



Agenda Report for Decision

Meeting Date: 3 July 2025

Item Name	Delegations under the PDI Act – July 2025 Update	
Presenters	Chelsea Lucas	
Purpose of Report	Decision	
Item Number	5.2	
Strategic Plan Reference	N/A	
Work Plan Reference	N/A	
Confidentiality	Not Confidential (Release Delayed)	
Related Decisions	N/A	
Conflicts Declared	Nil	
Is the Report author aware of any potential undeclared conflict?		NO

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of the item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final adoption of the updated delegations by the Commission.
2. Approve the draft Instrument of Delegation at **Attachment 1**, with the instrument to be effective from the date of signing by the Chair.
3. Approve and authorise the Chair to sign the Instrument of Delegation as approved, including accepting all mark-up and making any minor amendments as required to finalise.

Background

The Commission's current Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016* (the Act) was executed by the Chair on 20 February 2025.

Under the current Instrument, the Commission's statutory function under section 73(2)(b) of the Act to provide advice to the Minister in relation to a proposal to amend a designated instrument is delegated to the Deputy Chief Executive and Executive Director, Planning and Building. Currently, the delegation can only be exercised where all the following criteria apply:

- The delegate considers that the proposed amendment is not of State significance; AND

- The Chief Executive of the Department is not the proponent under section 73(2)(b)(i) of the Act; AND
- The Commission has not resolved or noted that it will determine the advice to the Minister on the proposal to initiate the code amendment.

Discussion

When the above limitations on the delegation were first introduced in 2021, it was expected that most code amendments would be led by private proponents. However, since that time there has been a significant increase in the number of CE-led Code Amendments. This is coupled with a strong mandate on the Department to progress these code amendments efficiently and often within tight timeframes.

In addition, in 2022 the Department introduced a Delegations Policy (**Appendix A**) to support the management, administration and exercise of statutory delegations. The Policy has specific relevance for code amendments and provides protocols for delegates to ensure the statutory functions exercised by the Commission and the Minister (and the Department advising the Minister) are kept separate. This includes ensuring that separate statutory functions are exercised by different delegates where necessary and ensuring the Ex Officio is not a part of both the Commission's function as well as advising the Minister on behalf of the Department.

Given how this framework has evolved, it is now recommended the Instrument of Delegation is amended to remove the limitation on the exercise of the delegation for CE-led code amendments. It is also recommended the Commission's powers under section 73 and 74 of the Act are further delegated to Director level, to enable the Department to ensure appropriate separation of statutory functions by delegates, in accordance with the Delegations Policy.

Importantly, the two other limitations listed above will remain, meaning the delegation will not be exercised for State significant matters or for code amendments where the Commission has determined to "call-in" the code amendment for a decision.

Several minor administrative changes have also been made to the Instrument of Delegation to reflect recent organisational structure changes within the Department.

Next Steps

Following approval of the draft Instrument of Delegation by the Commission, the Instrument of Delegation will be signed by the Chair of the Commission and will be effective from the date of signing.

Attachments:

1. Draft Instrument of Delegation (#23278672)

Appendices:

- A. Delegations Policy (#18175232)

Prepared by: Kate Southcott

Endorsed by: Chelsea Lucas

Date: 26 June 2025

INSTRUMENT OF DELEGATION

PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT 2016

DELEGATION

1. We, the State Planning Commission (“the Commission”), in exercise of the power under section 30 of the *Planning, Development and Infrastructure Act 2016* (the Act) hereby:
 - (a) **REVOKE** all previous instruments of delegation made by the Commission under the Act and its statutory instruments,
 - (b) **DELEGATE** each of the powers and functions under the section of the Act and other statutory instruments identified in Column 1 of Schedule 1 to this instrument to:
 - (i) the person or persons for the time being holding, acting in or assigned to the noted positions within the Department;
 - (ii) the panel or panels for the time being established by the Commission under section 29(1) of the Act and its statutory instruments;
 - (iii) the Chair of the Commission;

as specified in the corresponding line of Column 3 of Schedule 1, subject to the following conditions:

- a. those conditions (if any) specified in Column 4 of Schedule 1 of this Instrument of Delegation; and
- b. the condition that delegates should not exercise their delegated powers and functions under this Instrument of Delegation where the delegate forms the opinion that the decision is or may be:
 - i. controversial;
 - ii. of political sensitivity or importance; or
 - iii. finely balanced; or

where the Commission has been informed and requested that the delegation not be exercised.

FURTHER DELEGATION

2. Under section 30(5) of the Act, any of the powers or functions hereby delegated may be further delegated by the delegate, by instrument in writing, except as expressly limited.

INTERPRETATION

3. The terms in this instrument of delegation have the same meaning as under the Act.
4. The descriptions in Column 2 of Schedule 1 of this instrument are for administrative use only and do not form part of this delegation. All delegates exercising delegated powers or functions should refer to the statutory power or function delegated when exercising that power or function.
5. A reference to a business unit or directorate in this instrument of delegation is a reference to the relevant named business unit or directorate within the organisational structure of the Department.

6. A reference to a position, business unit or directorate that no longer exists is a reference to the position, business unit or directorate who performs the functions previously performed by the position, business unit or directorate named in this instrument of delegation.
7. A reference to:
 - (a) "PO" in this instrument will be taken to be a reference to a Professional Officer of the relevant classification in the Professional Officers Stream;
 - (b) "ASO" in this instrument will be taken to be a reference to an Administrative Services Officer of the relevant classification in the Administrative Services Stream;
 - (c) "MAS" in this instrument will be taken to be a reference to a Manager Administrative Services in the Administrative Services Stream;as described in the relevant enterprise agreement applying from time to time to South Australian public sector employees, but as limited to a business unit or directorate of the Department, where noted in this instrument of delegation.
8. A reference to a PO, ASO or MAS "and higher" will be taken to mean the relevant position classification referred to, and all other positions of higher classification within the Professional Officers Stream and the Administrative Services Stream.
9. A reference to a position designated as:
 - (a) "PO4" will also be deemed to be a reference to an "ASO7";
 - (b) "PO3" will also be deemed to be a reference to an "ASO6";
 - (c) "PO2" will also be deemed to be a reference to an "ASO5"; and
 - (d) "PO1" will also be deemed to be a reference to an "ASO4",for the purposes of this instrument of delegation.
10. A reference to "PLUS" is a reference to the business unit known as "Planning and Land Use Services" within the Department.

