide for purchase a certified copy of a by-law	Not Delegated CEO Only		council
section 254(1)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	BO, EHO, CO	With approval from the CEO	council
section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	BO, EHO, CO		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	BO, EHO, CO		council
section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	BO, EHO, CO		council
section 255(3)(a)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	BO, EHO, CO	With approval from the CEO	council
section 255(3)(b)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	BO, EHO, CO	With approval from the CEO	council
section 255(3)(c)	Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	BO, EHO, CO		council
section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	BO, EHO	With approval from the CEO	council
section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	BO, EHO, CO	With approval from the CEO	council
section 255(11)	Vary an order	BO, EHO, CO	With approval from the CEO	council
section 255(12)	Make an order	BO, EHO, CO	With approval from the CEO	council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 256(3)	Participate in a review of an order by the South Australian Civil and administrative Tribunal	BO, EHO, CO		council
section 257(1)	Take action required by an order made under section 255 of the Local Government Act	BO, EHO, CO	With approval from the CEO	council
section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	Not Delegated CEO Only		council
section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	DOF		council
section 257(5)	Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act	DOF		council
section 257(5)(b)	Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act	DOF		council
section 259(1)	Prepare and adopt policies concerning the operation of Part2, Chapter 12 of the Local Government Act	Not Delegated CEO Only		council
section 259(2)(a)	Prepare a draft policy	Not Delegated CEO Only		council
section 259(2)(b)	Give notice in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 259(3)	Consider submissions	Not Delegated CEO Only		council
section 259(4)	Amend a policy	Not Delegated CEO Only		council
section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	Not Delegated CEO Only		council
section 260(1)	Appoint an authorised person	Not Delegated CEO Only		council
section 260(2)	Impose conditions or limitations on the appointment of an authorised person	Not Delegated CEO Only		council
section 260(3)	Issue an identity card to an authorised person	Not Delegated CEO Only		council
section 260(5)	Revoke the appointment of an authorised person	Not Delegated CEO Only		council
section 270(a1)	Develop and maintain policies, practices and procedures for dealing with requests for the provision of services by the council or complaints about the activities of the council, employees of the council or person acting on behalf of the council	Not Delegated CEO Only		council
section 270(1)	Establish procedures for the review of decisions	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 270(2a)(b)	Allow an application to be made more than 6 months after the reviewable decision	Not Delegated CEO Only		council
section 270(3a)	Reduce, waive or refund a fee	Not Delegated CEO Only		council
section 270(4)	Refuse an application for the review of a decision	Not Delegated CEO Only		council
section 270(5)	Provide for inspection copies if policies, practices and procedures applying under section 270 of the Local Government Act at the principal office of the council	Not Delegated CEO Only		council
section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	Not Delegated CEO Only		council
section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	Not Delegated CEO Only		council
section 271(1)	Make provision in a procedure under section 270 of the Local Government Act for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation	Not Delegated CEO Only		council
section 271(2)	Constitute panels of mediators, conciliators and evaluators	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 271(7)	Pay costs of mediation, conciliation and evaluation	Not Delegated CEO Only		council
section 271A(1)	Provide requested information to the Minister	Not Delegated CEO Only		council
section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation	Not Delegated CEO Only		council
section 271B(1)(b)	Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister	Not Delegated CEO Only		council
section 272(3)	Provide an explanation and make submissions to the Minister	Not Delegated CEO Only		council
section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	Not Delegated CEO Only		council
section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	Not Delegated CEO Only		council
section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	Not Delegated CEO Only		council
section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	Not Delegated CEO Only		council
section 276(5)(f)	Produce or deliver books, voting-paper or documents in accordance with an order of the District Court	Not Delegated CEO Only		council
section 279(1)	Serve a document	DOF, DITS		council
section 281(1)	Notify a lessee or licensee of land to pay the council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council	DOF, DITS		council
section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	DOF, DITS		council
section 282(1)	Approve an occupier of land undertaking work	Not Delegated CEO Only		council
section 294(1a)	Provide notice to an owner or occupier of land	Not Delegated CEO Only		council
section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	Not Delegated CEO Only		council
section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 294(3)(c)(i)	Remedy damage to land caused by the council	Not Delegated CEO Only		council
section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	Not Delegated CEO Only		council
section 294(5)	Erect a fence	Not Delegated CEO Only		council
section 294(5)	Comply with the relevant requirements of the Mining Act 1971	Not Delegated CEO Only		council
section 296(1)	Recover the cost or a portion of the costs of works as a debt	Not Delegated CEO Only		council
section 296(3)	Give notice of a valuation to the owner of land	Not Delegated CEO Only		council
section 296(5)	Participate in an abjection or review to a valuation	Not Delegated CEO Only		council
section 297	Sell or dispose of rubbish collected by the council	Not Delegated CEO Only		council
section 298(1)	Order action in response to flooding or imminent flooding	DOF, DITS		council
section 300(1)	Pay the cost of advertising	DOF, DITS		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	DOF, DITS		council
clause 17(1), Schedule 1A	Prepare a stormwater management plan	Not Delegated CEO Only		council
clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	Not Delegated CEO Only		council
clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	Not Delegated CEO Only		council
clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	Not Delegated CEO Only		council
clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 20(1), Schedule 1A of the Local Government Act	Not Delegated CEO Only		council
clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	Not Delegated CEO Only		council
clause 20(6), Schedule 1A	Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 24(1), Schedule 1A	<p>Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by:</p> <p>(a) entering and occupying any land;</p> <p>(b) constructing, maintaining or removing any infrastructure;</p> <p>(c) excavating any land;</p> <p>(d) inspecting, examining or surveying any land and for that purpose:</p> <p>(i) fixing posts, stakes or other markers on the land;</p> <p>(ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and</p> <p>(iii) removing samples for analysis; and</p> <p>(e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner;</p> <p>(f) holding water in a watercourse or lake or by any other means;</p> <p>(g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner;</p> <p>(h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water;</p> <p>(i) undertaking any other form of work (including work undertaken for the</p>	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>purposes of stormwater management or flood mitigation);</p> <p>(j) undertaking any testing, monitoring or evaluation; and</p> <p>(k) undertaking any other activity of a prescribed kind.</p>			
clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	Not Delegated CEO Only		council
clause 24(2)(b), Schedule 1A	Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws	Not Delegated CEO Only		council
clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	Not Delegated CEO Only		council
clause 25(2), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	Not Delegated CEO Only		council
clause 25(3)(b), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	Not Delegated CEO Only		council
clause 26(3), Schedule 1A	Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council	Not Delegated CEO Only		public authority

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	Not Delegated CEO Only		public authority
clause 2(1), Schedule 1B	Enter a building upgrade agreement	Not Delegated CEO Only		council
clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	Not Delegated CEO Only		council
clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	Not Delegated CEO Only		council
clause 6(1), Schedule 1B	Declare a building upgrade charge	Not Delegated CEO Only		council
clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	Not Delegated CEO Only		council
clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	Not Delegated CEO Only		council
clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	Not Delegated CEO Only		council
clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 7(3)(b), Schedule 1B	Pay money to the finance provider	Not Delegated CEO Only		council
clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	Not Delegated CEO Only		council
clause 9(2), Schedule 1B	Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act	Not Delegated CEO Only		council
clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891	Not Delegated CEO Only		council
clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	Not Delegated CEO Only		council
clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	Not Delegated CEO Only		council
clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	Not Delegated CEO Only		council
clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	Not Delegated CEO Only		council
clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 13(3), Schedule 1B	Provide the register of building upgrade agreements for inspection at the principal office of the council	Not Delegated CEO Only		council
clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	Not Delegated CEO Only		council
clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	Not Delegated CEO Only		council
clause 3(1), Schedule 2	Prepare a charter for a subsidiary	Not Delegated CEO Only		council
clause 3(4), Schedule 2	Review a charter for a subsidiary	Not Delegated CEO Only		council
clause 3(4)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	Not Delegated CEO Only		council
clause 3(4)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	Not Delegated CEO Only		council
clause 3(4)(c), Schedule 2	Publish a notice in the Gazette of the fact of the amendment and website address at which the charter is available for inspection	Not Delegated CEO Only		council
clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	Not Delegated CEO Only		council
clause 4(6), Schedule 2	Appoint a deputy of a board member	Not Delegated CEO Only		council
clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	Not Delegated CEO Only		council
clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter	Not Delegated CEO Only		council
clause 5(12), Schedule 2	Direct the board of management as to procedures	Not Delegated CEO Only		council
clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	Not Delegated CEO Only		council
clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	Not Delegated CEO Only		council
clause 8(4), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	Not Delegated CEO Only		council
clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	Not Delegated CEO Only		council
clause 9(5), Schedule 2	Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year	Not Delegated CEO Only		council
clause 10(1), Schedule 2	Give a direction to a subsidiary	Not Delegated CEO Only		council
clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	Not Delegated CEO Only		council
clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	Not Delegated CEO Only		council
clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	Not Delegated CEO Only		council
clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	Not Delegated CEO Only		council
clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	Not Delegated CEO Only		council
clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	Not Delegated CEO Only		council
clause 14(2), Schedule 2	Approve borrowing by a subsidiary	Not Delegated CEO Only		council
clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	Not Delegated CEO Only		council
clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	Not Delegated CEO Only		council
clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	Not Delegated CEO Only		council
clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	Not Delegated CEO Only		council
clause 19(5)(a), Schedule 2	Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister	Not Delegated CEO Only		council
clause 19(5)(b), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a website determined by the chief executive officer	Not Delegated CEO Only		council
clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 20(7), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility	Not Delegated CEO Only		council
clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	Not Delegated CEO Only		council
clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	Not Delegated CEO Only		council
clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	Not Delegated CEO Only		council
clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	Not Delegated CEO Only		council
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in the preparation and adoption of a business plan	Not Delegated CEO Only		council
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan	Not Delegated CEO Only		council
clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary	Not Delegated CEO Only		council
clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	Not Delegated CEO Only		council
clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	Not Delegated CEO Only		council
clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	Not Delegated CEO Only		council
clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	Not Delegated CEO Only		council
clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	Not Delegated CEO Only		council
clause 28(1), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a subsidiary must furnish to the constituent councils report on the work and operations of the subsidiary	Not Delegated CEO Only		council
clause 28(1), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council	Not Delegated CEO Only		council

Local Government Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	Not Delegated CEO Only		council
clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	Not Delegated CEO Only		council
clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	Not Delegated CEO Only		council
clause 3(1)(b), Schedule 6	Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage	Not Delegated CEO Only		council
clause 4(1), Schedule 6	Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge	Not Delegated CEO Only		council

Public Emergency & COVID-19 Additional Delegations

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 156(14e)	1.6 the power pursuant to Section 156(14e) of the LG Act to ensure that copies of the report required under section 156(14a)(a) of the LG Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(8) of the LG Act) at least 21 days before the end of the period for public consultation.	Not Delegated CEO Only	
Section 151(8)	1.5 the power pursuant to Section 151(8) of the LG Act to ensure that copies of the report required under Section 151(5)(d) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation;	Not Delegated CEO Only	
Section 123(5)	1.4 the power pursuant to Section 123(5) of the LG Act to ensure that copies of the draft annual business plan are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) and on the website at least 21 days before the end of the period for providing written submissions;	Not Delegated CEO Only	
Section 45(9)	1.3 the power pursuant to Section 45(9) of the LG Act if the Council makes copies of a document available in accordance with Sections 45(7) or (8) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for provision of copies of the document.	Not Delegated CEO Only	
Section 45(5)	1.2 the power pursuant to Section 45(5) of the LG Act, if the Council or chief executive officer makes a document available for inspection in accordance with Section 45(4) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website	Not Delegated CEO Only	

Local Government Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determined by the chief executive officer) about the changes to the arrangements for inspection of the document;		
Section 45(4)(b)	1.1 the power pursuant to Section 45(4)(b) of the LG Act to satisfy any obligation under the LG Act to make a document available for inspection at the principal office of the Council by making the document available for inspection at an alternative place or by an alternative means as determined by the delegate	Not Delegated CEO Only	

Instrument of Delegation under the Local Government (Building Upgrade Agreements) Regulations 2017

Local Government (Building Upgrade Agreements) Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8(b)	Send a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act to any ratepayer in respect of the relevant land and any registered mortgagee of the land	DOF, PAO		council
regulation 8(c)(i)	Place a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a newspaper circulating throughout the State	DOF, PAO		council
regulation 8(c)(ii)	Leave a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a conspicuous place on the relevant land	DOF, PAO		council
regulation 8(e)	Set a reserve price for the sale of land by auction	Not Delegated CEO Only		council
regulation 8(f)	Advertise the auction in a newspaper circulating throughout the State	DOF, PAO		council
regulation 8(g)	Cancel an auction	Not Delegated CEO Only		council
regulation 8(h)	Sell land by private contract	Not Delegated CEO Only		council

Instrument of Delegation under the Local Government (Elections) Act 1999

Local Government (Elections) Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4(2)(d)	Fix a day for a poll	Not Delegated CEO Only		council
section 8(1)	Appoint a person or persons to the office or officer not filled by a supplementary election which has wholly or partially failed or been declared void	Not Delegated CEO Only		council
section 8(1a)	Appoint a person or persons to the office or officer that remain unfilled where not all vacancies are filled	Council		council
section 9(1)	Hold a poll	Not Delegated CEO Only		council
section 9(3)	Fix a day as polling day for a poll by notice published on the council website	Council		council
section 9(4)	Fix a day as the day on which the voters roll for the purposes of the poll closes	Not Delegated CEO Only		council
section 10(3)	Nominate a person as a deputy returning office of the council area	Not Delegated CEO Only		council
section 10(9)	Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the council	Not Delegated CEO Only		council

Local Government (Elections) Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(b)	Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area	Not Delegated CEO Only		council
section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll	Not Delegated CEO Only		council
section 13A(2)(b)	Arrange advertising Informing potential electors in the council area of the requirements to be enrolled on the voters roll	Not Delegated CEO Only		council
section 15(14)	Provide copies of the voters roll for the council area for inspection at the principal office of the council	Not Delegated CEO Only		council
section 15(15)	Provide a copy of the voters roll to a nominated candidate for the election	PAO		council
section 55(1)	Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll	Not Delegated CEO Only		council
section 70(3)	Contest a petition to the Court by lodging a reply	Not Delegated CEO Only		council
section 75(1)(a)	Participate in proceedings as a party pursuant to an order of the Court	Not Delegated CEO Only		council

Local Government (Elections) Act 1999				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 75(1)(b)	Apply to intervene in proceedings	Not Delegated CEO Only		council
section 75(3)	Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court directs	Not Delegated CEO Only		council
section 76	Engage counsel to represent the council in proceedings	Not Delegated CEO Only		council
section 77	Apply to the court to refer a question of law to the Court of Appeal	Not Delegated CEO Only		council
section 91A(1)	Prepare and adopt a caretaker policy	Not Delegated CEO Only		council
section 91A(3)	Apply in writing for an exemption from the prohibition against making a designated decision during an election period	Not Delegated CEO Only		council

Instrument of Delegation under the Local Government (Financial Management) Regulations 2011

