

INSTRUMENT OF DELEGATION UNDER THE PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT 2016			SUB DELEGATIONS		
			Sub-delegates by Title: <ul style="list-style-type: none"> • MAI: Manager Assets and Infrastructure • SDCO: Senior Development & Compliance Officer • SFO: Senior Finance Officer 		
PROVISION	Item delegated to the CEO (unless delegation does not apply)	Date of Delegation to CEO	CEO sub-delegated power to officer and/or authorised person(s) as listed below	Conditions and Limitations	Date of sub-delegation
s5(5)(b)	1. <u>Deliberately left blank</u>				
s6(3)(b)	2. <u>Deliberately left blank</u>				
s7(5)	3. <u>Deliberately left blank</u>				
s35(1)(a)	4. <u>Deliberately left blank</u>				
s44(6)(a)	5. <u>Deliberately left blank</u>				
s45(2)(c)	<u>6. Preparation and Amendment of Charter</u> 6.1 The power pursuant to Section 45(2)(c) of the Act to make representations (in writing or via the SA planning portal) on a proposal to prepare or amend the Charter.	Not delegated	Nil		
s73(2)(b)(iv)	<u>6A. Preparation and Amendment</u> 6A.1 Deliberately left blank				
s76(6)	6A.2 The power pursuant to Section 73(6) of the Act where the Council is authorised or approved under Section 73 of the Act, and after all of the requirements of Section 73 have been satisfied: <ul style="list-style-type: none"> 6A.2.1 to prepare a draft of the relevant proposal; and 6A.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 6A.2.3 to the extent that paragraph (b) of Section 73(6) of the 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 – to consult with the joint planning board; and 6A.2.4 to the extent that paragraph (b) of Section 73(6) of the 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: <ul style="list-style-type: none"> 6A.2.4.1 an owner or occupier of the land; and 6A.2.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and 	June 2018	SDCO	Nil	

	<p>6A.2.5 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>6A.2.5 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>6A.2.7 to comply with any requirement prescribed by the regulations.</p>				
s73(8)	6A.3 The power pursuant to Section 73(8) of the Act to, after the Council has furnished a report to the Minister under Section 73(7) of the Act, 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 Act.	June 2018	SDCO	Nil	
s73(9)	6A.4 The power pursuant to Section 73(9) of the 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 Act (subject to the requirement to charge costs under Section 73(4)(b) of the Act (if relevant)).	June 2018	SDCO	Nil	
s74(8)	<p>6B. <u>Parliamentary Scrutiny</u></p> <p>6B.1 The power pursuant to Section 74(8) of the Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.</p>	June 2018	SDCO	Nil	
s82(d)	<p>6C. <u>Entities Constituting Relevant Authorities</u></p> <p>6C.1 Deliberately left blank</p>				
s83(1)	<p>6D. <u>Panels Established by Joint Planning Boards or Councils</u></p> <p>6D.1 Deliberately left blank</p>				
s83(1)(h)	6D.2 The power pursuant to Section 83(1)(h) of the Act to arrange the staffing and support required for the purposes of the operations of the panel.	June 2018	Nil		
s83(1)(i)	6D.3 Deliberately left blank				
s83(2)	6D.4 Deliberately left blank				
s84(1)(c)(ii)(B)	<p>6E. <u>Panels Established by Minister</u></p> <p>Deliberately left blank</p>				
s86(2)(a)	<p>6F. <u>Substitutions of Local panels</u></p> <p>Deliberately left blank</p>				
s163(3)(b) s163(10)	<p>7. <u>Initiation of Scheme</u></p> <p>Deliberately left blank</p>				
S166(1)(c)	<p>8. <u>Consideration of Proposed Scheme</u></p> <p>8.1 The power pursuant to Section 166(1)(c) of the Act to consult with a scheme</p>	June 2018	Nil		

	coordinator in relation to a scheme in accordance with the Community Engagement Charter.				
167(7)	9. Adoption of Scheme 9.1 The power pursuant to Section 167(7) of the Act to consult with the Minister in relation to a variation to a scheme.	June 2018	Nil		
s169(2)(b)	10. Funding Arrangements 10.1 Deliberately left blank				
s169(8)	10.2 Deliberately left blank				
s169(9)	10.3 The power pursuant to Section 169(9) of the Act to consult with the Commission in relation to a funding arrangement that is specifically relevant to the Council.	June 2018	Nil		
s177(4)	11. Contributions by Constituent Councils 11.1 The power pursuant to Section 177(4) of the Act to consult with the Minister in relation to the Council's share.	June 2018	Nil		
s177(5)	11.2 The power pursuant to Section 177(5) of the Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the Act.	June 2018	Nil		
s180(7)	12. Imposition of Charge by Councils 12.1 The power pursuant to Section 180(7) of the 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.	June 2018	SDCO SFO	Nil	
s187(1)	13. Authorised Works 13.1 The power pursuant to Section 187(1) of the Act, subject to Section 187(3) of the Act, to carry out any infrastructure works if the Council is authorised to so do by or under the Act or any other Act.	June 2018	SDCO MAI	Nil	
s187(5)	13.2 The power pursuant to Section 187(5) of the Act, subject to Section 187(6) of the Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to: 13.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 13.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and 13.2.3 ensure that proper consideration is given to the views of the road maintenance authority.	June 2018	MAI	Nil	
s187(5)(b)	13.3 The power pursuant to Section 187(5)(b) of the Act to consult with the relevant road maintenance authority in relation to the matter.	June 2018	MAI	Nil	
s187(5)(b)	13.4 The power pursuant to Section 187(5)(b) of the Act, in a case of emergency, to only comply with Section 187(5)(b) of the Act to such extent as is practicable in	June 2018	MAI	Nil	

	the circumstances.				
s188(1)	<p>14. <u>Entry onto Land</u></p> <p>14.1 The power pursuant to Section 188(1) of the 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 Act to:</p> <p>14.1.1 enter and pass over any land; and</p> <p>14.1.2 bring onto any land any vehicles, plant or equipment; and</p> <p>14.1.3 temporarily occupy land; and</p> <p>14.1.4 do anything else reasonably required in connection with the exercise of the power.</p>	June 2018	MAI SDCO	Nil	
s188(4)	14.2 Deliberately left blank				
s189(1)	<p>15. <u>Acquisition of Land</u></p> <p>Deliberately left blank</p>				
Clause (3) of Schedule 4	<p>16. <u>Review of Performance</u></p> <p>16.1 The power pursuant to Clause 3(3) of Schedule 4 of the Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister.</p>	June 2018	Nil		
Clause 3(14) of Schedule 4	16.2 The power pursuant to Clause 3(14) of Schedule 4 of the Act to make submissions to the Minister on the report on which the action to be taken by the Minister under Clause 3(13) of Schedule 4 of the Act is based.	June 2018	Nil		
Clause 3(15) of Schedule 4	16.3 The power pursuant to Clause 3(15) of Schedule 4 of the Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the Act and the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation, consult with the Minister in relation to the directions of the Minister.	June 2018	Nil		
Clause 3(16) of Schedule 4	16.4 The power pursuant to Clause 3(16) of Schedule 4 of the Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the Act.	June 2018	Nil		
Clause 30(3) of Schedule 8	<p>17. <u>General Schemes</u></p> <p>Deliberately left blank</p>				