**EXECUTED FOR AND ON BEHALF OF
THE STATE PLANNING COMMISSION**



Craig Holden
Chair, State Planning Commission

04 / 0 7 / 2025

SCHEDULE 1

COLUMN 1 Power/Function	COLUMN 2 Description of power or function	COLUMN 3 Delegated To	COLUMN 4 Conditions and limitations on delegation (where applicable)
<i>Planning, Development and Infrastructure Act 2016</i>			
Part 1	Preliminary		
Section 7	Environment and food production areas – Greater Adelaide		
Section 7(5)(a)	The power to determine whether to concur in the granting of the authorisation.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate. 	
Part 3	Administration		
Division 1	State Planning Commission		

Section 19	Special provisions relating to constitution of Commission		
Section 19(2)(d)	To make an appointment under section 19 of the Act	<ul style="list-style-type: none"> • Chair, State Planning Commission • Ex Officio Member 	
Division 4	Practice directions and practice guidelines		
Section 42	Practice Directions		
Section 42(4)(b)	The power to, from time to time, vary or revoke a practice direction by notification in the Gazette and publication on the SA planning portal.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	Limited to variations to existing practice directions which the delegate considers to be minor.
Section 43	Practice guidelines		
Section 43(4)(b)	The power to, from time to time, vary or revoke a practice guideline by notification in the Gazette and publication on the SA planning portal.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	Limited to variations to existing practice guidelines which the delegate considers to be minor.
Part 4	Community engagement and information sharing		
Division 1	Community engagement		

<p>Section 44</p>	<p>Community Engagement Charter</p>		
<p>Section 44(12)</p>	<p>The power to determine whether an entity has failed to comply with the charter and:</p> <p>(a) to direct the entity to comply with the charter; and</p> <p>(b) if the direction is not complied with within a period prescribed by the regulations—to take any action required by the delegate’s direction and recover the reasonable costs and expenses of so doing as a debt from the entity that failed to comply with the direction.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning 	<p>Limited to proposals to amend the Planning and Design Code in circumstances where:</p> <ul style="list-style-type: none"> • the Department has not received any complaints regarding an engagement process undertaken by a Designated Entity; • the Chief Executive is not the Designated Entity under section 73 of the Act; and • the delegate forms the opinion that the Community Engagement Charter has been complied with for such engagement.
<p>Division 2</p>	<p>Online planning services and information</p>		

Section 51	Standards and specifications		
Section 51(1)	The power to prepare and publish standards and specifications that are to apply to or in relation to the SA planning portal, the SA planning database and the online atlas and search facility.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Surveyor-General 	Limited to amendments to the Spatial Information Standard which are considered by the delegate as minor or operational in nature.
Part 5	Statutory instruments		
Division 2	Planning instruments		
Section 73	Preparation and amendment		
Section 73(2)(a)	The power to initiate a proposal to amend a designated instrument (or at the request of the Minister).	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	Limited to proposals to initiate: <ul style="list-style-type: none"> • technical amendments to the Planning and Design Code (which may include amendments considered by the delegate as minor, such as amendments to aid interpretation of policy or adjust mapping boundaries); or

			<ul style="list-style-type: none"> • amendments to the Planning and Design Code that were subject to a Development Plan Amendment which has since lapsed.
<p>Section 73(2)(b) Section 22(1)(b)</p>	<p>The function of providing advice to the Minister in relation to a proposal to amend a designated instrument.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Strategic Planning • Director, Development 	<p>A proposal to initiate a code amendment that meets all of the following criteria:</p> <ul style="list-style-type: none"> • the delegate considers that the proposed amendment is not of State significance; AND • the Commission has not resolved or noted that it will determine the advice to the Minister on the proposal to initiate the code amendment.

<p>Section 73(6)</p> <p><i>Commission as a designated entity initiating a proposal to prepare or amend a designated instrument</i></p>	<p>The powers and functions, as a designated entity, to comply with the requirements of section 73(6), including the power to determine any person or body requiring consultation under section 73(6)(e).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	<p>Limited to proposed code amendments where the function of initiating the code amendment under section 73(2)(a) of the Act has also been exercised under delegation.</p>
<p>Section 73(6)</p> <p><i>Commission <u>not</u> as a designated entity</i></p>	<p>The power to:</p> <p>(e) specify any person or body with which the designated entity must consult;</p> <p>(f) specify such investigations which must be carried out, and information which must be obtained.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Strategic Planning • Director, Development 	<p>Limited to proposed code amendments where the function of providing advice to the Minister under section 73(2)(b) of the Act has also been exercised under delegation.</p>
<p>Section 73(7)</p> <p><i>Commission as a designated entity</i></p> <p><i>Section 22(1)(b)</i></p>	<p>The function of preparing a report in accordance with any practice direction that applies for the purposes of section 73 (including information about any change to the original proposal that the designated entity considers should be made) and furnishing a copy of the report to the Minister.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	<p>Limited to engagement reports relating to technical amendments to the Planning and Design Code (which may include amendments considered by the delegate as minor, such as amendments to aid interpretation of policy or adjust mapping boundaries).</p>

<p>Section 73(8) <i>Commission as a designated entity</i> Section 42</p>	<p>The function of, after furnishing a report to the Minister under section 73(7), ensuring 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.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	
<p>Section 74</p>	<p>Parliamentary Scrutiny</p>		
<p>Section 74(3)</p>	<p>The function of preparing a report for the ERD Committee under section 74.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Strategic Planning • Director, Development 	<p>Limited to amendments to the Planning and Design Code where:</p> <ul style="list-style-type: none"> • If the Code Amendment is initiated by the Commission - only if the amendment is adopted by the Minister under section 73(10)(c) of the Act as outlined in the relevant engagement report; or • In any other circumstance - only if the delegate forms the opinion that the changes proposed by