Local Government (Financial Management) Regulations 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(1)	Prepare and consider the reports prescribed in regulation 9(1) of the Local Government (Financial Management) Regulations	DOF, FO		council
regulation 10(1)	Prepare and consider the report prescribed in regulation 10(1) of the Local Government (Financial Management) Regulations	DOF, FO		council
regulation 11(1)	Prepare and maintain all accounting records, accounts and financial statements in accordance with all relevant Australian Accounting Standards	DOF, FO		council
regulation 12	Revalue all material non-current assets in accordance with the requirements of Australian Accounting Standards AASB 116	DOF, FO		council
regulation 22(2)	Engage the council's auditor to certify that a grant or subsidy received by the council has been acquitted in accordance with any conditions required by the provider of the grant or subsidy	DOF, FO		council

Instrument of Delegation under the Local Government (Forestry Reserves) Act 1944

Local Government (Forestry Reserves) Act 1944				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4(1)	Establish and manage a forest on any local government forestry reserve	Not Delegated CEO Only		council
section 4(2)	Expend money of the council for the purposes of establishing and managing a forest or for any incidental purpose	Not Delegated CEO Only		council
section 5(2)	Repay an advance of money in such a manner as the Minister directs	Not Delegated CEO Only		council
section 5(2)	Expend an advance of money in accordance with any direction given by the Minister	Not Delegated CEO Only		council
section 6(1)	Manage a forest established by the council	Not Delegated CEO Only		council
section 6(1)	Sell or otherwise dispose of timber or other products derived for a forest established by the council	Not Delegated CEO Only		council
section 7(2)	Carry out directions of the Minister regarding the management of a forest established by the council	Not Delegated CEO Only		council

Instrument of Delegation under the Local Government (General) Regulations 2013

Local Government (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8AB	Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session	ESGO		council
clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	ESGO		council

Instrument of Delegation under the Local Government (Members Allowances and Benefits) Regulations 2010

Local Government (Members Allowances and Benefits) Regulations 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5(3)	Aggregate claims for reimbursement of expenses and pay the claim on a quarterly or monthly basis	FO		council

Instrument of Delegation under the Local Government (Procedures at Meetings) Regulations 2013

Local Government (Procedures at Meetings) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(3)	Review the operation of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	ESGO		council

Instrument of Delegation under the Local Nuisance and Litter Control Act 2016

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 7(2)(a)	Take action to manage local nuisance and littering within the council area	BO, EHO, CO		council
section 7(2)(b)	Cooperate with any other person or body in the administration of the Act	EHO, CO		council
section 7(2)(c)	Provide, or support the provision of, educational information within the council areas to help detect, prevent and manage local nuisance and littering	EHO, CO		council
section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act	EHO, CO		council
section 12(3)	Appoint authorised officers	Not Delegated CEO Only		council
section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers	Not Delegated CEO Only		council
section 12(6)	Revoke the appointment of an authorised officer	Not Delegated CEO Only		council
section 12(6)	Vary or revoke a condition applying to the appointment of an authorised officer or impose a further condition	Not Delegated CEO Only		council
section 13(2)	Issue an identity card to an authorised officer	Not Delegated CEO Only		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area	Not Delegated CEO Only		council
section 16(1)(a)	Hold a substance, material or thing seized under Division 3, Part 3 of the Act pending proceedings	EHO, CO		council
section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act	EHO, CO		council
section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order	EHO, CO		council
section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing	EHO, CO		council
section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing	EHO, CO		council
section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16	EHO, CO		council
section 19(1)	Declare a person to be exempt from the application of section 18	EHO, CO		council
section 19(2)	Receive an application for an exemption under section 19	EHO, CO		council
section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19	EHO, CO		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19(4)	Determine conditions to apply to a declaration under section 19	EHO, CO		council
section 19(5)	Vary or revoke a declaration under section 19	EHO, CO		council
section 19(6)	Specify a date of expiry in a declaration under section 19	EHO, CO		council
section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council	EHO, CO		council
section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind	EHO, CO		council
section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council	EHO, CO		council
section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act	EHO, CO		council
section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence	EHO, CO		council
section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm	EHO, CO		council
section 30(1)(a)	Issue a nuisance abatement notice	EHO, CO		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 30(1)(b)	Issue a litter abatement notice	EHO, CO		council
section 30(7)	Issue and serve a notice confirming an emergency notice	EHO, CO		council
section 30(8)	Vary or revoke a notice issued under section 30	EHO, CO		council
section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled	EHO, CO		council
section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled	EHO, CO		council
section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)	EHO, CO		council
section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31	EHO, DOF, CO		council
section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council	EHO, CO		council
section 32(4)	Participate as a party to any proceedings under section 32	EHO, CO		council
section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)	EHO, CO		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 33(8)(a)	Serve a copy of an application under section 33 on the Minister	EHO, CO		council
section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person	EHO, CO		council
section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33	EHO, CO		council
section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33	EHO, CO		council
section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention	EHO, CO		council
section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act	EHO, CO		council
section 34(3)(a)	Serve a notice on a person who the council is satisfied has contravened the Act advising the person that they may elect to be prosecuted for the contravention	EHO, CO		council
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	EHO, CO		council
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	EHO, CO		council

Local Nuisance and Litter Control Act 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 43(1)(d)	Commence proceedings for an offence against the Act	EHO, CO		council
section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act	EHO, CO		council
section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)	EHO, CO		council
section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)	EHO, CO		council
section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt	EHO, CO		council
section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information	Not Delegated CEO Only		council
section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council	Not Delegated CEO Only		council
section 51(9)	Participate in consultation with the Minister in regard to proposed regulations	Not Delegated CEO Only		council

Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017

Local Nuisance and Litter Control Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(1)(a)(ii)(A)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period not exceeding 24 hours	Not Delegated CEO Only		council
regulation 6(1)(a)(ii)(B)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period of 24 hours or longer	EHO, CO		council
regulation 6(1)(b)	Fix a fee for an application under section 19(2) of the Act	EHO, CO		council
regulation 6(2)	Refuse to consider an application for the purposes of section 19(2) of the Local Nuisance and Litter Control Act	EHO, CO		council
regulation 13(2)(a)	Give notice to the Registrar-General for the purposes of creating a charge on land	EHO, CO		council
regulation 13(2)(g)	Give notice to the Registrar-General for the purposes of cancelling a charge on land	EHO, CO		council
regulation 13(3)	Recover costs or expenses incurred by the council in relation to the creation or cancellation of a charge over land	EHO, CO		council
regulation 15(1)	Allow a fee payment under the Local Nuisance and Litter Control Act or regulations to be paid in instalments	EHO, CO		council
regulation 15(1)	Add a charge by way of interest or an administrative fee to the payment of a fee by instalments	EHO, CO		council

Local Nuisance and Litter Control Regulations 2017				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	EHO, CO		council
regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	EHO, CO		council

Instrument of Delegation under the Magistrates Court Rules 1992

Magistrates Court Rules1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
rule 12	Lay an information	Not Delegated CEO Only		public authority

Mining Act 1971

Mining Act 1971				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of council
section 9AA(1)	Enter into an agreement with a mining operator to waive the benefit of an exemption	Not Delegated CEO Only		council
section 9AA(1a)	Advise a tenement holder of the council's position in relation to a waiver of the benefit of an exemption and the conditions which may apply to such a waiver	Not Delegated CEO Only		council
section 9AA(4)	Give written notice to a mining operator rescinding an agreement to waive an exemption	Not Delegated CEO Only		council
section 9AA(7)	Participate in proceedings before the Environment, Resources and Development Court brought by a mining operator seeking an order waiving the benefit of an exemption	Not Delegated CEO Only		council
section 9AA(8a)	Apply for a court order under section 9AA(9) of the Mining Act	Not Delegated CEO Only		council

Mining Regulations 2020

Mining Regulations 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of council
regulation 74(3)(b)	Make submissions to the Director of Mines in regard to the draft objectives and criteria of a mine operations plan for a mine located in the council area	Not Delegated CEO Only		council

Instrument of Delegation under the Ombudsman Act 1972

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12D(1)	Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration	Not Delegated CEO Only		public authority
section 12D(3)	Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration	Not Delegated CEO Only		public authority
section 12H(1)(b)	Act on a referral from the Ombudsman	Not Delegated CEO Only		public authority
section 12H(2)(a)	Produce a specified document or a document relating to a specified matter	Not Delegated CEO Only		public authority
section 12H(2)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	Not Delegated CEO Only		public authority
section 18(4)	To comment on the subject matter of a report	Not Delegated CEO Only		public authority
section 19A(1)	Comply with a notice of the Ombudsman	Not Delegated CEO Only		agency

Ombudsman Act 1972				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable	Not Delegated CEO Only		agency
section 25(2)	Act in accordance with a recommendation of the Ombudsman	Not Delegated CEO Only		public authority
section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction	Not Delegated CEO Only		agency
section 28A(1)	Comply with directions of the Ombudsman	Not Delegated CEO Only		public authority
section 28A(2)	Comply with varied or further directions of the Ombudsman	Not Delegated CEO Only		public authority
section 28A(3)	Provide comments to the Ombudsman	Not Delegated CEO Only		public authority
section 29(8)	Act on a referral of the inspector	Not Delegated CEO Only		public authority
section 31(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or disciplinary investigation or action	Not Delegated CEO Only		Agency/ prosecution authority

Instrument of Delegation under the Private Parking Areas Act 1986

Private Parking Areas Act 1986				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 9(1)	Enter into an agreement with the owner of a private parking area for council to enforce Part 3 of the Act with respect to the private parking area	Not Delegated CEO Only		council

Public Interest Disclosure Act 2018 Responsible Officers

Public Interest Disclosure Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 13	<p>Duties of responsible officers</p> <p>A person designated as a responsible officer of a public sector agency or council for the purposes of this Act must—</p> <p>(a) receive appropriate disclosures of public interest information relating to the agency or council and ensure compliance with this Act in relation to such disclosures; and</p> <p>(b) make appropriate recommendations to the principal officer of the agency or council in relation to dealing with such disclosures; and</p> <p>(c) provide advice to officers and emp</p>	DITS	

Instrument of Delegation under the Real Property Act 1886

Real Property Act 1886				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 223LDA(b)(i)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered to, or is in force, as to the variation or termination of the statutory encumbrance	Not Delegated CEO Only		holder of statutory encumbrance
section 223LH(1)(c)	Issue a certificate certifying the council's consent to the division of land	Not Delegated CEO Only		holder of statutory encumbrance
section 252	Provide the Registrar-General with a map or plan showing particulars of the new street or road vested in the council	Not Delegated CEO Only		council

Instrument of Delegation under the Roads (Opening and Closing) Act 1991

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 4	Make a road process order	DITS		relevant authority
section 5	Commence a road process in relation to a road or a proposed road	DITS		council
section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable inquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	DITS		council
section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the Surveyor-General with the prescribed fee	DITS		council
section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	DITS		relevant authority
section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable inquiry	DITS		relevant authority
section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	DITS		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	DITS		council
section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	DITS		council
section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	DITS		council
section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	DITS		council
section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	DITS		council
section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	DITS		council
section 13(3)	Receiving an objection or application in respect of a proposed road process	DITS		relevant authority
section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications	DITS		relevant authority
section 15(1)	Determine whether or not to make a road process order	DITS		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	DITS		relevant authority
section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	DITS		relevant authority
section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	DITS		relevant authority
section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3	DITS		relevant authority
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	DITS		relevant authority
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land	DITS		relevant authority
section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation	DITS		relevant authority

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	to the proposed road process certified by the chief executive officer of the council			
section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	DITS		council
section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	DITS		council
section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	DITS		relevant authority
section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	DITS		relevant authority
section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	DITS		relevant authority
section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	DITS		relevant authority
section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	DITS		council

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	DITS		council
section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into sperate components	DITS		council
section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	DITS		council
section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	DITS		council
section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	DITS		council
section 33(4)	Sell or otherwise deal with additional land acquired under section 33	DITS		council
section 33(4)	Apply the proceeds from the sale of additional land to defraying expenses incurred by the council in connection with the road opening	DITS		council

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	DITS		council
section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	DITS		council
section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	DITS		council
section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement	DITS		council
section 34B(2)(c)	Make written submissions on the proposal to open or close a road	DITS		council
section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 34G(4)(a)	Give public notice of the proposal, in accordance with the regulations, if the Minister determines that the application under section 34G(1) should be considered	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 34G(4)(b)	Give notice of the proposal to any State authority or council specified by the Minister	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 34G(4)(c)	Give notice of the proposal to the Adelaide Park Lands Authority	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 34G(6)	Forward to the Surveyor-General any representation in relation to the proposal made to the council within the period under section 34G(5) and any response that the council wishes to make in relation to those representations	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 34G(9)	Consult with the Surveyor-General regarding survey plans and other documents to be prepared as required by the Registrar-General	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 34G(9)	Submit survey plans and other documents as required by the Registrar-General to the Minister	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 34G(14)	Provide any documentation required by the Registrar-General to the Registrar-General	Not Delegated CEO Only		Adelaide City Council or council adjoining the City of Adelaide
section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	DITS		relevant authority
section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	DITS		council
section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in the boundary of the road and abutting the land	DITS		council

Instrument of Delegation under the Road Traffic Act 1961

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 17(1)	Install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road	DITS		road authority
section 17(2)	Remove a traffic control device or cause a traffic control device to be removed	DITS		road authority
section 17(3)	Install, display, alter, operate or remove traffic control device: (a) in relation to an area where persons are engaged in work or an area affected by works in progress; (b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or (c) for any temporary purposes.	DITS		road authority
section 17(5)	Apply to the Minister for approval to take action under section 17 of the Road Traffic Act	DITS		road authority
section 18(5)	Comply with a direction of the Minister to install, maintain, alter, operate or remove a traffic control device on, above or near a road	DITS		road authority
section 18(6)	Carry out a direction with which a road authority has failed to comply at the direction of the Minister	DITS		council
section 18(7)	Recover as a debt from a defaulting road authority any expenses incurred in carrying out a direction under section 18(6)	DITS		council

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19(6)	Maintain a traffic control device for which the council is liable to bear the costs in good order	DITS		council
section 19A(3)	Recover any amount due under a requirement under section 19A as a debt	DITS		road authority
section 20(3)	Place speed limit signs on road	DITS		public authority
section 20(4)(b)	Place speed limit signs on road	DITS		public authority
section 20(5)	Close road pursuant to a permit	DITS		public authority
section 20(6)	Apply to the Minister for a road works permit	DITS		public authority
section 20(9)	Apply to the Minister for an extension of time	DITS		public authority
section 20(13)	Engagement of a contractor to undertake works on behalf of the public authority	DITS		public authority
section 20A(1)	Appeal a decision of the Minister under section 17 or section 20 to the District Court	Not Delegated CEO Only		public authority
section 20A(2)	Request the Minister to provide reasons in writing for a decision under section 17 or section 20	DITS		public authority
section 21(2)	Certify that there was not proper authority for the installation or display of a specified sign, signal, marking, structure or other device or	DITS		road authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	thing as a traffic control device on, above or near a specified part of a road			
section 21(3)	Comply with conditions of approval under section 17 or a permit under section 20	DITS		road authority
section 31(2)	Remove any false traffic control device or any device, structure or thing that might constitute a hazard to traffic.	DITS		road authority
section 32(1)	<p>Cause a notice of a proposal to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be:</p> <p>(a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council;</p> <p>(b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal;</p> <p>(c) if the road is a prescribed road, to be given to each affected council; and</p> <p>(e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.</p>	DITS		public authority
section 32(2)	Consider written submissions made	DITS		public authority
section 32(6)	<p>Cause a notice of a decision to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be:</p> <p>(a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council;</p>	DITS		public authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	(b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.			
section 33(2)	Consent to the closure of a road for an event	DITS		council
section 40P(3)	Offer a vehicle for sale by public auction	CO		council
section 40P(4)	Dispose of a vehicle as the council thinks fit	CO		council
section 40P(6)	Make reasonable inquiries to locate the owner of a vehicle	CO		council
section 86(a)	Determine that a ticket must be obtained for parking in a length of road or area without the payment of a fee	DITS		council
section 86(a)	Vary or revoke a determination under section 86(a)	DITS		council
section 163ZC(2)	Apply for a compensation order	DITS		road authority
section 163ZD(2)(c)	Certify that the road authority maintains a road	DITS		road authority
section 163ZD(2)(c)	Certify other matters including:	DITS		road authority

Road Traffic Act 1961				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	(a) estimating the monetary value of all or any part of the road infrastructure or of the damage to it; (b) estimating the cost of remedying the damage; or (c) estimating the extent of the offender's contribution to the damage			
section 163ZE(1)	Serve a certificate referred to in section 163ZD on the defendant	DITS		road authority
section 163ZH(1)(b)	Repay payments under an order to the extent that the order is void	DITS		road authority
section 174A(4)	Issue notice inviting the owner of a vehicle issued with an expiation notice or expiation reminder notice under the Expiation of Offences Act 1996 to provide a statutory declaration setting out the name and address of the driver or the details of the transfer of the vehicle	CO		council
section 174C(1)	Exempt a person or a person of a specified class or any vehicle or any vehicle of a specified class from compliance within the council areas with a prescribed provision of the Road Traffic Act	DITS		council
section 174C(2)	Specify conditions to apply to the granting of an exemption under section 174C(1)	DITS		council

Instrument of sub-delegation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s33(1)	<p>2. Pursuant to the General Approval, the Council sub-delegates to the Chief Executive Officer the power under section 33(1) of the Road Traffic Act to declare an event to be an event to which section 33 of the Road Traffic Act applies and make orders directing:</p> <p>(a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the delegate, should be closed for the purpose of the event) be closed to traffic for a specified period; and</p> <p>(b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the following provisions of the Australian Road Rules:</p> <p>(i) rule 221: using hazard warning lights;</p> <p>(ii) rule 230: crossing a road – general;</p> <p>(iii) rule 231 crossing a road at pedestrian lights;</p> <p>(iv) rule 232: crossing a road at traffic lights;</p> <p>(v) rule 234: crossing a road on or near a crossing for pedestrians;</p> <p>(vi) rule 237: getting on or into a moving vehicle (provided that the speed of the vehicle does not exceed 5 km/h);</p> <p>(vii) rule 238: pedestrians travelling along a road (except in or on a wheeled recreational device or toy);</p> <p>(viii) rule 250: riding on a footpath or shared path;</p> <p>(ix) rule 264: wearing of seat belts by drivers (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(x) rule 265: wearing of seat belts by passengers 16 years old or older (provided that the speed of the vehicle does not exceed 25 km/h);</p>	Not Delegated CEO Only	<p>3. The delegation granted in this instrument is subject to the conditions set out in Clause G of the General Approval and the following conditions:</p> <p>(a) the sub-delegate must ensure that the delegated powers are exercised in accordance with relevant legislative requirements and relevant policies and guidelines adopted by the Council; and</p>

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(xi) rule 266: wearing of seat belt by passengers under 16 years old (provided that the speed of the vehicle does not exceed 25 km/h);</p> <p>(xii) rule 268: how persons must travel in or on a motor vehicle; (provided that the speed of the vehicle does not exceed 25 km/h)</p> <p>(xiii) rule 269: opening doors and getting out of a vehicle etc (provided that the speed of the vehicle does not exceed 5 km/h); and</p> <p>(xiv) rule 298: driving with a person in a trailer (provided that the speed of the vehicle does not exceed 25 km/h).</p>		

**Instrument of authorisation for the purposes of the Instrument of General Approval and Delegation (dated 22 August 2013)
under the Road Traffic Act 1961**

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events Road Traffic Act 1961 (Sections 17, 20 & 33) Minister for Transport and Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sections 17(1) and 17(2)	<p>A. Traffic control devices</p> <p>Install, maintain, alter, operate or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device on, above or near a road which is under the care, control and management of the Council (except those traffic control devices specified in clause A.8 of the General Approval or dealt with in other clauses of the General Approval)</p>	MS, DITS, CS	As set out in clause A of the General Approval
section 20(2)	<p>B. Speed limits at works on roads</p> <p>Place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards a work area or a work site where workers are engaged, or works are in progress at the direction of the Council</p>	MS, DITS, CS	As set out in clause B of the General Approval
section 17(3)	<p>C. Traffic control devices at works on roads</p> <p>Install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Road Traffic Act 1961 or any other Act</p>	MS, DITS, CS	As set out in clause C of the General Approval
section 17(3)	<p>D. Temporary parking controls</p> <p>Install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under the care, control and management of the Council</p>	MS, DITS, CS	As set out in clause D of the General Approval
section 17	<p>F. Grant approval to another road authority</p> <p>Specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the Council area by a road authority on, above or near a road under the care, control and management of the road authority</p>	MS, DITS, CS	As set out in clause F of the General Approval

Instrument of Delegation under the Road Traffic (Miscellaneous) Regulations 2014

Road Traffic (Miscellaneous) Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(2)	Participate in consultation with respect to an event management plan	DITS		council
regulation 7(1)(b)	Participate in consultation with respect to an order to close a road	DITS		council
regulation 8	Provide information supplied by the Minister for the inspection of the public at the office of the council until the event causing a road closure has occurred	DITS		council
regulation 66	Designate an area for parking	Council		council

Instrument of Delegation under the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014

Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 17(2)	Determine for the purposes of rule 185 of the Australian Road Rules: (a) the class of permits required for vehicles to stop in the permit zone; (b) the persons entitled to such permits; (c) any fees to be paid for such permits; (d) the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles)	DITS		council
regulation 17(2)	Vary a determination under regulation 17(2)	DITS		council
regulation 17(3)	Issue for the purposes of rule 185 of the Australian Road Rules permits in respect of the permit zone to persons entitled to them	DITS		council
regulation 17(3)	Determine conditions to apply to permits issued under regulation 17(3)	DITS		council
regulation 22(2)	Determine for the purpose of rule 207(2) of the Australian Road Rules the fees payable for parking in the length of a road or area by operation of a parking ticket-vending machines or parking meter installed or to be installed in or near the length of road or area	DITS		council
regulation 22(2)	Vary a fee determined under regulation 22(2)	DITS		council

Instrument of General Approval and Delegation to Council Use of Traffic Control Devices, Road Closure and Granting of Exemptions for Events