			<p>the Code Amendment are not:</p> <ul style="list-style-type: none"> i) controversial; ii) of political sensitivity or importance; or iii) finely balanced.
<p>Section 74(3)(c)</p>	<p>The power to determine whether material is relevant to be included in the report prepared pursuant to section 74(3).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Strategic Planning • Director, Development 	<p>Limited to amendments to the Planning and Design Code where:</p> <ul style="list-style-type: none"> • If the Code Amendment is initiated by the Commission - only if the amendment is adopted by the Minister under section 73(10)(c) of the Act as outlined in the relevant engagement report; or • In any other circumstance - only if the delegate forms the opinion that the changes proposed by the Code Amendment are not: <ul style="list-style-type: none"> i) controversial;

			ii) of political sensitivity or importance; or iii) finely balanced.
Section 75	Complying changes – Planning and Design Code		
Section 75(2)	Engage and respond to consultation for the purpose of providing advice to the Minister	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	
Section 76	Minor or operational amendments		
Section 76(4) <i>Section 22(1)(b)</i>	The function of receiving and responding to consultation from the Minister before the making of an amendment under section 76.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Strategic Planning • Director, Development 	
Section 78	Early commencement		
Section 78(3) <i>Section 22(1)(b)</i>	The function of receiving and responding to consultation from the Minister before an amendment to the Planning and Design Code commences early.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	
Section 80	Ministerial Building Standards		

Section 80(4)	The power to receive and respond to consultation from the Minister regarding variation or revocation of a Ministerial Building Standard.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Director, Building 	Limited only to consultation from the Minister regarding variations to an existing Ministerial
			Building Standard, and where the delegate forms the opinion that such variations are of a minor operational nature.
Division 5	Determination of relevant authority		
Section 94	Relevant authority - Commission		
Section 94(3)(a)	The function of requesting the relevant authority (already acting in relation to the proposed development under another paragraph of subsection (1)) to provide a report relating to any application for development authorisation that has been under consideration by the relevant authority.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 94(3)(b) <i>Commission as relevant authority</i></p>	<p>The power to determine whether to do either or both of the following:</p> <ul style="list-style-type: none"> (i) adopt any assessment, finding or determination that was made by a relevant authority that has been acting in relation to the proposed development; (ii) continue to assess the proposed development from the stage reached immediately before the Minister acted under that subsection. 	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 99</p>	<p>Related provisions</p>		
<p>Section 99(1) <i>Commission as relevant authority</i></p>	<ul style="list-style-type: none"> (a) 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 (b) require that the assessment of the development in respect of the Building Rules be undertaken by a private certifier. 	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. • PO3 and higher within the Building directorate. 	
<p>Part 7</p>	<p>Development assessment – general scheme</p>		
<p>Division 1</p>	<p>Approvals</p>		
<p>Section 102</p>	<p>Matters against which development must be assessed</p>		

<p>Section 102(1) <i>Commission as relevant authority</i></p>	<p>The function of assessing a development against and granting or refusing consent in respect of each of the following matters (insofar as they are relevant to that development) and determining whether to grant the relevant consent.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 102(3) <i>Commission as relevant authority</i></p>	<p>The power to, in relation to the delegate granting planning consent, on the delegate's own initiative or on application, reserve its decision on a specified matter or reserve its decision to grant planning consent.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 102(8) <i>Commission as relevant authority</i></p>	<p>The function of indicating whether a development is approved.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Division 2</p>	<p>Planning consent</p>		
<p>Subdivision 3</p>	<p>Code assessed development</p>		
<p>Section 103</p>	<p>The function of determining the categorisation of development for the purpose of assessment in relation to planning consent.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 106</p>	<p>Deemed-to-satisfy assessment</p>		

<p>Section 106(2) <i>Commission as relevant authority</i></p>	<p>The function of being satisfied that a variation in relation to a deemed-to-satisfy development is minor.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 107</p>	<p>Performance assessed development</p>		
<p>Section 107(2) <i>Commission as relevant authority</i></p>	<p>The function of determining whether a development is seriously at variance with the Planning and Design Code (disregarding minor variations).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 107(3) <i>Commission as relevant authority</i></p>	<p>The functions of giving notice of the application for planning consent and forwarding to the applicant a copy of the representations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

		<ul style="list-style-type: none"> ASO2 and higher within the Development directorate 	
Subdivision 4	Impact assessed development		
Section 109	Practice direction to provide guidance		
Section 109(1) <i>Section 42</i>	<p>The function of preparing and publishing a practice direction with respect to -</p> <p>(b) impact assessed development (not being restricted development)—</p> <p>(i) requirements as to the preparation of an EIS, including the level of detail that an EIS must address with respect to various classes of development; and</p> <p>(ii) any other requirements for assessing the level of impact of a development that is to be assessed as impact assessed development; and</p> <p>(iii) the information that must be provided by the proponent at the various stages assessed under this Act; and</p> <p>any other matter prescribed by the regulations.</p>	<ul style="list-style-type: none"> Deputy Chief Executive - Planning Executive Director, Planning and Building Director, Development MAS3 or higher within the Development directorate. 	
Section 110	Restricted Development		
Section 110(1)	The function of determining, in relation to proposed development classified as restricted development, whether the development will be	<ul style="list-style-type: none"> State Commission Assessment Panel Land Division Assessment Panel 	

	assessed and, if so, whether to grant planning consent.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
Section 110(2)(a)	The function of giving notice of the application for planning consent.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Section 110(2)(a)(ii)	The function to determine whether any other owner or occupier of land would be directly affected to a significant degree by development if it were to proceed.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 110(3)</p>	<p>The function of ensuring that a copy of the application, accompanying documents, and a copy of any report prepared by or on behalf of the Commission in relation to the application, are published on the SA planning portal and available for inspection and downloading without charge.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 110(5)</p>	<p>The discretion to determine whether to take into account a representation not made in accordance with requirements prescribed by the regulations for the purposes of section 110.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	