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
A	<p>A. Traffic Control Devices</p> <p>For the purpose of sections 17(1) and (2) of the Act, I grant Council GENERAL APPROVAL to install, maintain, alter, operate, or remove, or cause to be installed, maintained altered, operated, or removed any traffic control device on, above or near a road which is under its care, control and management subject to the following conditions EXCEPT those traffic control devices specified in Clause A.8 or those dealt with in other clauses of this instrument:</p>	Not Delegated CEO Only	
A1	<p>A.1 Authorisation of other Officers</p> <p>Council may authorise any Officer to exercise the powers conferred on it pursuant to Clause A of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approved by the chief Executive Officer on behalf of Council.</p> <p>All actions carried out by any Officer in accordance with Clause A must be done so "for and on behalf of the Council". Records must be kept of any Authorisations made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.</p>	Not Delegated CEO Only	
A2	<p>A.2 Conformity with the Road Traffic Act</p> <p>All traffic control devices used pursuant to Clause A must conform to the requirements of the Act and any Rules and Regulations made under the Act.</p>	Not Delegated CEO Only	
A3	<p>A.3 Conformity with the Australian Standards and the Code</p> <p>All traffic control devices must conform to the requirements of and be installed, maintained, altered, operated or removed in accordance with the applicable Australian Standards, and the provisions contained in the Code and the applicable Australian Standards, as amended from time to time.</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	The Code refers to and invokes the applicable Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.		
A4	<p>A.4 Notification to adjoining Councils</p> <p>Council must notify an adjoining Council before installing, altering or removing a traffic control device on a road that runs into or intersects with, or is otherwise likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of another Council.</p> <p>Where a Council uses a traffic control device to effect section 32 of the Act, that is, closing a road for traffic management purposes, and the road runs into the area or along the boundary of another Council, each affected Council must concur with the road closure or part road closure.</p>	Not Delegated CEO Only	
A5	<p>A.5 Notification to the Commissioner of Highways</p> <p>Council must notify the Commissioner of Highways before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of the Commissioner of Highways.</p>	Not Delegated CEO Only	
A6	<p>A.6 Consultation on traffic signals</p> <p>If Council wishes the Commissioner of Highways to maintain Council's:</p> <ul style="list-style-type: none"> (a) traffic signals at intersections; (b) emergency services traffic signals; (c) mid-block traffic signals (pedestrian actuated crossings); (d) signals at Koala crossings; or (e) signals at Wombat crossings with flashing lights, . 	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	then Council must consult with the Commissioner of Highways when proposing install the said signals for the purpose of standardising the equipment and establishing a uniform maintenance program.		
A7	<p>A.7 Traffic impact Statement</p> <p>Before any traffic control device is installed, altered or removed, a Traffic Impact Statement must be prepared by a person, who in the Council's opinion is an experienced traffic engineering practitioner.</p> <p>The Traffic Impact Statement must be endorsed by a person authorised by Council.</p> <p>The Traffic Impact Statement summarises the investigations undertaken to justify the installation, alteration or removal of traffic control devices and must address road safety issues and the traffic management effects for all road users, including cyclists and pedestrians. It need not be a lengthy document. The Code provides further guidance on the preparation of Traffic Impact Statements.</p> <p>A Traffic Impact Statement is not required for the installation, alteration or removal of traffic control devices on road-related areas that do not constitute a public place.</p>	Not Delegated CEO Only	
A8	<p>A.8 Traffic control devices requiring separate approval</p> <p>General approval does not apply to those traffic control devices:</p> <p>(a) specifically listed in the Code requiring separate approval; or</p> <p>(b) not contained in or referred to in the Australian Standards or the Code; or</p> <p>(c) not complying with clause 8.3.</p> <p>Council must obtain separate approval to install, maintain, alter, operate or remove, or cause to be installed, altered, operated or removed, any traffic control device specified in this clause.</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council must address applications for approval under this clause to the Commissioner of Highways who will consider the application as the Minister's delegate. The application must include a Traffic Impact Statement, any plans, and relevant supporting documentation.		
B	<p>B. Speed Limits at Works on Roads</p> <p>For the purpose of section 20(2) of the Act, I grant Council GENERAL APPROVAL to place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards</p> <p>* a work area; or</p> <p>* a work site</p> <p>where workers are engaged, or works are in progress at the direction of Council, subject to the following conditions:</p>	Not Delegated CEO Only	
B1	<p>B.1 Authorisation of other Officers</p> <p>Council may authorise any Officer to exercise the powers conferred on it pursuant to Clause B of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council.</p> <p>All actions carried out by that Officer in accordance with Clause B must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.</p>	Not Delegated CEO Only	
B3	<p>B.3 Conformity with the Road Traffic Act</p> <p>The maximum speed to be indicated by signs must be in accordance with section 20 of the Act</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
B4	<p>B.4 Conformity with the SA Standards</p> <p>All traffic control devices must conform to the requirements of and be installed in accordance with the provisions contained in the SA Standards.</p>	Not Delegated CEO Only	
B5	<p>B.5 Persons who may act on behalf of Council</p> <p>For the purposes of this clause, the following people may act on behalf of Council:</p> <p>(a) an employee of Council; or</p> <p>(b) an employee of a contractor or sub-contractor engaged to carry out works on a road on behalf of Council.</p>	Not Delegated CEO Only	
B6	<p>B.6 Training and Accreditation</p> <p>At all times when a worker is present at a work area or work site at least one worker must:</p> <p>* have gained accreditation in the DPTI. Workzone Traffic Management Training Program; and</p> <p>* carry a card or certificate certifying accreditation in this course when engaged at a work area or work site; and</p> <p>* have undertaken re-training in the DPTI Workzone Traffic Management Training Program within the last 3 years,</p>	Not Delegated CEO Only	
B7	<p>B.7 Record Keeping</p> <p>Any person acting on behalf of Council pursuant to Clause B must comply with the SA Standards that outline the procedures and guidelines for record keeping required for the overall safety and smooth operation of a traffic guidance scheme.</p>	Not Delegated CEO Only	
C	<p>C. Traffic Control Devices at Works on Roads</p> <p>For the purposes of sub-section 17(3) of the Act, I grant Council GENERAL APPROVAL to install, display, alter, operate, or remove, any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	relation to part of a road temporarily closed to traffic under this Act or any other Act. This approval is subject to the following conditions:		
C1	<p>C. 1 Authorisation of other Officers</p> <p>Council may authorise any Officers to exercise the powers conferred on it pursuant to Clause C of this Instrument. Any Authorisations to any officer must be by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause C must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.</p>	Not Delegated CEO Only	
C2	<p>C.2 Conformity with the Road Traffic Act</p> <p>All traffic control devices must conform to the requirements of, and be installed, displayed, altered, operated or removed in accordance with the Act and any Rules and Regulations made under the Act.</p>	Not Delegated CEO Only	
C3	<p>C.3 Conformity with the Code, and SA Standards</p> <p>All traffic control devices must conform to the requirements of and be installed, displayed, altered, operated or removed in accordance with the provisions contained in the Code, the SA Standards and the applicable Australian Standards.</p>	Not Delegated CEO Only	
C4	<p>C.4 Persons who may act on behalf of Council</p> <p>For the purposes of this clause, the following people may act on behalf of Council:</p> <p>(a) an employee of Council; or</p> <p>(b) an employee of a, contractor or sub-contractor engaged to carry out works on a road on behalf of Council.</p>	Not Delegated CEO Only	
C5	<p>C.5 Training and Accreditation</p> <p>At all times when a worker is present in an area where persons are engaged in work or an area affected by works in progress at least one worker must:</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>*have gained accreditation in the DPTI Workzone Traffic Management Training Program; and</p> <p>*carry a card or certificate certifying accreditation in this course when engaged at a work area or work site; and</p> <p>*have undertaken re-training in the DPTI Workzone Traffic Management Training program within the last 3 years.</p>		
C6	<p>C.6 Record Keeping</p> <p>Any person acting on behalf of Council pursuant to Clause C must comply with the SA Standards that outline the procedures and guidelines for record keeping required for the overall safety and smooth operation of a traffic guidance scheme.</p>	Not Delegated CEO Only	
D	<p>D. Temporary Parking Controls</p> <p>For the purpose of sub-section 17(3) of the Act, I grant Council GENERAL APPROVAL to install, display, alter, operate, or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under its care, control and management, subject to the following conditions:</p>	Not Delegated CEO Only	
D1	<p>D.1 Authorisation of other Officers</p> <p>Council may authorise any Officers to exercise the powers conferred on it pursuant to Clause D of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approve by the Chief Executive Officer on behalf of Council.</p> <p>All actions carried out by that Officer in accordance with Clause D must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.</p>	Not Delegated CEO Only	
D2	<p>D.2 Conformity with the Act</p> <p>All temporary parking controls must conform with the requirements of, and be installed, displayed, altered, operated or removed in</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	accordance with the Act and any Rules and Regulations made under the Act.		
D3	<p>D.3 Conformity with Australian Standards and the Code</p> <p>All temporary parking controls must conform to the requirements and be installed, displayed, altered, operated or removed in accordance with the provisions contained in any applicable Australian Standards and the Code.</p> <p>The Code refers to and invokes the Australian Standards, The Code must be read together with, but takes precedence over, all applicable Australian Standards.</p>	Not Delegated CEO Only	
D4	<p>D.4 Information on Signs</p> <p>A temporary parking control used in accordance with Clause D must display the words "TEMPORARY PARKING CONTROL" in a prominent position.</p>	Not Delegated CEO Only	
D5	<p>D.5 Limitation of Temporary Parking Controls</p> <p>A temporary parking control used in accordance with Clause D cannot have effect for a period exceeding 35 days.</p>	Not Delegated CEO Only	
D6	<p>D.6 Records of Temporary Parking Controls</p> <p>Council must keep records of any use of temporary parking controls.</p>	Not Delegated CEO Only	
E	<p>E. TRAFFIC CONTROL DEVICES FOR EVENTS</p> <p>For the purposes of section 17 of the Act, I grant Council GENERAL APPROVAL to install, maintain, alter, operate or removed, or cause to be installed, maintained altered, operated, or removed, a traffic control device for the purpose of an event other than those specified in Clause A.8 of this Instrument, on, above or near a road which is under its care, control and management subject to the following conditions:</p>	Not Delegated CEO Only	
E1	E.1. Conformity with the Road Traffic Act	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	All traffic control devices used pursuant to Clause E of this Instrument must conform to the requirements of the Act, and any Rules and Regulations made under the Act.		
E2	<p>E.2. Conformity with Plan</p> <p>All traffic control devices must be installed in accordance with a Traffic Management Plan prepared by a person who in the opinion of the Council has an appropriate level of knowledge and expertise in the preparation of traffic management plans.</p> <p>Council need not comply with Clause A.7 of this Instrument where using a traffic control device for the purpose of an event.</p>	Not Delegated CEO Only	
E3	<p>E.3. Notification to adjoining Councils</p> <p>Council must notify an adjoining Council before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic (including its flow, speed and composition) on a road that is under the care, control and management of another Council.</p>	Not Delegated CEO Only	
E4	<p>E.4 Notification to the Commissioner of Highways</p> <p>Council must notify the Commissioner of Highways before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of the Commissioner of Highways.</p>	Not Delegated CEO Only	
	<p>INSTRUMENT OF DELEGATION,</p> <p>I, Tom Koutsantonis, Minister for Transport and Infrastructure in the State of South Australia,' pursuant to section 11 of the Road Traffic Act 1967 ("the Act") hereby DELEGATE the powers as detailed to the following clauses -</p>	Not Delegated CEO Only	
F	<p>F. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY</p> <p>I DELEGATE to Council the power conferred on the Minister pursuant to section 17 of the Act to SPECIFICALLY APPROVE the installation,</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>maintenance, alteration, operation or removal of a traffic control device in the municipality or district of Council by a road authority on, above or near a road under the care, control and management of the said road authority subject to the following conditions:</p>		
F1	<p>F.1 Sub-Delegation and Authorisation to other Officers</p> <p>This delegation cannot be sub-delegated without my express approval. Council may, however, authorise any officers to exercise the powers conferred on Council pursuant to Clause F of this Instrument.</p> <p>Any Authorisations to any Officer should be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that officer in accordance with Clause F must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause.</p>	Not Delegated CEO Only	
F2	<p>F.2 Conformity with the Road Traffic Act</p> <p>All traffic control devices used pursuant to Clause F of this Instrument must conform to the requirements of the Act, and any Rules and Regulations made under the Act.</p>	Not Delegated CEO Only	
F3	<p>F.3 Conformity with the Australian Standards and the Code</p> <p>All traffic .control devices must conform to the requirements of and be installed, maintained, altered, operated or removed in accordance with the provisions contained in the applicable Australian standards and the Code.</p> <p>The Code refers to and invokes the Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.</p>	Not Delegated CEO Only	
F4	<p>F.4 Power of approval subject to same Conditions in Clause A</p> <p>The power of Council 'to grant approvals under Clause F is subject to the same conditions that apply to Council under Clause A where Council itself is the road authority.</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
F5	<p>F.5 Record Keeping</p> <p>Council must keep accurate records of any approval granted to another road authority pursuant to Cause F of this Instrument.</p>	Not Delegated CEO Only	
G	<p>G. CLOSE ROADS AND GRANT EXEMPTIONS FOR EVENTS</p> <p>I DELEGATE to Council my power in sub-section 33(1) of the Act to declare an event to be an event to which section 33 applies and make orders directing:</p> <p>(a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Council, should be closed for the purposes of the event) be closed to traffic for a specified period; and</p> <p>(b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 subject to the conditions in Clause G.5</p>	Not Delegated CEO Only	
G1	<p>G.1 Sub-Delegation to other Officers</p> <p>Council may sub-delegate the power delegated to Council pursuant to Clause G of this</p> <p>Instrument subject to the following conditions:</p> <p>1. Council may only sub-delegate the power to the person for the time being occupying the position of Chief Executive Officer of Council; and</p> <p>2. Any such sub-delegation must be made by instrument in writing by Council resolution; and</p> <p>3. The sub-delegate cannot direct the closure of a road or and grant an exemption for an event on a road that runs into or intersects with, or is otherwise likely to affect traffic (including its flow, speed and composition) on a road that is under the care, control and management of another Council or the Commissioner for Highways; and</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>4. Council's sub-delegate is subject to all conditions that are imposed on Council under Clause G, in relation to the closure of a road or the grant of an exemption for an event; and</p> <p>5. Council may impose any other conditions deemed necessary on its sub-delegate in relation to the closure of a road or the grant of an exemption for an event; and</p> <p>6. Council cannot authorise any other person to exercise the powers conferred on Council, pursuant to G of this Instrument.</p>		
G2	<p>G.2 Roads and Road-Related Areas to which Delegation Applies</p> <p>Council may only exercise the powers of the Minister in sub-section 33(1) of the Act with respect to a road under its care, control and management.</p>	Not Delegated CEO Only	
G3	<p>G.3 Conformity with the Road Traffic Act Council when exercising the powers of the Minister in sub-section 33(1) of the Act must comply with the requirements of section 33 of the Act.</p>	Not Delegated CEO Only	
G4	<p>G.4 Exemption from Australian Road Rules</p> <p>Council can only grant exemptions from the following Australian Road Rules and subject to the conditions listed in Clause G.5:</p> <ol style="list-style-type: none"> 1. Rule 221 : Using hazard warning lights; 2. Rule 230: Crossing a road - general; 3. Rule 231: crossing a road at pedestrian lights; 4. Rule 232: Crossing a road at traffic lights; 5. Rule 234: Crossing a road on or near a crossing for pedestrians; 	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>6. Rule 237: Getting on or into a moving vehicle;</p> <p>7. Rule 238: Pedestrians travelling along a road (except in or on a wheeled recreational device or toy);</p> <p>8. Rule 250: Riding on a footpath or shared path;</p> <p>9. Rule 264: Wearing of seat belts by drivers;</p> <p>10. Rule 265: Wearing of seat belts by passengers 16 years old or older;</p> <p>11. Rule 266: Wearing of seat belts by passengers under 16 years old;</p> <p>12. Rule 268: How persons must travel in or on a motor vehicle;</p> <p>13. Rule 269: Opening doors and getting out of a vehicle etc;</p> <p>14. Rule 298: Driving with a person in a trailer.</p>		
G5	<p>G.5 Conditions on Exemptions from Australian Road Rules</p> <p>Council may only grant exemption from the following Australian Road Rules provided any such exemption contains the following minimum conditions:</p> <p>1. Rule 237: Getting on or into a moving vehicle - provided the speed of the vehicle does not exceed 5 km/h;</p> <p>2. Rule 264: Wearing of seat belts by drivers - provided the speed of the vehicle does not exceed 25 km/h;</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3. Rule 265: Wearing of seat belts by passengers 16 years old or older - provided the speed of the vehicle does not exceed 25 km/h;</p> <p>4. Rule 266: Wearing of seat belts by passengers under 16 years old - provided the speed of the vehicle does not exceed 25 km/h;</p> <p>5. Rule 268: How persons must travel in or on a motor vehicle - 'provided the speed of the vehicle does not exceed 25 km/h;</p> <p>6. Rule 269: Opening doors and getting out of a vehicle etc - provided the speed of the vehicle does not exceed 5 km/h;</p> <p>7. Rule 298: Driving with a person in a trailer - provided the speed of the vehicle does not exceed 25 km/h;</p>		
G6	<p>G.6 Notification to Commissioner of Highways</p> <p>Council must notify the Commissioner of Highways of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.</p>	Not Delegated CEO Only	
G7	<p>G.7 Notification to Emergency Services and Public Transport Services Division</p> <p>Council must notify the SA Metropolitan Fire Service, SA Country Fire Service, SA State Emergency Service, the SA Ambulance Service and the Public Transport services Division of the Department of Planning, Transport and Infrastructure ("DPTI") as appropriate, of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.</p>	Not Delegated CEO Only	
G8	<p>G.8 Notification to Traffic Management Centre, Metropolitan Region</p> <p>Where an event requires intervention by DPTI to ensure the safe and efficient conduct and movement of traffic, Council must ensure that it or the event organiser contacts the Traffic Management Centre, Metropolitan Region (ph: 1800 018 313) no less than 15 minutes prior to the commencement of the event and immediately upon completion of the need for such intervention.</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
G9	<p>G-9 Notification to Commissioner of Police</p> <p>Council must notify the Commissioner of Police of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.</p>	Not Delegated CEO Only	
G10	<p>G.10 Agreement of Commissioner of Police -</p> <p>If Council proposes to make an order under sub-section 33(1) that involves any motor vehicular traffic, Council must first obtain the agreement of the Commissioner of Police before making an order that exempts a person from any of the following Australian Road Rules: 230,231, 232,234 and 238.</p>	Not Delegated CEO Only	
G11	<p>G.11 Use of Advance Warning Signs</p> <p>Where the event will significantly and/or adversely affect a road which is under the care, control and management of the Commissioner of Highways, Council must ensure that the event organisers place advance warning notification signs on the affected roads. The signs must clearly indicate to the public the times and dates of the temporary road closure.</p>	Not Delegated CEO Only	
G12	<p>G.12 Effect on Roadside Furniture</p> <p>Where an event affects any roadside furniture owned or maintained by the Commissioner of Highways or road markings, Council must ensure that it or the event organiser reinstates such furniture or markings to its original condition.</p>	Not Delegated CEO Only	
H	<p>H. DEFINITION OF TERMS</p> <p>For the purposes of this Instrument, unless a contrary intention appears:</p> <p>Words defined in section 5 of the Act have the same meaning as in the instrument.</p> <p>A reference to a mad includes a reference to a road-related area unless it is otherwise expressly stated.</p>	Not Delegated CEO Only	

Road Traffic Act 1961			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Council means a council constituted under the Local Government Act 1999;</p> <p>Code means the Cede of Technical Requirements, as amended from time to time (formerly known as the Code of Technical Requirements for the Legal Use of Traffic Control Devices);</p> <p>Event means event as defined in section 33 of the Road Traffic Act 1961 namely an organised sporting, recreational, political, artistic cultural or other activity, and includes a street party;</p> <p>Officer means Council employee</p> <p>SA Standards means the Department of Planning, Transport and Infrastructure's SA Standard for Workzone Traffic Management;</p> <p>Work area means work area as defined in section 20(1) of the Act, namely a portion of road on which workers are, or may be, engaged;</p> <p>Work site means a portion of road, affected by works in progress, together with any additional portion of road used to regulate traffic in relation to those works or for any associated purpose.</p> <p>I. FUTURE VARIATIONS TO THIS INSTRUMENT</p> <p>This Instrument may be revoked or varied by a subsequent Instrument in writing.</p> <p>Hon Tom Koutsantonis MP</p> <p>MINISTER FOR TRANSPORT AND INFRASTRUCTRE</p> <p>Dated this 22 day of August 2013</p>		

Instrument of Delegation under the South Australian Public Health Act 2011

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18(2)	Provide a report as required by the Minister on any matter relevant to the administration or operation of the Act	CDM, EHO		designated authority
section 22(2)	Respond to a request from the Chief Public Health Officer under section 22(1)	CDM, EHO		public authority
section 36	Enter an arrangement with the South Australian Public Health Council for the use of the staff, equipment or facilities of the council	Not Delegated CEO Only		public authority
section 37(2)(a)	Take action to preserve, protect and promote public health in the council area	EHO		local public health authority
section 37(2)(b)	Cooperate with other authorities involved in the administration of the Act	EHO		local public health authority
section 37(2)(c)	Ensure that adequate sanitation measures are in place in the council area	EHO		local public health authority
section 37(2)(d)	Implement adequate measures in the council area (insofar as reasonably practicable) to ensure that activities do not adversely affect public health	EHO		local public health authority
section 37(2)(e)	Identify risks to public health within the council area	EHO		local public health authority
section 37(2)(f)	Take remedial action to reduce or eliminate adverse impacts or risks to public health	EHO		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 37(2)(g)	Assess activities and development, or proposed activities or development, within the council area in order to determine and respond to public health impacts (or potential public health impacts)	EHO		local public health authority
section 37(2)(h)	Provide, or support the provision of, educational information about public health and to provide or support activities within the council area to preserve, protect or promote public health	EHO		local public health authority
section 38(1)	Provide, or support the provision of, immunisation programs within the council area	EHO		local public health authority
section 39(1)	Act in conjunction or partnership with , or cooperate or coordinate the council's activities, with one or more other councils	EHO		local public health authority
section 39(3)	Furnish a written report to the Chief Public Health Officer responding to a request from the Chief Public Health Officer to cooperate with one or more other councils	EHO		local public health authority
section 40(2)	Participate in consultation with the Chief Public Health Officer regarding the Chief Public Health officer exercising powers of the council under the Act	EHO		local public health authority
section 41(1)	Participate in consultation with the Minister regarding the Minister's opinion that the council has failed to perform a function under the Act	EHO		local public health authority
section 41(6)(a)(ii)	Make submissions to the Minister regarding the proposed withdrawal of council powers under the Act	EHO		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 42(1)	Request that a function of the council under the Act be performed by the Chief Public Health Officer	EHO		local public health authority
section 42(10)	Enter into an agreement with the Chief Public Health Officer	EHO		local public health authority
section 42(11)	Request that a notice issued by the Minister under section 42(4) vesting a council function in the Chief Public Health Officer be varied or revoked	EHO		local public health authority
section 42(11)	Participate in consultation the Minister regarding the proposed variation or revocation of the vesting of a council function in the Chief Public Health Officer	EHO		local public health authority
section 44(1)	Appoint a suitably qualified person as a local authorised officer	Not Delegated CEO Only		local public health authority
section 44(2)	Impose conditions on the appointment of a local authorised officer	Not Delegated CEO Only		local public health authority
section 44(4)	Issue directions to a local authorised officer	Not Delegated CEO Only		local public health authority
section 44(6)	Vary or revoke the appointment of a local authorised officer	Not Delegated CEO Only		local public health authority
section 44(7)	Notify the Chief Public Health Officer of an appointment or the revocation of an appointment of a local authorised officer	Not Delegated CEO Only		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 46(1)	Issue an identity card of a local authorised officer	Not Delegated CEO Only		local public health authority
section 49(1)	Require a person to furnish information relating to public health as may be reasonably required for the purposes of the Act	EHO		local public health authority
section 51(1)	Prepare and maintain a regional public health plan	Not Delegated CEO Only		local public health authority
section 51(10)	Amend a regional public health plan	Not Delegated CEO Only		local public health authority
section 51(11)(a)	Prepare a draft regional public health plan	Not Delegated CEO Only		local public health authority
section 51(11)(b)(i)	Provide a copy of a draft regional public health plan to the Minister, any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region, any relevant public health partner authority and any other prescribed body or group	Not Delegated CEO Only		local public health authority
section 51(11)(b)(ii)	Consult with the public in regard to a draft regional public health plan	Not Delegated CEO Only		local public health authority
section 51(12)	Participate in consultation with the Minister, or any other person or body specified by the Minister, before releasing a draft regional health plan under section 51(12)	Not Delegated CEO Only		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 51(13)	Submit a regional public health plan to the Chief Public Health Officer for consultation before bringing the plan into operation	CDM		local public health authority
section 51(15)	Take into account any comments of the Chief Public Health Officer, South Australian Public Health Council and any other body determined by the Chief Public Health Officer	CDM		local public health authority
section 51(16)	Adopt a regional public health plan either with or without amendment	CDM		local public health authority
section 51(17)	Incorporate a regional public health plan into the councils strategic management plan under the Local Government Act 1999	CDM		local public health authority
section 51(19)	Review a regional public health plan at least every 5 years	CDM		local public health authority
section 52(1)	Prepare a report to the Chief Public Health Officer that contains a comprehensive assessment of the extent to which the council has in the reporting period succeeded in implementing its regional public health plan	CDM		local public health authority
section 64(3)	Receive a report from the Chief Public Health Officer regarding a suspected death from a notifiable condition in the council area	EHO		local public health authority
section 65(a)	Receive a report from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area and any problems or issues caused by or arising on account of such diseases of medical conditions in the council area	EHO		local public health authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 65(b)	Receive information from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area that constitutes, or may constitute, a threat to public health	EHO		local public health authority
section 66(6)	Recover costs and expenses reasonably incurred in an authorised officer taking action in accordance with a direction or requirement issued under section 66(1) which has not been complied with by the person subject to the direction or requirement	EHO		local public health authority
section 66(9)	Take action reasonably open to the council to prevent the spread of a disease constituting a notifiable condition	EHO		local public health authority
section 92(1)	Issue a notice for the purpose of securing compliance with the Act or averting, eliminating or minimising a risk, or a perceived risk, to public health	BO, EHO, CO		relevant authority
section 92(2)(b)	Give a preliminary notice to a person to whom it is proposed that a notice under section 91(1) will be given	BO, EHO, CO		relevant authority
section 92(8)	Confirm an emergency notice given by an authorised officer under section 92(6)	BO, EHO, CO		relevant authority
section 92(9)	Vary or revoke a notice issued by the council under section 92	BO, EHO, CO		relevant authority
section 93(1)	Take action required by a notice issued under Part 12 if the requirements of the notice have not been fulfilled	BO, EHO, CO		relevant authority

South Australian Public Health Act 2011				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 93(2)	Authorise a person to take action on behalf of the council under section 93(1)	BO, EHO, CO		relevant authority
section 93(3)	Enter any relevant premises at any reasonable time to take action under section 93	BO, EHO, CO		relevant authority
section 93(4)	Recover the reasonable costs and expenses incurred by the council in taking action under section 93 from the person who failed to comply with the requirements of the notice	BO, EHO, CO		relevant authority
section 93(5)	Fix a period from the date of a notice issued under section 93 within which an amount under section 93(4) must be paid	BO, EHO, CO		relevant authority
section 94(5)(b)	Recover the reasonable costs and expenses of a local authorised officer taking action under section 94 from any person who caused the risk to which the action relates	EHO		local public health authority
section 96(5)	Apply to the South Australian Civil and Administrative tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the outcome of review proceedings by the Review panel under section 95	EHO		local public health authority
section 96(5)	Participate as a party to proceedings under section 96	EHO		relevant authority

SA South Australian Public Health Act 2011 (Covid-19)

South Australian Public Health Act 2011 (Covid-19)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s44(1)	<p>1. Local Authorised Officers</p> <p>1.1 The power pursuant to Section 44(1) of the South Australian Public Health Act 2011 (the Act), subject to Section 45 of the Act, to, by instrument in writing, appoint a suitably qualified person to be a local authorised officer.</p>	Not Delegated CEO Only	
s44(2)	<p>1. Local Authorised Officers</p> <p>1.2 The power pursuant to Section 44(2) of the Act to make an appointment under Section 44 subject to such conditions or limitations as the Delegate thinks fit.</p>	Not Delegated CEO Only	
s44(4)	<p>1. Local Authorised Officers</p> <p>1.3 The power pursuant to Section 44(4) of the Act to direct a local authorised officer.</p>	Not Delegated CEO Only	
s44(6)	<p>1. Local Authorised Officers</p> <p>1.4 The power pursuant to Section 44(6) of the Act to vary or revoke an appointment at any time.</p>	Not Delegated CEO Only	
s44(7)	<p>1. Local Authorised Officers</p> <p>1.5 The power pursuant to Section 44(7) of the Act to notify the Chief Public Health Officer in accordance with Section 44(8) of the Act, if the Council or the Delegate:</p> <p>1.5.1 makes an appointment under Section 44 of the Act; or</p> <p>1.5.2 revokes an appointment under Section 44 of the Act.</p>	Not Delegated CEO Only	
s44(9)	<p>1. Local Authorised Officers</p> <p>1.6 The power pursuant to Section 44(9) of the Act to determine the number of local authorised officers who should be appointed for the Council's area and in determining the number of local authorised officers who should be appointed for the Council's area, take into</p>	Not Delegated CEO Only	

South Australian Public Health Act 2011 (Covid-19)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	account any policy developed by the Chief Public Health Officer for the purposes of Section 44 of the Act.		
s46(1)	<p>2. Identity Cards</p> <p>2.1 The power pursuant to Section 46(1) of the Act to issue in accordance with Section 46(2) of the Act to an authorised officer appointed under the Act an identity card in a form approved by the Chief Public Health Officer:</p> <p>2.1.1 containing the person's name and a photograph of the person; and</p> <p>2.1.2 stating that the person is an authorised officer for the purposes of the Act; and</p> <p>2.1.3 setting out the name or office of the issuing authority.</p>	Not Delegated CEO Only	
s92(1)	<p>3. Notices</p> <p>3.1 The power pursuant to Section 92(1) of the Act and subject to Sections 92(2), (3), (4), (5) and (12) of the Act to issue a notice for the purpose of:</p> <p>3.1.1 securing compliance with a requirement imposed by or under the Act (including the duty under Part 6 or a requirement imposed under a regulation or a code of practice under the Act); or</p> <p>3.1.2 averting, eliminating or minimising a risk, or a perceived risk, to public health.</p>	Not Delegated CEO Only	
s92(2)	<p>3. Notices</p> <p>3.2 The power pursuant to Section 92(2) of the Act and subject to Section 92(12) of the Act, to, before issuing a notice to secure compliance with the general duty under Part 6 of the Act:</p> <p>3.2.1 have regard to:</p> <p>3.2.1.1 the number of people affected, or potentially affected, by the breach of the duty;</p> <p>3.2.1.2 the degree of harm, or potential degree of harm, to public health on account of the breach of the duty;</p>	Not Delegated CEO Only	

South Australian Public Health Act 2011 (Covid-19)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>1.1.1.1 any steps that a person in breach of the duty has taken, or proposed to take, to avoid or address the impact of the breach of the duty,</p> <p>and such other matters as the Delegate thinks fit; and</p> <p>3.2.2 subject to Section 92 of the Act, give the person to whom it is proposed that the notice be given a preliminary notice in writing:</p> <p>3.2.2.1 stating the proposed action, including the terms of the proposed notice and the period within which compliance with the notice will be required; and</p> <p>3.2.2.2 stating the reasons for the proposed action; and</p> <p>3.2.2.3 inviting the person show, within a specified time (of a reasonable period), why the proposed action should not be taken (by making representations to the Delegate or a person nominated to act on behalf of the Council).</p>		
s92(2)(b)(iii)	<p>3. Notices</p> <p>3.3 The power pursuant to Section 92(2)(b)(iii) of the Act to nominate a person to act on behalf of the Council.</p>	Not Delegated CEO Only	
s92(3)	<p>3. Notices</p> <p>3.4 The power pursuant to Section 92(3) of the Act to, in a case where Section 92(2)(b) of the Act applies, after considering representations made within the time specified under Section 92(2)(b) of the Act:</p> <p>3.4.1 issue a notice in accordance with the terms of the original proposal; or</p> <p>3.4.2 issue a notice with modifications from the terms of the original proposal; or</p> <p>3.4.3 determine not to proceed further under Section 92.</p>	Not Delegated CEO Only	
s92(4)	<p>3. Notices</p> <p>3.5 The power pursuant to Section 92(4) of the Act to:</p> <p>3.5.1 not give notice under Section 92(2)(b) of the Act if the Delegate considers that urgent or immediate action is required in the circumstances of the particular case; and</p>	Not Delegated CEO Only	

South Australian Public Health Act 2011 (Covid-19)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	3.5.2 not give further notice before issuing a notice with modifications under Section 92(3)(b) of the Act.		
s92(5)	<p>3. Notices</p> <p>3.6 The power pursuant to Section 92(5) of the Act issue a notice under Section 92 of the Act:</p> <p>3.6.1 in the form of a written notice served on the person to whom it is issued; and</p> <p>3.6.2 specifying the person to whom it is issued (whether by name or by a description sufficient to identify the person); and</p> <p>3.6.3 directing 2 or more persons to do something specified in the notice jointly; and</p> <p>3.6.4 without limiting any other provision, in the case of a notice that relates to the condition of any premises, to any person who:</p> <p>3.6.4.1 is the owner or occupier of the premises; or</p> <p>3.6.4.2 has the management or control of the premises; or</p> <p>3.6.4.3 is the trustee of a person referred to in Section 92(5)(i) or (ii) of the Act or is managing the affairs of such a person on some other basis; and</p> <p>3.6.5 stating the purpose for which the notice is issued and giving notice of the requirement or the risk to which it relates; and</p> <p>3.6.6 imposing any requirement reasonably required for the purpose for which the notice is issued including 1 or more of the following:</p> <p>3.6.6.1 a requirement that the person discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from a relevant authority;</p> <p>3.6.6.2 a requirement that the person not carry on a specified activity except at specified times or subject to specified conditions;</p> <p>3.6.6.3 a requirement that the person take specified action in a specified way, and within a specified period or at specified times or in specified circumstances;</p> <p>3.6.6.4 a requirement that the person take action to prevent, eliminate, minimise or control any specified risk to public health, or to control any specified activity;</p>	Not Delegated CEO Only	

South Australian Public Health Act 2011 (Covid-19)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>3.6.6.5 a requirement that the person comply with any specified code or standard prepared or published by a body or authority referred to in the notice;</p> <p>3.6.6.6 a requirement that the person undertake specified tests or monitoring;</p> <p>3.6.6.7 a requirement that the person furnish to a relevant authority specified results or reports;</p> <p>3.6.6.8 a requirement that the person prepare, in accordance with specified requirements and to the satisfaction of the relevant authority, a plan of action to secure compliance with a relevant requirement or to prevent, eliminate, minimise or control any specified risk to public health;</p> <p>3.6.6.9 a requirement prescribed under or for the purposes of the regulations; and</p> <p>3.6.7 stating that the person may, within 14 days, apply for a review of the notice under the provisions of the Act.</p>		
s92(9)	<p>3. Notices</p> <p>3.7 The power pursuant to Section 92(9) of the Act by written notice served on a person to whom a notice under Section 92 of the Act has been issued by the Delegate or the Council, vary or revoke the notice.</p>	Not Delegated CEO Only	
s92(15)	<p>3. Notices</p> <p>3.8 The power pursuant to Section 92(15) of the Act to, not comply with any other procedure, or hear from any other person, except as provided by Section 92 of the Act before the Delegate issues a notice under Section 92 of the Act.</p>	Not Delegated CEO Only	
s93(1)	4. Action on Non-compliance with Notice	EHO	

South Australian Public Health Act 2011 (Covid-19)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	4.1 The power pursuant to Section 93(1) of the Act if the requirements of a notice under Part 12 of the Act are not complied with, to take any action required by the notice.		
s93(2)	4. Action on Non-compliance with Notice 4.2 The power pursuant to Section 93(2) of the Act to authorise a person for the purpose of taking action on the Council's behalf under Section 93(1) of the Act.	EHO	
s93(4)	4. Action on Non-compliance with Notice 4.3 The power pursuant to Section 93(4) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 93 of the Act as a debt from the person who failed to comply with the requirements of the notice.	EHO	
s93(5)	4. Action on Non-compliance with Notice 4.4 The power pursuant to Section 93(5) of the Act, if an amount is recoverable from a person by the Council under Section 93, to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	EHO	

Instrument of Delegation under the South Australia Public Health (General) Regulations 2013

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5B(2)	Deliver a notice to the Registrar-General setting out the amount recoverable under section 93 of the South Australian Public Health Act, setting out the land in relation to which the relevant action was taken and requesting the registrar-General to make a notation under regulation 5B in relation to the relevant land	EHO		local public health authority
regulation 5B(7)	Recover an amount under section 93 of the South Australian Public Health Act as if it were a rate constituting a charge on land under section 144(2) of the Local Government Act	EHO		local public health authority
regulation 8(1)	Operate and maintain a public pool in accordance with regulation 8(1)	BO, TOPA		public pool/spa pool operator
regulation 8(2)	Take prescribed steps to monitor compliance with regulation 8(1)	BO, TOPA		public pool/spa pool operator
regulation 8(3)	Maintain records made under regulation 8(2)	BO, TOPA		public pool/spa pool operator
regulation 8(4)	Close public pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	BO, TOPA		public pool/spa pool operator
regulation 9(1)	Operate and maintain a public spa pool in accordance with regulation 9(1)	BO, TOPA		public pool/spa pool operator