<p>Section 110(6)</p>	<p>The function of giving the person notice of –</p> <ul style="list-style-type: none"> (i) The Commission’s delegate’s decision on the application for development; and (ii) The date of the decision; and (iii) The person’s appeal rights under this Act. <p>The function of giving to the Court notice of –</p> <ul style="list-style-type: none"> (i) The Commission’s decision on the application for development; and (ii) The date of the decision; and (iii) The names and addresses of the person or persons who made representations to the Commission under that subsection. 	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 110(13)</p>	<p>The power to determine the form of any notice to be given under section 110.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel 	
		<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	

Section 110(14)	The power to refuse an application that relates to proposed development classified as restricted development without proceeding to make an assessment of the application.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	
Section 113	EIS process		
Section 113(9)	The function of preparing an Assessment Report that sets out or includes the matters specified in this section.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Manager, Crown and Impact Assessment. 	limited to variations or amendments that are within the scope of the existing declaration and which do not significantly alter the existing scale and nature of the approval.
Section 113(10)	The function of providing notice in accordance with section 113(10).	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	

Section 113(11)	The function of determining the place and period for which copies of the EIS, the proponent's response, and the Assessment Report must be kept available for inspection and purchase.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
Section 113(12)	The function of giving a copy of the EIS, the proponent's response and the Assessment Report to the council.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
Section 114	Amendment of an EIS		
Section 114(3)	The function of giving notice of the place or places at which copies of the relevant document or documents (with the amendments) are available for inspection and purchase.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
Division 3	Building consent		
Section 118	Building consent		
Section 118(2)(a)	The power to determine whether to, in relation to a development that is at variance with the	Building Technical Panel	

	Building Rules, concur in the granting of building consent.		
Section 118(2)(b) <i>The Commission as relevant authority</i>	The power to, in relation to a development that is at variance with the Building Rules: (a) And the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard: determine whether it is appropriate to grant the consent despite the variance on the basis that the Commission's delegate is satisfied of the matters in (i) or (ii).	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Director, Building • PO2 and higher within the Building directorate. 	
Section 118(4) <i>The Commission as relevant authority</i>	The function of, at the request or with the agreement of the applicant, referring 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.	Building Technical Panel	
Section 118(4) <i>The Commission <u>not</u> as relevant authority</i>	The function of, upon referral of proposed building work under this subsection from a relevant authority, providing an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.	Building Technical Panel	
Section 118(6) <i>The Commission as relevant authority</i>	The power, where an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to determine an application	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Director, Building 	

	for Building Rules Consent, so far as it 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.		
Section 118(7) <i>The Commission as relevant authority</i> Section 22(1)(b)	The function of providing advice to a relevant authority prior to the imposition or agreement to a requirement under section 118(6) that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.	Building Technical Panel	
Section 118(10) <i>The Commission as relevant authority</i>	The power to determine whether, as a result of a 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	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 118(11) <i>The Commission as relevant authority</i>	The power to give notice of the delegate's decision on the application for consent.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Division 4	Procedural matters and assessment facilitation		
Section 119	Application and provision of information		

<p>Section 119(1)(b) <i>The Commission as relevant authority</i></p>	<p>The power to specify information reasonably required in relation to an application for the purposes of this Part.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 119(3) <i>The Commission as relevant authority</i></p>	<p>The power to request an applicant –</p> <ul style="list-style-type: none"> (a) to provide such additional documents, assessments or information (including calculations and technical details) as the relevant authority may reasonably require to assess the application; (b) to remedy any defect or deficiency in any application or accompanying document or information required by or under this Act; (c) to consult with an authority or body prescribed by the regulations; (d) to comply with any other requirement prescribed by the regulations. 	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 119(6)(b) <i>The Commission as relevant authority</i></p>	<p>If a request is made under section 119(3) and the request is not complied with within the prescribed time period:</p> <ul style="list-style-type: none"> (a) the discretion to refuse the application; (b) the power to refuse the application. 	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	

		<ul style="list-style-type: none"> • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 119(7)</p> <p><i>The Commission as relevant authority</i></p>	<p>The discretion to, in dealing with an application that relates to a regulated tree, determine whether special circumstances apply for the purposes of this subsection.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 119(8)</p> <p><i>The Commission as relevant authority</i></p>	<p>The discretion to, in dealing with an application that relates to a regulated tree that is not a significant tree, determine whether special circumstances apply for the purposes of this subsection.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 119(9)(a) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether to:</p> <p>(a) grant permission to an applicant—</p> <p>(i) to vary an application; to vary any plans, drawings, specifications or other documents that accompanied an application,</p> <p>(ii) (provided that the essential nature of the proposed development is not changed).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 119(9)(b) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether to:</p> <p>(b) grant permission to an applicant to lodge an application without the provision of any information or document required by the regulations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 119(9)(c) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether to:</p> <p>(c) 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>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Development directorate 	
<p>Section 119(9)(d) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether to:</p> <p>(d) if there is an inconsistency between any documents lodged with the delegate for the purposes of this Part (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:</p> <p>To determine whether to 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>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 or PO1 and higher within the Development directorate 	

<p>Section 119(10) <i>The Commission as relevant authority</i></p>	<p>The power to determine and impose such conditions as the relevant authority thinks fit in granting permission under section 119(9).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 119(14) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether to refund the application fee in the case where an applicant withdraws an application under this subsection.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	
<p>Section 120</p>	<p>Outline consent</p>		