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(2)	Take prescribed steps to monitor compliance with regulation 9(1)	BO, TOPA		public pool/spa pool operator
regulation 9(3)	Maintain records made under regulation 9(2)	BO, TOPA		public pool/spa pool operator
regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	BO, TOPA		public pool/spa pool operator
regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee	BO, TOPA		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013
regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction	BO, TOPA		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013

Instrument of Delegation under the South Australia Public Health (Legionella) Regulations 2013

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system	EHO		relevant authority
regulation 5(3)	Receive fee for registration of a high risk manufactured water system	EHO		relevant authority
regulation 5(3)	Register a high risk manufactured water system	EHO		relevant authority
regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system	EHO		relevant authority
regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system	EHO		relevant authority
regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system	EHO		relevant authority
regulation 6(1)	Keep a register of high risk manufactured water system	EHO		relevant authority
regulation 6(2)	Determine manner and form of keeping a register of high risk manufactured water system	EHO		relevant authority
regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council	EHO		relevant authority
regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk	EHO		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	manufactured water systems registered with the council			
regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council	EHO		relevant authority
regulation 15(1)(b)	Arrange for a NATA accredited laboratory to conduct microbiological testing of water taken from each cooling water and each warm water system	EHO		relevant authority
regulation 15(2)(a)	Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements	EHO		relevant authority
regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing	EHO		relevant authority
regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements	EHO		relevant authority
regulation 16(1)(d)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding microbiological testing	EHO		relevant authority
regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	EHO		relevant authority
regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	EHO		relevant authority

South Australia Public Health (Legionella) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing	EHO		relevant authority
regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid	EHO		relevant authority

Instrument of Delegation under the South Australia Public Health (Wastewater) Regulations 2013

South Australia Public Health (Wastewater) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 6(1)(b)	Agree to act as a relevant authority in respect of a wastewater systems or wastewater works being undertaken by another council or a person in conjunction with another council	EHO		council
regulation 8(1)	Give notice to the owners of land in the area affected by the proposed establishment of a community wastewater management system by the council	EHO		council
regulation 8(2)	Consider any submissions received regarding the proposed establishment of a community wastewater management system by the council	EHO		council
regulation 8(3)	Obtain a wastewater works approval from the Minister	EHO		council
regulation 9(1)	Require the operator of an on-site wastewater system to connect the system to a community wastewater management system and submit an application for the connection to the relevant authority	EHO		council
regulation 9(1)(b)	Receive an application for connection of an on-site wastewater system to a community wastewater management system	EHO		relevant authority
regulation 9(4)	Grant approval for wastewater works for the connection of an on-site wastewater system to a community wastewater management system	EHO		relevant authority
regulation 9(6)	Cause the requirements of an approval under regulation 9 for wastewater works to be carried out	EHO		relevant authority

South Australia Public Health (Wastewater) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(7)	Recover the costs and expenses reasonably incurred in exercising power under regulation 9(6) and the application fee which would have been payable	EHO		relevant authority
regulation 10(1)	Determine application for an exemption from regulation 9	EHO		council
regulation 10(3)	Impose conditions on an exemption from regulation 9	EHO		council
regulation 10(4)	Vary or revoke an exemption granted under regulation 10(3)	EHO		council
regulation 11(1)	Ensure that the requirements of regulation 11(1) are met	EHO		CWMS operator
regulation 11(2)	Receive a certificate indicating that wastewater works have been undertaken in accordance with the wastewater works approval and detailed drawings as prescribed	EHO		relevant authority
regulation 12(1)	Ensure that the wastewater system is operated, maintained and serviced in accordance with the conditions of any wastewater works approval and any prescribed code	EHO		CWMS operator
regulation 13(1)	Ensure that wastewater from the wastewater system is not reused or disposed of to land unless authorised by conditions of the wastewater works approval	EHO		CWMS operator
regulation 15(1)	Receive an application for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	EHO		relevant authority

South Australia Public Health (Wastewater) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 15(1)	Apply for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	EHO		CWMS operator
regulation 15(3)	Determine conditions to apply to an exemption from a prescribed code	EHO		relevant authority
regulation 15(5)	Vary or revoke an exemption from a prescribed code	EHO		relevant authority
regulation 23(1)	Receive an application for a wastewater works approval	EHO		relevant authority
regulation 23(2)	Request applicant for a wastewater works approval to provide further technical specifications, information or documents	EHO		relevant authority
regulation 23(1)	Apply for a wastewater works approval	EHO		CWMS operator
regulation 23(2)	Provide further technical specifications, information or documents requested by the relevant authority	EHO		CWMS operator
regulation 24(1)	Refuse to grant a wastewater approval	EHO		relevant authority
regulation 24(2)	Provide SA Water with a reasonable opportunity to comment on an application for a wastewater works approval involving the connection of a community wastewater management system to SA Water sewerage infrastructure	EHO		relevant authority
regulation 25(1)	Specify conditions applying to a wastewater works approval	EHO		relevant authority

South Australia Public Health (Wastewater) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 25(1)	Comply with conditions applying to a wastewater works approval	EHO		CWMS operator
regulation 25(4)	Provide a copy of a code referred to in a condition of approval for inspection and the council's office	EHO		relevant authority
regulation 25(6)	Vary or revoke a condition of a wastewater approval	EHO		relevant authority
regulation 25(6)	Apply for a variation or revocation of a condition of a wastewater approval	EHO		CWMS operator
regulation 25(7)	Vary or revoke a condition of a wastewater approval or impose a further condition	EHO		relevant authority
regulation 25(7)	Consent to the variation or revocation of a condition of a wastewater approval or the imposition of a further condition	EHO		CWMS operator
regulation 26(2)	Postpone the expiry of a wastewater approval	EHO		relevant authority
regulation 27(1)	Keep a register of wastewater approvals	EHO		relevant authority
regulation 27(5)	Enable the inspection of the register of wastewater works approvals at the council's offices and the provision of extracts of the register by electronic means	EHO		relevant authority
regulation 29(1)	Notify the operator of a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health to provide a report from an independent wastewater engineer	EHO		council

South Australia Public Health (Wastewater) Regulations 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 29(1)	Provide a report from an independent wastewater engineer to the Minister or relevant authority as requested under regulation 29(1)	EHO		CWMS operator
regulation 29(3)	Obtain a report from an independent wastewater engineer regarding a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health	EHO		council
regulation 29(3)	Recover the costs and expenses reasonably incurred in obtaining a report from an independent wastewater engineer	EHO		council

Instrument of Delegation under the State Records Act 1997

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 13	Maintain official records in the council's custody in good order and condition	DOF		agency
section 15(2)	Afford the manager of State records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	DOF		agency
section 18(1)	Deliver records voluntarily into the custody of State Records	DOF		agency
section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	DOF		agency
section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason	DOF		agency
section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	DOF		agency
section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records	DOF		agency

State Records Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	DOF		agency
section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	DOF		agency
section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	DOF		agency
section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	DOF		agency
section 24(3)	Consent to the disposal of a record under section 24(1)	DOF		agency
section 25(3)	Apply to the Minister to determine a dispute as to access under section 24	DOF		agency
section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	DOF		agency
section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	DOF		agency

Instrument of Delegation under the Unclaimed Goods Act 1987 (Superseded)

Unclaimed Goods Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5(1)(b)	<p>1. Unclaimed Goods</p> <p>1.1 The power pursuant to Section 5(1)(b) of the Unclaimed Goods Act 1987 (the Act) where the Council is in possession of goods belonging to another (the bailor) in pursuance of an agreement or understanding under which the Council was to deliver the goods to the bailor, to make reasonable attempts to deliver the goods in accordance with the agreement or understanding.</p>	Not Delegated CEO Only	
s5(1)(c)	<p>1. Unclaimed Goods</p> <p>1.2 The power pursuant to Section 5(1)(c) of the Act where the Council is in possession of goods belonging to the bailor and there is no agreement or understanding governing the collection or delivery of the goods, to request the bailor in accordance with Section 5(2) of the Act, to collect the goods.</p>	Not Delegated CEO Only	
s5(2)	<p>1. Unclaimed Goods</p> <p>1.3 The duty pursuant to Section 5(2) of the Act in making a request for the purposes of Section 5(1)(c) of the Act, to ensure the request -</p> <p>1.3.1 states the address at which the goods are available for collection; and</p> <p>1.3.2 contains a brief description of the goods; and</p> <p>1.3.3 states the times at which, or the hours between which, the goods will be available for collection at that address; and</p> <p>1.3.4 is made -</p> <p>1.3.4.1 by post addressed to the last known address of the bailor; or</p>	Not Delegated CEO Only	

Unclaimed Goods Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	1.3.4.2 if the identity or whereabouts of the bailor is unknown - by notice in the prescribed form published in a newspaper circulating generally throughout the State.		
s5(3)	<p>1. Unclaimed Goods</p> <p>1.4 The duty pursuant to Section 5(3) of the Act to ensure a request made for the purposes of Section 5(1)(c) of the Act allows the bailor a reasonable opportunity to collect the goods to which it relates.</p>	Not Delegated CEO Only	
s6(1)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.1 The power pursuant to Section 6(1) of the Act and the power subject to Section 6 of the Act, where the Council is a bailee of unclaimed goods, to, after the expiration of three months from the relevant date -</p> <p>2.1.1 sell the goods; or</p> <p>2.1.2 if the value of the goods would be insufficient to defray the costs of sale - otherwise dispose of the goods.</p>	Not Delegated CEO Only	
s6(2)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.2 The power pursuant to Section 6(2) of the Act to apply to the Court for an authorisation to sell or dispose of goods under Section 6(1) of the Act and the duty pursuant to Section 6(2) of the Act, if the value of the goods lies within scale 3, to not sell or dispose of the goods without such an authorisation.</p>	Not Delegated CEO Only	
s6(3)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.3 The duty pursuant to Section 6(3) of the Act where an application for an authorisation under Section 6(2) of the Act is made, to -</p> <p>2.3.1 give notice of the application to the Commissioner of Police; and</p> <p>2.3.2 give such notice (if any) as the Court thinks appropriate to the bailor and any other person who, in the opinion of the Court, may have an interest in the goods.</p>	Not Delegated CEO Only	

Unclaimed Goods Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(5)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.4 The power pursuant to Section 6(5) of the Act, if the value of unclaimed goods lies within scale 1 or 2, to sell or dispose of the goods under Section 6(1) of the Act without any authorisation by the Court and the duty pursuant to Section 6(5)(b) of the Act, if goods whose value lies within scale 2 are to be sold without such an authorisation, to</p> <p>2.4.1 sell the goods by public auction; and</p> <p>2.4.2 give notice in the prescribed form of the time and place of the proposed sale at least one month before the date of the proposed sale -</p> <p>2.4.2.1 to the Commissioner of Police; and</p> <p>2.4.2.2 to the bailor.</p>	Not Delegated CEO Only	
s6(6)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.5 The power pursuant to Section 6(6) of the Act to give a notice under Section 6(5)(b) of the Act by post and, if the identity or whereabouts of the bailor is unknown, to give the notice to the bailor by advertisement in a newspaper circulating generally throughout the State.</p>	Not Delegated CEO Only	
s7(1)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.1 The duty pursuant to Section 7(1) of the Act and subject to Section 7(2) of the Act, where the Council has commenced proceedings for the sale or disposal of goods under the Act but before the goods are sold or disposed of the bailor claims the goods, to not proceed with the sale or disposal of the goods, and to hand them over to the bailor.</p>	Not Delegated CEO Only	

Unclaimed Goods Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s7(2)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.2 The power pursuant to Section 7(2) of the Act to, before handing over goods under Section 7(1) of the Act, require the bailor to pay -</p> <p>3.2.1 the reasonable costs incurred by the Council in proceeding under the Act;</p> <p>3.2.2 the reasonable costs incurred by the Council in storing and maintaining the goods after the date on which the bailor should have collected or taken delivery of them;</p> <p>3.2.3 the amount of any lien that the Council has over the goods.</p>	Not Delegated CEO Only	
s7(3)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.3 The power pursuant to Section 7(3) of the Act, if at the expiration of 42 days after the Council has rendered a written account of the amounts claimed under Section 7(2) of the Act the bailor has not paid those amounts, to, subject to Section 7(4) of the Act, proceed to sell or dispose of the goods.</p>	Not Delegated CEO Only	
s 8(1)	<p>4. Proceeds of Sale</p> <p>4.1 The power pursuant to Section 8(1) of the Act in relation to the proceeds of the sale of goods under the Act to -</p> <p>4.1.1 retain from those proceeds -</p> <p>4.1.1.1 the reasonable costs of the sale and of proceeding under the Act;</p> <p>4.1.1.2 the reasonable costs of storing and maintaining the goods prior to sale;</p> <p>4.1.1.3 the amount of any lien that the Council had over the goods; and</p>	Not Delegated CEO Only	

Unclaimed Goods Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	4.1.2 pay the balance to the Treasurer.		