<p>Section 120(1) <i>The Commission as relevant authority</i></p>	<p>The power to grant a consent in the nature of an outline consent.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	
<p>Section 121</p>	<p>Design Review</p>		
<p>Section 121(3)</p>	<p>(a) the power to determine the required form for an application under section 121; and (b) the power to specify information to be included in an application under section 121.</p>	<p>Government Architect</p>	
<p>Section 122</p>	<p>Referrals to other authorities or agencies</p>		
<p>Section 122(6)(a) <i>The Commission as relevant authority</i></p>	<p>The function of notifying the applicant that the application was refused, or the conditions imposed, by direction under section 122.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 122(7) <i>The Commission as relevant authority</i></p>	<p>The power to make an application to be joined as a party to proceedings.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	
<p>Section 122(10) <i>The Commission as relevant authority</i></p>	<p>The function of (upon request of the applicant) deferring a referral under this section to a particular stage in the process of assessment.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 122(12) <i>The Commission as relevant authority</i></p>	<p>The function of ensuring that a response from a prescribed body under section 122 is published on the SA planning portal and available for inspection and downloading without charge as soon as is reasonably practicable after the response is received by the relevant authority.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate • ASO3 and higher within the Business Services directorate in PLUS 	
<p>Section 123</p>	<p>Preliminary advice and agreement</p>		
<p>Section 123(2)(e) <i>The Commission as relevant authority</i></p>	<p>The discretion to determine whether the delegate is satisfied that the application accords with the agreement under section 123(2)(c) of the prescribed body.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 123(4) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether the agreement is no longer appropriate due to the operation of section 132.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 124</p>	<p>Proposed development involving creation of fortifications</p>		
<p>Section 124(1) <i>The Commission as relevant authority</i></p>	<p>The power to determine, whether there is reason to believe that a proposed development may involve the creation of fortifications. And to refer the application to the Commissioner of Police (the Commissioner).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	

<p>Section 124(6) <i>The Commission as relevant authority</i></p>	<p>The function and power 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.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	
<p>Section 124(7) <i>The Commission as relevant authority</i></p>	<p>The power to make an application to be joined as a party to the appeal.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel 	
<p>Section 125</p>	<p>Time within which a decision must be made</p>		
<p>Section 125(4) <i>The Commission as relevant authority</i></p>	<p>The power to, in relation to a deemed consent notice: (a) grant the planning consent itself; or (b) grant the planning consent subject to conditions.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 125(6) <i>The Commission as relevant authority</i></p>	<p>The power, in relation to a deemed planning consent, to determine whether the relevant application for planning consent should have been refused.</p> <p><u>and</u></p> <p>The power to make an application to the Court for an order quashing the consent.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	
<p>Section 126</p>	<p>Determination of application</p>		
<p>Section 126(1) <i>The Commission as relevant authority</i></p>	<p>The function of giving notice of the decision in accordance with the regulations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 126(3) <i>The Commission as relevant authority</i></p>	<p>The power to extend the prescribed period of a development authorisation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

		<ul style="list-style-type: none"> ASO2 and higher within the Development directorate 	
Division 5	Conditions		
Section 127	Conditions		
Section 127 <i>The Commission as relevant authority</i>	The power to impose conditions.	<ul style="list-style-type: none"> State Commission Assessment Panel Land Division Assessment Panel Deputy Chief Executive - Planning Executive Director, Planning and Building Director, Development ASO2 and higher within the Development directorate 	
Section 127(6) <i>The Commission as relevant authority</i>	The power 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) (and the requirements under section 127(4) will then be adjusted accordingly).	<ul style="list-style-type: none"> State Commission Assessment Panel Land Division Assessment Panel Deputy Chief Executive - Planning Executive Director, Planning and Building Director, Development ASO2 and higher within the Development directorate 	

<p>Section 127(8)(b) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether it is appropriate to grant an exemption under this subsection in a particular case.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Division 6</p>	<p>Variation of authorisation</p>		
<p>Section 128</p>	<p>Variation of authorisation</p>		
<p>Section 128(2)(c) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether any representations are related to any aspect of the development that is now under consideration on account of the application for variation and that, in the circumstances, the level of notification and consultation envisaged by section 110 is not required.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	

<p>Section 128(2)(d) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether to extend the period for which the relevant authorisation remains operative (in relation to an application for the variation of a development authorisation).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Part 8</p>	<p>Development assessment – essential infrastructure</p>		
<p>Division 2</p>	<p>Essential infrastructure – alternative assessment process</p>		
<p>Section 130</p>	<p>Essential infrastructure – alternative assessment process</p>		
<p>Section 130(4)</p>	<p>The power to request the proponent to provide additional documents or information (including calculations and technical details) in relation to the application.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 130(5)</p>	<p>The function of giving notice containing prescribed particulars of the development to the council in accordance with the regulations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate • ASO3 and higher within the Business Services directorate 	
<p>Section 130(8)</p>	<p>The function of assessing an application lodged with the delegate of the Commission under section 130.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 130(12)</p>	<p>The function and power of determining whether an application for a variation to an approved development is of a minor nature for the purposes of this subsection.</p> <p><u>And</u></p> <p>(a) If the application is not of a minor nature, the function of inviting interested persons to make written submissions to the Commission (or its delegate) on the proposal in accordance with this subsection.</p> <p>(b) The function of providing a reasonable opportunity to appear personally or by representative in support of his or her submission.</p> <p>(c) The function of giving due consideration in the assessment of the application to any submissions made by interested persons as referred to in paragraphs (a) or (b).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 130(13)</p>	<p>The function of preparing a report to the Minister on the matter.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

Section 130(21)	The function of providing advice to a person acting under section 130(20), before that person gives a certificate in respect of building work that would be at variance with the performance requirements of the Building Code.	Building Technical Panel	
Part 9	Development assessment – Crown development		
Section 131	Development assessment – Crown development		
Section 131(5)	The power to request the State agency to provide additional documents or information (including calculations and technical details) in relation to the application.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

Section 131(6)	The function of giving notice containing prescribed particulars of the development to the council in accordance with the regulations.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Section 131(9)	The function of assessing an application lodged under section 131.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Section 131(13)</p>	<p>The function of determining whether an application for a variation to an approved development is of a minor nature.</p> <p>If the application is not of a minor nature, the function of—</p> <p>(a) by public notice, inviting interested persons to make written submissions to the delegate on the proposal within a period of at least 15 business days; and</p> <p>(b) allowing a person who has made a written submission to the delegate within that period and who, as part of that submission, has indicated an interest in appearing before the delegate, a reasonable opportunity to appear personally or by representative before the Commission (or its delegate) to be heard in support of his or her submission.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 131(14)</p>	<p>The function of preparing a report to the Minister on the matter.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