Instrument of Delegation under the Water Industry Act 2012

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 19(1)	Apply for a licence	Not Delegated CEO Only		applicant for a licence
section 19(2)	Pay the application fee	Not Delegated CEO Only		applicant for a licence
section 19(4)	Provide further information requested by the Commission with respect to an application for a licence	Not Delegated CEO Only		applicant for a licence
section 22(1)	Provide services or carry on operations or activities in accordance with the terms and conditions of the licence	DITS		water industry entity
section 24(1)	Pay the annual licence fee	DITS		applicant for a licence
section 24(2)(a)	Provide annual return to the Commission	DITS		water industry entity
section 24(2)(b)	Pay the annual licence fee	DITS		water industry entity
section 25(2)	Participate in consultation with the Commission	DITS		water industry entity
section 28(2)(a)	Apply to the Commission for a variation in the terms and conditions applying the licence	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 28(2)(a)	Agree with the Commission a variation in the terms and conditions applying the licence	Not Delegated CEO Only		water industry entity
section 28(2)(b)	Make submissions to the Commission regarding a proposed variation to the terms and conditions applying to a licence	Not Delegated CEO Only		water industry entity
section 29(1)	Transfer licence with the Commission's agreement	Not Delegated CEO Only		water industry entity
section 29(4)	Apply to the Commission for the transfer of a licence	Not Delegated CEO Only		water industry entity
section 29(5)	Pay to the Commission the application fee for the transfer of a licence	Not Delegated CEO Only		water industry entity
section 29(6)	Provide to the Commission further relevant information requested by Commission in respect of the application fee for the transfer a licence	Not Delegated CEO Only		water industry entity
section 32(1)	Surrender a licence to the Commission	Not Delegated CEO Only		water industry entity
section 32(3)	Agree with the Commission a shorter notice period than the prescribe period for the surrender of a licence	Not Delegated CEO Only		water industry entity
section 33(3)(b)	Make submissions to the Commission in relation to a proposed suspension or cancellation of licence	Not Delegated CEO Only		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 36(1)	Fix standard terms and conditions governing the provision of services by the entity	Not Delegated CEO Only		water industry entity
section 36(2)	Publish standard terms and conditions governing the provision of services by the entity in the Gazette	Not Delegated CEO Only		water industry entity
section 36(3)	Publish notice in a newspaper circulating generally in the State regarding the standard terms and conditions	Not Delegated CEO Only		water industry entity
section 36(5)	Agree with a customer to exclude a standard term or condition	Not Delegated CEO Only		water industry entity
section 36(6)(a)	Supply a copy of the standard terms and conditions to the Commission	Not Delegated CEO Only		water industry entity
section 36(6)(b)	Publish a copy of the standard terms and conditions on the entities website	Not Delegated CEO Only		water industry entity
section 37(3)(a)	Adopt a customer hardship policy published by the Minister	DOF		water industry entity
section 37(3)(b)	Seek the approval of the Commission to adopt a customer hardship policy published by the Minister with modifications	DOF		water industry entity
section 37(3)(b)	Adopt a customer hardship policy published by the Minister with modifications in accordance with approval of the Minister	DOF		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 38(2)	Make submissions to the Commission as to proposed proclamation to take over the water industry entity's operations	Not Delegated CEO Only		water industry entity
section 39(2)	Accept an appointment to take over relevant operations of a water industry entity subject to a proclamation under section 38	Not Delegated CEO Only		water industry entity
section 39(3)	Facilitate the take-over of relevant operations by the operator	Not Delegated CEO Only		water industry entity
section 41(1)	Appoint a person to be a water industry officer	Not Delegated CEO Only		water industry entity
section 41(2)	Impose conditions of appointment of a water industry officer	Not Delegated CEO Only		water industry entity
section 42(1)	Impose time period for the appointment of a water industry officer	Not Delegated CEO Only		water industry entity
section 42(2)	Remove a water industry officer from office	Not Delegated CEO Only		water industry entity
section 43(1)	Issue a water industry officer with an identity card	Not Delegated CEO Only		water industry entity
section 44(1)	Agree with the occupier of land to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 44(1)	Seek the authorisation of the Minister to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	DITS		water industry entity
section 44(3)(a)	Enter and remain on land to undertake prescribed works	DITS		water industry entity
section 45(1)	Give notice of proposed entry on land under section 44 to the occupier	DITS		authorised entity
section 45(3)(a)	Give notice of proposed entry on public land under section 45 to the authority responsible to the management of the public land	DITS		authorised entity
section 45(3)(b)	Agree with an authorised entity to enter onto public land within the care, control and management of the council	DITS		council
section 45(4)	Impose conditions on the entry of an authorised entity onto public land within the care, control and management of the council	DITS		council
section 45(7)	Refer a dispute regarding whether work should be permitted on public land within the care, control and management of the council by an authorised entry of the conditions applying to that work to the Minister	DITS		council authorised entity
section 45(9)(a)	Make submissions to the Minister in relation to a dispute referred under section 45(7)	DITS		council authorised entity
section 45(9)(b)	Settle a dispute referred under section 45(7)	DITS		council authorised entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 45(11)	Notify the occupier of public land of the reason and the date and time of proposed entry	DITS		authorised entity
section 45(14)	Use reasonable force to enter any land under section 45	DITS		authorised entity
section 45(16)	Request an authorised entity undertaking work on public land within the care, control and management of the council to separate the land on which the work is being undertaken from other parts of the land by a fence	DITS		council
section 45(16)	Separate the public land on which the work is being undertaken from other parts of the land by a fence	DITS		authorised entity
section 45(16)	Refer a dispute regarding the separation of a land by a fence to the Magistrates Court	DITS		council
section 45(17)	Make good any damage caused by exercise of powers under section 45	DITS		authorised entity
section 45(19)	Exercise of powers under section 45 in an emergency without prior notice or agreement	DITS		authorised entity
section 45(22)	Comply with conditions imposed by the Minister of the exercise of powers under section 45	DITS		water industry entity
section 46(1)	Acquire land in accordance with the Land Acquisition Act 1969	Not Delegated CEO Only		water industry entity
section 46(2)	Seek authorisation of the Minister to acquire land by compulsory acquisition under the Land Acquisition Act 1969	Not Delegated CEO Only		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 48(2)	Apply to the Minister for approval of a scheme under section 48	DITS		water industry entity
section 48(3)(c)	Approve a scheme as being fit and adequate for the provision of the services that are proposed to be offered under the scheme	DITS		council
section 48(3)(d)	Participate in consultation for the development of a scheme for sewerage services in the council area	DITS		council
section 48(6)	Issue a notice requiring the connection of drains, equipment or works to prescribed infrastructure in order to provide for the discharge of sewerage into the infrastructure	DITS		water industry entity
section 48(9)	Take action required by a notice served under section 48(6), if the recipient fails to take that action	DITS		water industry entity
section 48(10)	Authorise a person to take action under section 48(9) on the water industry entities behalf	DITS		water industry entity
section 48(12)	Recover the reasonable costs of taking action under section 48(9) as a debt	DITS		water industry entity
section 48(13)	Apply to the Minister for approval to vary a scheme under section 48	DITS		water industry entity
section 48(13)	Vary a scheme under section 48	DITS		water industry entity
section 49(1)	Consent to a person: (a) constructing or placing a building, wall, fence or other structure on or over any water/sewerage infrastructure, or creating	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>some other form of encroachment over any water/sewerage infrastructure (or any land directly associated with such infrastructure);</p> <p>(b) creating any form of encroachment over any easement that exists for the purposes of any water service or sewerage service;</p> <p>(c) obstructing, filling in, closing up or diverting any water/sewerage infrastructure; or</p> <p>(d) excavating or altering any land or structure supporting any water/sewerage infrastructure</p>			
section 49(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 49(1)	DITS		water industry entity
section 49(2)(b)	Serve a notice requiring a person to take action to remedy a contravention of section 49(1)	DITS		water industry entity
section 49(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	DITS		water industry entity
section 49(4)	Take action required by a notice served under section 49(2)(b), if the recipient fails to take that action	DITS		water industry entity
section 49(6)	Recover the reasonable costs of taking action under section 49(4) as a debt	DITS		water industry entity
section 49(7)	Authorise a person to take action under section 49(4) on the water industry entities behalf	DITS		water industry entity
section 50(1)	Authorise a person to:	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	<p>(a) attach any equipment or other thing, or make any connection, to water/sewerage infrastructure;</p> <p>(b) interfere with:</p> <p>(i) the collection, storage, production, treatment, conveyance, reticulation or supply of water through the use of water infrastructure; or</p> <p>(ii) the collection, storage, treatment, conveyance or reticulation of sewage through the use of sewerage infrastructure;</p> <p>(c) disconnect or interfere with any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure; or</p> <p>(d) damage any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure.</p>			
section 50(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 50(1)	DITS		water industry entity
section 50(2)(b)	Disconnect, close, turn off or remove anything that has been attached or used in connection with a contravention section 50(1)	DITS		water industry entity
section 50(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	DITS		water industry entity
section 50(4)	Authorise a person to take action under section 50 on the water industry entities behalf	DITS		water industry entity
section 50(7)	Recover compensation from a person guilty of a contravention of section 50(1) on application to a court convicting the person of an offence	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	against this section or by action in a court of competent jurisdiction			
section 51(1)	Receive notice from a person proposing to do work near water/sewerage infrastructure	DITS		water industry entity
section 51(3)(b)	Specify requirements to apply for the protection of the infrastructure or the safety of person carrying out the work	DITS		water industry entity
section 51(4)	Recover compensation from a person guilty of a contravention of section 51 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	DITS		water industry entity
section 52(1)	Receive notice from a person proposing to: (a) to first lay the pavement or hard surface in any road; (b) to relay the pavement or hard surface in any road; (c) to widen or extend the pavement or hard surface in any road; (d) to alter the level of any road; (e) to construct or alter any footpaths, gutters, kerbing or water tables in any road; or (f) to construct or alter any drainage work in any road in which water/sewerage infrastructure is laid	DITS		water industry entity
section 52(2)	Advise the person giving notice under section 52(1) of any new water/sewerage infrastructure proposed in the relevant road and of any interference that is expected to be caused to the existing water/sewerage infrastructure	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52(4)	Confer with a person giving notice under section 52(1) with respect to variations to the proposed work	DITS		water industry entity
section 52(6)	Waive the requirement to provide notice under section 52(1)	DITS		water industry entity
section 53(2)(b)	Approve the installation or maintenance of a pipe capable of conveying water beyond the boundaries of a site occupied by the person	DITS		water industry entity
section 53(1)	Authorise a person to: (a) abstract or divert water from any water infrastructure; or (b) abstract or divert any sewage from any sewerage infrastructure	DITS		water industry entity
section 53(3)	Recover compensation from a person guilty of a contravention of section 53 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	DITS		water industry entity
section 54(1)(a)	Require a person supplied water by the water industry entity to allow a person authorised by the entity to enter land and fix a meter supplied by the entity	DITS		water industry entity
section 54(1)(b)	Require a person supplied water by the water industry entity to ensure that a meter of a kind specified by the entity is fixed and used for the purposes of measuring water supplied to the person	DITS		water industry entity
section 54(3)	Supply a water meter	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 54(4)	Issue a direction or requirement in regard to the installation or use of a meter	DITS		water industry entity
section 54(10)	Serve a notice on a person who fails to ensure that access to the meter or fitting for the purpose of reading, replacement, repair or maintenance is not obstructed requiring the person to take specified action to provide access to the meter or fitting	DITS		water industry entity
section 54(11)	Enter land and take action to provide access to the meter or fitting	DITS		water industry entity
section 54(12)	Recover compensation from a person guilty of a contravention of section 54 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	DITS		water industry entity
section 54(13)	Recover costs of taking action under section 54(11) as a debt	DITS		water industry entity
section 55(1)	Authorise a person to discharge any solid, liquid or gaseous materials, or any other item or thing, into water infrastructure	DITS		water industry entity
section 55(3)	Recover compensation from a person guilty of a contravention of section 55 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	DITS		water industry entity
section 56(1)	Authorise a person to discharge into any sewerage infrastructure any solid, liquid or gaseous material, or any other item or thing that is likely to damage the infrastructure	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 56(3)(a)	Authorise a person to discharge specific waste material into sewerage infrastructure	DITS		water industry entity
section 56(3)(b)	Enter into a contract with a person in regard to the provision of a sewerage service authorising the discharge specific waste material into sewerage infrastructure	DITS		water industry entity
section 56(5)	Authorise a person to cause, permit or allow any rainwater, stormwater or surface water to flow into, or to otherwise enter, any sewerage infrastructure	DITS		water industry entity
section 56(7)	Attach conditions to an authorisation under section 56(5)	DITS		water industry entity
section 56(7)	Vary or revoke an authorisation under section 56(5)	DITS		water industry entity
section 56(9)	Recover the reasonable costs and expenses incurred by the water entity in addressing any damage or loss caused as a result of, on in remedying circumstances caused by, a contravention of section 56 as a debt	DITS		water industry entity
section 57(1)	Issue a notice requiring an owner or occupier of land to carry out specified work	DITS		water industry entity
section 57(3)	Vary or revoke a notice issued under section 57(1)	DITS		water industry entity
section 57(5)	Take action required by a notice if the recipient of the notice fails to take the action	DITS		water industry entity
section 57(6)	Authorise a person to take action under section 57(5) on the entity's behalf	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 57(8)	Recover the reasonable costs and expenses incurred by the water industry entity taking action under section 57(5) as a debt	DITS		water industry entity
section 58(1)	Close off or disconnect from the sewerage infrastructure one or more drains on the land that are connected to the sewerage infrastructure or restrict the provision of any sewerage service to the land	Not Delegated CEO Only		water industry entity
section 58(2)	Reopen or reconnect a drain closed off or disconnected under section 58(1)	DITS		water industry entity
section 58(2)	Require the owner or occupier of land to pay the prescribed fee prior to reopening or reconnecting a drain closed off or disconnected under section 58(1)	DITS		water industry entity
section 59(3)(a)	Lessen the supply through any infrastructure	Not Delegated CEO Only		water industry entity
section 59(3)(b)	Prohibit the use of water in a specified purpose or purposes, or restrict or regulate the purposes for which water can be used	Not Delegated CEO Only		water industry entity
section 59(3)(c)	Prohibit the use of water in a specified manner or by specified means, or restrict or regulate the manner in which, or the means by which, water may be used	Not Delegated CEO Only		water industry entity
section 59(3)(d)	Prohibit specified uses of water during specified periods, or restrict or regulate the times at which water may be used	Not Delegated CEO Only		water industry entity
section 59(3)(e)	Discontinue the supply of water	Not Delegated CEO Only		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 59(4)	Impose a requirement that a permit of the water industry entity must be held to undertake an activity involving the use of water	Not Delegated CEO Only		water industry entity
section 59(4)	Issue a permit authorising an activity involving the use of water	Not Delegated CEO Only		water industry entity
section 59(5)(b)	Publish or serve a notice regarding a prohibition or notice under section 59(3)	Not Delegated CEO Only		water industry entity
section 59(5)(b)	Vary or revoke a prohibition or notice under section 59(3)	DITS		water industry entity
section 60(1)	Serve notice on the owner or occupier of land that is connected to water infrastructure operated by the entity directing the owner or occupier to install a flow reducing device of a specified kind and to use the device to reduce flow in the pipes on the land which are connected to the water infrastructure	DITS		water industry entity
section 60(5)	Install a flow reducing device if the owner or occupier has failed to comply with the requirements of a notice under section 60(1)	DITS		water industry entity
section 60(6)	Recover the reasonable costs and expenses incurred by the water industry entity as a debt from the person who failed to comply with the notice under section 60(1)	DITS		water industry entity
section 63(3)(a)	Disconnect the supply of water or the collection of sewage, or restrict the supply of services	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 63(3)(b)	Obtain a warrant under Part 10 to enter a place for the purpose of disconnecting the supply of water or the collection of sewage, or restricting the supply of services	DITS		water industry entity
section 63(5)(b)	Restore a connection for the supply of water or the collection of sewage	DITS		water industry entity
section 64	Cut off the supply of water to any region, area, land or place if it is necessary to do so to avert danger to any person or property	DITS		water industry entity
section 68	Comply with prescribed technical and safety requirements or any technical and safety requirements of the Technical Regulator	DITS		water industry entity
section 69(3)	Disconnect the supply of water or the collection of sewerage, or restrict the supply of services	Not Delegated CEO Only		water industry entity
section 84(1)(b)	Make an application to the Commission for a review of a decision of the Commission under Part 4 to suspend or cancel the entity's licence or vary the terms or conditions of the entity's licence	Not Delegated CEO Only		water industry entity
section 85(1)(a)	Make an application for a review of a decision or an enforcement notice under Part 8, Division 4 under section 34 of the South Australian Civil and Administrative Tribunal Act 2013	Not Delegated CEO Only		water industry entity
section 88(1)	Provide information requested by the Minister	DITS		water industry entity
section 98(1)	Provide and maintain fire plugs, maintain various standards, and comply with any other requirements relating to the provision of water	DITS		water industry entity

Water Industry Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
	for fire-fighting purposes, in accordance with any scheme determined by the Minister			
section 102(2)	Commence proceeding for an office under the Water Industry Act	DITS		water industry entity
section 111(7)	Certify a plan delineating the position of any equipment, plant or drain connected to any water/sewerage infrastructure	DITS		water industry entity
section 111(8)	Certify a date on and from which the water industry entity was prepared to supply water by means of a direct service to land specified in the certificate or could by means of drains or other infrastructure, be drained or serviced by a sewer	DITS		water industry entity
section 111(9)	Certify a copy or extract of a register of readings of meters maintained by the water industry entity	DITS		water industry entity
section 113(1)	Cause a ventilating shaft, pipe or tube for any sewerage infrastructure or drain to be attached to the exterior wall of a building	DITS		water industry entity

Water Industry Act 2012

Water Industry Act 2012 Internal			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 24	<p>24 - License Fees & Returns</p> <p>(2) The holder of a licence issued for a term of 2 years or more must -</p> <p>(a) in each year lodge with the Commission, before the date prescribed for that purpose, an annual return containing the information required by the Commission by condition of the licence or by written notice, and</p> <p>(b) in each year (other than a year in which the licence is due to expire) pay to the Commission, before the date prescribed for that purpose, the relevant annual licence fee, or the first instalment of the relevant annual licence fee, as the case may require</p>	Not Delegated CEO Only	

Instrument of Delegation under the Water Industry Regulations 2012

Water Industry Regulations 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9	Enter into an agreement with a person undertaking work which would involve the alteration of any water/sewerage infrastructure to share the cost of the work	DITS		water industry entity
regulation 11(1)	Provide a statement of the amount paid to a person who has paid an amount for the provision of retain services	DITS		water industry entity
regulation 11(2)	Provide a consumer with a statement of the quantity of water supplied by the entity to the consumer in the financial year	DITS		water industry entity
regulation 11(3)	Provide a statement of the amount paid for retail services or the quantity of water supplied by the entity financial year to any other person acting with the consent of the person referred to in regulations 11(1) and 11(2)	DITS		water industry entity
regulation 12(1)	Provide a statement as the existence or non-existence of encumbrances in relation to the land to which the application relates that are prescribed encumbrances for the purposes of the Land and Business (Sale and Conveyancing) Act 1994	Not Delegated CEO Only		water industry entity
regulation 13(a)(i)	Seek the approval of a water industry entity (that owns or operated sewerage infrastructure that may be affected by the planting) to plant trees and shrubs (except those listed I Schedule 2 and Schedule 3) on public land	DITS		council
regulation 13(a)(i)	Grant approval to plant trees and shrubs on public land	DITS		water industry entity

Water Industry Regulations 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 13(b)	Grant approval to plant trees and shrubs on a road closer than 1 metre to any water infrastructure	DITS		water industry entity
regulation 14(1)	Receive and comply with a notice from water industry entity directing action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	DITS		council
regulation 14(1)	Direct a council or other person with care, control or management of land to take action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	DITS		water industry entity
regulation 14(2)	Take action specified in a notice under regulation 14(1) if the recipient fails to comply with the notice	DITS		water industry entity
regulation 14(3)	Recover costs of taking action specified in a notice under regulation 14(2) as a debt	DITS		water industry entity
regulation 15	Recover costs of taking action specified in a notice under regulation 14 as a debt	DITS		water industry entity
regulation 16(3)(b)	Authorise a person to enter infrastructure owned or operated by the entity	DITS		water industry entity
regulation 17(1)(a)	Obtain the approval of ESCOSA prior to taking action under sections 59(3)(a) to 59(3)(e) (inclusive)	Not Delegated CEO Only		water industry entity

Water Industry Regulations 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 17(1)(b)(i)	Notify the public of the intention to exercise a power under sections 59(3)(b) to 59(3)(d) (inclusive) by notice in the Gazette	DITS		water industry entity
regulation 17(1)(b)(ii)	Notify the public of the intention to exercise a power under sections 59(3)(a) to 59(3)(e) (inclusive) by a notice of a website, in a newspaper circulating throughout the area of the State in which person affected by the exercise of the power are situated and in any other manner considered appropriate	DITS		water industry entity
regulation 18	Issue a permit for the purposes of section 59(4) of the Water Industry Act	DITS		water industry entity
regulation 23(2)(a)	Give notice in writing to the water industry entity that owns, manages or uses the entry point, inspection point or other fitting of the alteration to the surface height of a road, footpath or easement to a water industry entity	DITS		council
regulation 23(2)(b)	Alter the height of an entry point, inspection point or other fitting	DITS		water industry entity
regulation 23(3)	Recover costs under regulation 23(2)(b) as a debt from entity which altered the height of the road, footpath or easement	DITS		water industry entity
regulation 34(1)(b)	Direct a person to disconnect a pipe which is intersected by the boundary of adjoining allotments from water/sewerage infrastructure	DITS		water industry entity
regulation 34(4)	Direct a person to disconnect a pipe which lies across the boundary of adjoining allotments from water/sewerage infrastructure	DITS		water industry entity

Water Industry Regulations 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 34(7)	Enter land and undertake work required by a notice under regulation 34 if the recipient has failed to undertake the required work	DITS		water industry entity
regulation 36	Estimate the quantity of water supplied through a meter	DITS		water industry entity
regulation 38	Impose a charge in respect of land a kind specified by the Minister by notice in the gazette despite the fact that the land is not connected to infrastructure by which a retail service is provided by the water industry entity or the provision of a retail service to the land by the water industry entity has been reduced or discontinued	Not Delegated CEO Only		water industry entity

Instrument of Delegation under the Work Health and Safety Act 2012 (Superseded)

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s51(1)	<p>51. Determination of work groups</p> <p>(1) The power pursuant to Section 51(1) of the Work Health and Safety Act 2012 (the Act), to, if a request is made under Section 50 of the Act, facilitate the determination of one or more work groups of workers.</p>	Not Delegated CEO Only	
s52(1)	<p>52. Negotiations for agreement for work group</p> <p>(1) The power pursuant to Section 52(1) of the Act, and in accordance with Sections 52(2), (3) and (6) of the Act, to determine a work group by negotiation and agreement with the workers who will form the work group or their representatives.</p>	Not Delegated CEO Only	
s52(4)	<p>52. Negotiations for agreement for work group</p> <p>(4) The power pursuant to Section 52(4) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement in accordance with Section 52(6) of the Act.</p>	Not Delegated CEO Only	
s54(1)	<p>54. Failure of negotiations</p> <p>(1) The power pursuant to Section 54(1) of the Act to, if there is a failure of negotiations (including negotiations concerning the variation of an agreement), ask the regulator to appoint an inspector for the purposes of Section 54 of the Act.</p>	Not Delegated CEO Only	
s55(2)	<p>55. Determination of work groups of multiple businesses</p> <p>(2) The power pursuant to Section 55(2) of the Act to determine the particulars of the work groups by negotiation and agreement, in accordance with Section 56 of the Act, between each of the persons conducting the businesses or undertakings and the workers.</p>	Not Delegated CEO Only	
s55(3)	<p>55. Determination of work groups of multiple businesses</p>	Not Delegated CEO Only	

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(3) The power pursuant to Section 55(3) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement.		
s56(3)	<p>56. Negotiation of agreement for work groups of multiple businesses</p> <p>(3) The power pursuant to Section 56(3) of the Act to, if agreement cannot be reached on a matter relating to the determination of a work group (or a variation of an agreement) within a reasonable time after negotiations commence under Subdivision 3 of Division 3, Part 5 of the Act, ask the regulator to appoint an inspector to assist the negotiations in relation to that matter.</p>	Not Delegated CEO Only	
s58(1)	<p>58. Withdrawal from negotiations or agreement involving multiple businesses</p> <p>(1) The power pursuant to Section 58(1) of the Act to, in relation to a negotiation for an agreement, or an agreement, concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, withdraw from the negotiation or agreement at any time by giving reasonable notice (in writing) to the other parties.</p>	RO	
s58(2)	<p>58. Withdrawal from negotiations or agreement involving multiple businesses</p> <p>(2) The power pursuant to Section 58(2) of the Act to, if a party withdraws from an agreement concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, negotiate a variation to the agreement in accordance with Section 56 of the Act.</p>	RO	
s65(1)	<p>65. Disqualification of health and safety representatives</p> <p>(1) The power pursuant to Section 65(1) of the Act, to make an application to SAET to disqualify a health and safety representative on the ground that the representative has:</p> <p>(a) exercised a power or performed a function as a health and safety representative for an improper purpose; or</p>	RO	

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(b) used or disclosed any information he or she acquired as a health and safety representative for a purpose other than in connection with the role of health and safety representative,</p> <p>where the Council is adversely affected by the exercise of a power or the performance of a function referred to in Section 65(1)(a) of the Act or the use or disclosure of information referred to in Section 65(1)(b) of the Act.</p>		
s70(1)	<p>70. General obligations of person conducting business or undertaking</p> <p>(1) The power pursuant to Section 70(1) of the Act, to</p> <p>(a) consult, so far as is reasonably practicable, on work health and safety matters with any health and safety representative for a work group of workers carrying out work for the Council; and</p> <p>(b) confer with a health and safety representative for a work group, whenever reasonably requested by the representative, for the purpose of ensuring the health and safety of the workers in the work group; and</p> <p>(c) allow any health and safety representative for the work group to have access to information that the Council has relating to:</p> <p>(i) hazards (including associated risks) at the workplace affecting workers in the work group; and</p> <p>(ii) the health and safety of the workers in the work group; and</p> <p>(d) with the consent of a worker that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between the worker and:</p>	RO	

Work Health and Safety Act 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(e) with the consent of one or more workers that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between a group of workers, which includes the workers who gave the consent, and:</p> <p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(f) provide any resources, facilities and assistance to a health and safety representative for the work group that are reasonably necessary or prescribed by the regulations to enable the representative to exercise his or her powers or perform his or her functions under the Act.</p> <p>(g) allow a person assisting a health and safety representative for the work group to have access to the workplace if that is necessary to enable the assistance to be provided; and</p> <p>(h) permit a health and safety representative for the work group to accompany an inspector during an inspection of any part of the workplace where a worker in the work group works; and</p> <p>(i) provide any other assistance to the health and safety representative for the work group that may be required by the regulations.</p>		
s71(5)	71. Exceptions for obligations under Section 70(1)	RO	

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(5) The power pursuant to Section 71(5) of the Act to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a work group.		
s72(1)	72. Obligation to train health and safety representatives (1) The power pursuant to Section 72(1) of the Act to, consult with a health and safety representative in relation to the health and safety representative attending a course of training in work health and safety that is subject to Section 72(6), chosen by the health and safety representative.	Not Delegated CEO Only	
s72(3)	72. Obligation to train health and safety representatives (3) The power pursuant to Section 72(3) of the Act to: (a) as soon as practicable within the period of 3 months after the request is made, allow the health and safety representative time off work to attend the course of training; and	Not Delegated CEO Only	
s72(3)(b)	72. Obligation to train health and safety representatives (3) The power pursuant to Section 72(3) of the Act to: (b) pay the course fees and any other reasonable costs associated with the health and safety representative's attendance at the course of training.	Not Delegated CEO Only	
s72(6)	72. Obligation to train health and safety representatives (6) The power pursuant to Section 72(6) of the Act to, if agreement cannot be reached between the Council or Council's delegate and the health and safety representative within the time required by Section 72(3) of the Act as to the matters set out in Sections 72(1)(c) and (3) of the Act, ask the regulator to appoint an inspector to decide the matter.	Not Delegated CEO Only	
s73(1)	73. Obligation to share costs if multiple businesses or undertakings (1) The power pursuant to Section 73(1) of the Act to, if a health and safety representative, or deputy health and safety representative (if any), represents a work group of workers carrying out work for the	RO	

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>Council and one or more other person conducting businesses or undertakings, agree that:</p> <p>(a) the costs of the representative exercising powers and performing functions under the Act; and</p> <p>(b) the costs referred to in Section 72(3)(b) of the Act, for which the Council or any of the other persons conducting those businesses or undertakings are liable, are to be apportioned between each of those persons otherwise than equally.</p> <p>(2) The power pursuant to Section 73(2) of the Act, to vary an agreement to apportion the costs in another way, at any time by negotiation and agreement between each of the persons conducting the businesses or undertakings.</p>		
s75(2)	<p>75. Health and safety committees</p> <p>(2) The power pursuant to Section 75(2) of the Act to, establish a health and safety committee for the workplace or part of the workplace.</p>	RO	
s76(1)	<p>76. Constitution of committee</p> <p>(1) The power pursuant to Section 76(1) of the Act and subject to Sections 76(2) to (4) of the Act, to agree the constitution of a health and safety committee with the workers at the workplace.</p> <p>(5) The power pursuant to Section 76(5) of the Act to, if agreement is not reached under Section 76 within a reasonable time, ask the regulator to appoint an inspector to decide the matter.</p>	RO	
s82(2)	<p>82. Referral of issue to regulator for resolution by inspector</p> <p>(2) The power pursuant to Section 82(2) of the Act to, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.</p>	RO	

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s87	<p>87. Alternative work</p> <p>The power pursuant to Section 87 of the Act to, if a worker ceases work under Division 6, Part 5 of the Act, direct the worker to carry out suitable alternative work at the same or another workplace if that work is safe and appropriate for the worker to carry out until the worker can resume normal duties.</p>	RO	
s89	<p>89. Request to regulator to appoint inspector to assist</p> <p>The power pursuant to Section 89 of the Act to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue arising in relation to the cessation of work.</p>	RO	
s100(1)	<p>100. Request for review of provisional improvement notice</p> <p>(1) The power pursuant to Section 100(1) of the Act, to, within 7 days after a provisional improvement notice is issued to the Council or a worker who carries out work at the Council, ask the regulator to appoint an inspector to review the notice.</p>	RO	
s141	<p>141. Application for assistance of inspector to resolve dispute</p> <p>The power, pursuant to Section 141 of the Act, to, if a dispute arises about the exercise or purported exercise by a WHS entry permit holder of a right of entry under the Act, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.</p>	RO	
s142(4)	<p>142. Authorising authority may deal with a dispute about a right of entry under this Act</p> <p>(4) The power pursuant to Section 142(4) of the Act to apply to the authorising authority to deal with a dispute where the dispute relates to the Council.</p>	RO	
s180(1)	<p>180. Return of seized things</p> <p>(1) The power pursuant to Section 180(1) of the Act to, if a seized thing has not been forfeited, and the Council is the person entitled to the thing, apply to the regulator for the return of the thing after the end of 6 months after it was seized.</p>	RO	

Work Health and Safety Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s181(1)	<p>181. Access to seized things</p> <p>(1) The power pursuant to Section 181(1) of the Act to, until a seized thing is forfeited or returned, inspect it and, if it is a document, to make copies of it at all reasonable times.</p>	RO	
s224(1)	<p>224. Application for internal review</p> <p>(1) The power pursuant to Section 224(1) of the Act, to, where the Council is an eligible person in relation to a reviewable decision, other than a decision made by the regulator or a delegate of the regulator, apply to the regulator for review (an internal review) in accordance with Section 224(2) of the Act, of the decision within:</p> <p>(a) the prescribed time after the day on which the decision first came to the Council's notice; or</p> <p>(b) such longer period as the regulator allows.</p>	RO	
s229(1)	<p>229. Application for external review</p> <p>(1) The power pursuant to Section 229(1) of the Act, to, where the Council is an eligible person, apply to SAET under Part 3 Division 1 of the South Australian Employment Tribunal Act 2014, in accordance with Section 229(2) of the Act, for a review of:</p> <p>(a) a reviewable decision made by the regulator; or</p> <p>(b) a decision made, or taken to have been made, on an internal review.</p>	RO	