Section 131(22)(a)	The function of providing advice to a person acting under section 131(21) before that person gives a certificate in respect of building work that would be at variance with the performance requirements of the Building Code.	Building Technical Panel	
Part 10	Development assessment and approval – related provisions		
Division 1	General principles		
Section 133	Saving provisions		
Section 133(3) <i>The Commission as relevant authority</i>	The power to, in order to avoid or reduce hardship, extend the limitation period referred to in section 133(2).	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
Division 2	Buildings		
Section 134	Requirement to up-grade		

<p>Section 134(1) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether the building subject to an application for a building consent, is unsafe, structurally unsound or in an unhealthy condition.</p> <p><u>And</u></p> <p>The power to, if the requirements in sections 134(1)(a) and (b) are met, 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>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
<p>Section 134(4) <i>The Commission as relevant authority</i></p>	<p>The power to determine whether 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>The power 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>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
<p>Division 3</p>	<p>Trees</p>		
<p>Division 4</p>	<p>Land division certificate</p>		
<p>Section 138</p>	<p>Land division certificate</p>		

<p>Section 138(1)</p>	<p>The power to consider whether to issue a certificate from the Commission that it is satisfied the prescribed conditions as to development have been satisfied, or that the applicant has, by virtue of an entitlement under the regulations, entered into a binding agreement, supported by adequate security.</p> <p>The function of providing a certificate in accordance with this subsection.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Section 138(2)</p>	<p>The power to require the applicant, the council for the area in which the land is situated (if any), or any other person or body, to furnish it with appropriate information as to compliance with a particular condition, or to comply with any requirement prescribed by the regulations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	

<p>Section 138(4)</p>	<p>The function of, as soon as practicable after issuing a certificate under section 138(1) that relates to land within the area of a council, furnishing the council with such information as the regulations may require.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Section 138(6)</p>	<p>The power to extend the prescribed period under the regulations for a certificate issued under section 138.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Division 6</p>	<p>Uncompleted development</p>		
<p>Section 141</p>	<p>Action if development not completed</p>		
<p>Section 141(1) <i>The Commission as a designated authority</i></p>	<p>The power to apply to the Court for an order under section 141, and in the circumstances in section 141(1).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

		<ul style="list-style-type: none"> • Director, Building 	
<p>Section 141(5) <i>The Commission as a designated authority</i></p>	<p>If the Court makes an order under section 141(3)(a), (b) or (d) and a person fails to comply with the order within the period specified by the Court:</p> <p>The power 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>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 141(6)(a) <i>The Commission as a designated authority</i></p>	<p>If an amount is recoverable from a person by a designated authority under section 141(5)—</p> <p>The power to, by notice in writing to the person, fix a period, within which the amount must be paid by the person.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 142	Completion of work		
<p>Section 142(1) <i>The Commission as a designated authority</i></p>	<p>The power to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 142(2)</p>	<p>If an owner fails to carry out work as required by a notice under section 142(1), the power to cause the necessary work to be carried out.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

<i>The Commission as a designated authority</i>		<ul style="list-style-type: none"> • Director, Building 	
Section 142(3) <i>The Commission as a designated authority</i>	The power to recover the reasonable costs and expenses incurred under section 142, as a debt due from the owner.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 142(4)(a) <i>The Commission as a designated authority</i>	<p>If an amount is recoverable from a person by the delegate (as a designated authority) under section 142—</p> <p>The power 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, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate on the amount unpaid.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Division 7	Cancellation of development authorisation		
Section 143	Cancellation of development authorisation		
Section 143(1) <i>The Commission as relevant authority</i>	The power to cancel a development authorisation previously given by the Commission.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

		<ul style="list-style-type: none"> • PO4 and higher within the Development directorate. 	
<p>Section 143(2) <i>The Commission as relevant authority</i></p>	<p>The power to impose conditions to a cancellation under section 143.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate. 	
Part 11	Building Activity and Use – Special Provisions		
Division 2	Notifications		
Section 146	Notification during building		

Section 146(3) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i>	The power to 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.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
Division 4	Classification and occupation of buildings		
Section 151	Classification of buildings		
Section 151(2) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i>	The power to assign to a building erected in its area a classification that conforms with the regulations.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 151(3) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i>	The function of giving notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 152	Certificates of occupancy		

<p>Section 152(2) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i></p>	<p>The power to appoint an accredited professional to issue a certificate of occupancy.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 152(3) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i></p>	<p>The power to require information to be included with an application for a certificate of occupancy.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 152(10) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i></p>	<p>The function of notifying the applicant in writing of: (a) a refusal; and (b) reasons for the refusal; and (c) the applicant's right of appeal.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 152(13) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i></p>	<p>The power to appoint an accredited professional to revoke a certificate of occupancy.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

Section 153	Temporary occupation		
Section 153(1) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i>	The power to determine whether to grant approval for a person to occupy a building on a temporary basis without a certificate of occupancy.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Section 153(2) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i>	The power to determine conditions.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Section 153(3) <i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i>	The function of notifying the applicant in writing of: (a) the refusal; and (b) the reasons for the refusal; and (c) the applicant's right of appeal under this Act.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Division 5	Emergency orders		
Section 155	Emergency Orders		

<p>Section 155(6)</p> <p><i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i></p>	<p>The power to recover reasonable costs and expenses incurred by the delegate as a debt due to from the owner.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 155(7)(a)</p> <p><i>Where the Commission is deemed as a 'council' for this Part (see reg 92 of the (General) Regulations)</i></p>	<p>The power to, by notice in writing, 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, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate on the amount unpaid.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	

Part 15	Funds and off-set schemes		
Division 2	Off-set schemes		
Section 198	Open space contribution scheme		

<p>Section 198(1)</p>	<p>Where a development application provides for the division of land into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area -</p> <p>The power to require, and specify:</p> <p>(c) that up to 12.5% in area of the relevant area be vested in the council or the Crown (as the case requires) to be held as open space; or</p> <p>(d) that the applicant make the contribution prescribed by the regulations in accordance with the requirements of section 198; or</p> <p>(e) that land be vested in the council or the Crown under paragraph (c) and that the applicant make a contribution determined in accordance with section 198(8),</p> <p>according to the determination and specification of the council or the Commission.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
<p>Section 198(1)</p>	<p>The power to determine whether to concur with a council before it can take any action that is at variance with the Planning and Design Code.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO4 and higher within the Planning Services business unit in Development directorate. 	

<p>Section 198(2)</p>	<p>The power to require the applicant to pay the contribution prescribed by the regulations in accordance with the requirements of section 198.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
<p>Section 198(2)</p>	<p>The power to enter into an agreement with the applicant.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
<p>Section 198(4)</p>	<p>The power to require:</p> <ul style="list-style-type: none"> (a) that an area be kept as open space or in some other form that allows for active or passive recreation (as determined by the Commission or its delegate), with some or all of this area to be vested in the Crown or, with the concurrence of the council, a council; or (b) that the applicant pay the contribution prescribed; or (c) that certain land be kept in the manner contemplated by paragraph (a) and that the applicant will make a contribution to the Commission. 	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	

Section 198(10)	The function of receiving payment from the applicant under section 198(1) if the land is not situated within the area of a council.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
Part 18	Enforcement		
Division 1	Civil Enforcement		
Section 213	Enforcement notices		
Section 213(1) <i>The Commission as a designated authority</i>	The power to take action under section 213.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Section 213(5) <i>The Commission as a designated authority</i>	The power to cause the necessary action to be taken, if a person fails to comply with a direction under section 213(1)(b) within the time specified in the notice.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

<p>Section 213(6) <i>The Commission as a designated authority</i></p>	<p>The power to recover the reasonable costs and expenses incurred as a debt.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 213(7)(a) <i>The Commission as a designated authority</i></p>	<p>The power to, by notice in writing to the person, fix a period, within which the amount must be paid by the person.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 214</p>	<p>Applications to the Court</p>		
<p>Section 214(9) <i>The Commission as a designated authority</i></p>	<p>The power to appear, before a final order is made, and be heard in proceedings based on the application.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 214(12) <i>The Commission as a designated authority</i></p>	<p>The power to, (if the Court makes an order under section 214(6)(d) and the respondent fails to comply with the order within the period specified by the Court), cause any work contemplated by the order to be carried out. <u>And</u></p>	<ul style="list-style-type: none"> • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development 	

	The power to subsequently recover the costs of that work, as a debt, from the respondent.	<ul style="list-style-type: none"> • Director, Building • MAS3 and higher within the Development directorate. 	
Section 214(13)(a) <i>The Commission as a designated authority</i>	The power 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, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Division 2	General Offences and Provisions Relating to Offences		
Section 223	Adverse publicity orders		
Section 223(4)	<p>The power to take the action or actions specified in the Court order.</p> <p>The power to authorise a person in writing to do so.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 223(5)	The power to apply to the Court for an order authorising the Commission or a person authorised in writing by the Commission, to take the action or actions.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	

Section 223(6)	The power to recover from the offender an amount in relation to the reasonable expenses of taking the action or actions, as a debt.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Division 3	Civil Penalties		
Section 225	Civil Penalties		
Section 225(1) <i>The Commission as a designated entity</i>	The power to recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of a contravention.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning 	
Section 225(3)(a) <i>The Commission as a designated entity</i>	The function of serving on a person a notice in the prescribed form advising the person that the person may, by written notice to the designated entity, elect to be prosecuted for the contravention.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 225(16)	The function of ensuring that information about the commencement of proceedings under section 225 is published on the SA Planning Portal.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	

Section 225(17)(b) <i>The Commission as a designated entity</i>	The power to determine whether to grant authorisation to a council to act as a designated entity.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 225(17)(c) <i>The Commission as a designated entity</i>	The function of consulting with the Commissioner for Consumer Affairs with regard to the acting as a designated entity under section 225.	<ul style="list-style-type: none"> • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 225(18)	<p>(a) The power to grant an authorisation to a council under section 225(17) subject to conditions;</p> <p>(b) The power to vary or revoke an authorisation granted to a council under section 225(17).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Section 230	Enforceable voluntary undertakings		
Section 230(1) <i>The Commission as a designated entity</i>	The power to determine whether 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 this Act.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	

<p>Section 230(4)</p> <p><i>The Commission as a designated entity</i></p>	<p>The power to apply to the Court for enforcement of the undertaking if the delegate or the Commission considers it has been contravened.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 230(7)</p> <p><i>The Commission as a designated entity</i></p>	<p>The power to determine whether to agree to:</p> <p>(a) Vary the undertaking; or</p> <p>(b) Withdraw the undertaking.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 230(11)</p> <p><i>The Commission as a designated entity</i></p>	<p>The power to determine whether to accept an undertaking before proceedings have been finalised.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 230(12)</p> <p><i>The Commission as a designated entity</i></p>	<p>The function of taking all reasonable steps to have the proceedings discontinued as soon as possible.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	

<p>Section 230(13) <i>The Commission as a designated entity</i></p>	<p>The function of publishing, on the SA Planning Portal, notice of:</p> <p>(a) the giving of an undertaking under section 230; or</p> <p>(b) the variation or withdrawal of an undertaking under section 230.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 230(14) <i>The Commission as a designated entity</i></p>	<p>(b) The power to grant an authorisation to a council to act as a designated entity under section 230;</p> <p>(c) The function of consulting with the Commissioner for Consumer Affairs regarding acting as a designated entity under section 230.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 230(15) <i>The Commission as a designated entity</i></p>	<p>(a) The power to grant an authorisation to a council under section 230(14) subject to conditions determined by the delegate; and</p> <p>(b) The power to determine and subsequently vary or revoke an authorisation granted to a council under section 230(14).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Part 19</p>	<p>Regulation of advertisements</p>		
<p>Section 231</p>	<p>Advertisements</p>		

Section 231(1)	The power to serve a notice requiring the person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Section 231(3)(a)	The power to enter on the land and take the necessary steps to carry out the requirements of the notice and recover the costs of so doing, as a debt.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Section 231(3)(a)	The power to recover the costs of taking the necessary steps to carry out the requirements of the notice	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Part 20	Miscellaneous		
Section 238	Copyright issues		

<p>Section 238(2)</p> <p><i>The Commission as a designated entity</i></p>	<p>The power to publish any document, instrument, or material in which copyright may exist.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO1 and higher • ASO3 and higher 	
<p>Section 238(3)</p> <p><i>The Commission as a designated entity</i></p>	<p>The power to determine whether to refuse to accept any document, instrument or material unless or until there is an agreement relating to copyright in place.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 238(4)</p> <p><i>The Commission as a designated entity</i></p>	<p>The power to determine whether to not accept any document, instrument or material in which copyright may exist if the delegate considers the issue of copyright has not been dealt with appropriately or adequately.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
<p>Section 239</p>	<p>Charges on land</p> <p>The power to deliver a notice in writing to the Registrar-General to enter a note of the charge against the relevant title or land.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Section 243</p>	<p>Compulsory acquisition of land</p>		

Section 243(2) <i>As per s22(1)(b)</i>	The power to advise the Minister with respect to the compulsory acquisition of land under section 243(1).	<ul style="list-style-type: none"> Deputy Chief Executive - Planning 	
Schedule 8	Transitional Provisions		
Part 3	Commission and preliminary structural reforms		
Division 1	Commission		
Clause 6	Commission authorised to assume functions under the repealed Act		
Clause 6(1) and clause 6(7)(a) <i>Where the Commission assumes the role of the Development Assessment Commission</i>	The functions, powers and duties of the designated entities (as defined in clause 6(7)) under the repealed Act	<ul style="list-style-type: none"> State Commission Assessment Panel Land Division Assessment Panel Deputy Chief Executive - Planning Executive Director, Planning and Building Director, Development ASO2 and higher within the Development directorate. 	
Clause 6(1) and clause 6(7)(b)	The functions, powers and duties of the designated entity (as defined in clause 6(7)) under the repealed Act	Building Technical Panel	

<p><i>Where the Commission assumes the role of the Building Rules Assessment Commission</i></p>			
<p>Clause 6(1) and clause 6(7)(c) <i>Where the Commission assumes the role of the Development Policy Advisory Committee</i></p>	<p>The functions, powers and duties of the designated entities (as defined in clause 6(7)) under the repealed Act</p>	<p>Deputy Chief Executive - Planning</p>	
<p>Part 6</p>	<p>Existing applications</p>		
<p>Clause 18</p>	<p><i>Continuation of processes</i></p>		
<p>Clause 18(2) <i>Where the Commission is the relevant authority</i></p>	<p><i>The power to:</i> (a) <i>adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which that subclause applies; and</i> (b) <i>adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which that subclause applies; and</i> (c) <i>deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</i></p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	

	<p>(d) deal with any requirement or grant any variation imposed or proposed in connection with an application to which that subclause applies; and</p> <p>(e) 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 this clause.</p>		
Part 7	Development Plans relevant to assessments under this Act		
Clause 25	Non-complying development		
Clause 25(6)	<p>The power to:</p> <p>(a) adopt any findings or determinations of an assessment panel that may be relevant to an application to which that subclause applies; and</p> <p>(b) adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which that subclause applies; and</p> <p>(c) deal with any matter that is subject to a reserved decision before the designated day; and</p> <p>(d) deal with any requirement or grant any variation imposed or proposed in connection with an application to which that subclause applies; and</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	

	(e) <i>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 this clause.</i>		
<i>Planning Development and Infrastructure (General) Regulations 2017</i>			
Part 2	Administration and structural matters		
Regulation 11	Compliance with code of conduct – assessment panels		
Regulation 11(2)	The function of receiving complaints in relation to contraventions of the code of conduct by a member of an assessment panel.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • Manager, Governance and Legislation • ASO4 and PO3 and higher within the Planning Reform and Governance directorate. 	

<p>Regulation 11(4)</p>	<p>The function of determining whether to provide approval to a person for a complaint to be lodged outside the prescribed period.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • Manager, Governance and Legislation • ASO7 and PO4 and higher within the Planning Reform and Governance directorate in PLUS. 	
<p>Regulation 11(5)</p>	<p>The power to require the complainant to give further particulars of the complaint.</p> <p><u>And</u></p> <p>The power to require verification of the complaint by statutory declaration.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • Manager, Governance and Legislation • ASO7 and PO4 and higher within the Planning Reform and Governance directorate. 	
<p>Regulation 11(6)</p>	<p>The power to determine whether to refuse to entertain a complaint or refuse to continue to entertain a complaint.</p>	<p>Chair, State Planning Commission</p>	

<p>Regulation 11(7)</p>	<p>The power to refer the matter to the member of the assessment panel to whom the complaint relates for a response.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • Manager, Governance and Legislation • • ASO7 and PO4 and higher within the Planning Reform and Governance directorate. 	
<p>Regulation 11(8)</p>	<p>The power to take such further action as the delegate or Commission thinks fit.</p>	<p>Chair, State Planning Commission</p>	
<p>Regulation 11(9)</p>	<p>The power to appoint a person to investigate a complaint.</p>	<p>Chair, State Planning Commission</p>	
<p>Regulation 11(10)(a)</p>	<p>The function of informing the member of the assessment panel to whom the complaint relates of the appointment of an investigator and of furnishing formal notification of the nature of the complaint.</p>	<p>Chair, State Planning Commission</p>	
<p>Regulation 11(11)</p>	<p>The function of being consulted with by the investigator in relation to a complaint investigation.</p>	<p>Chair, State Planning Commission</p>	

Regulation 11(12)	The function of receiving and considering reports from the investigator.	Chair, State Planning Commission	
Regulation 11(13)	The function of providing the person to whom the complaint relates with a copy of a report presented under reg 11(12)(b). <u>And</u> The power to invite a response from the person.	Chair, State Planning Commission	
Regulation 11(15)	The function of informing the complainant of the outcome of a complaint under reg 11(14).	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • Manager, Governance and Legislation ASO7 and PO4 and higher within the Planning Reform and Governance directorate. 	
Regulation 11(16)(a)	The power to consult with or provide a report to the Minister about a complaint that has been made under this regulation.	Chair, State Planning Commission	

Regulation 11(16)(b)	The power to consult with or provide a report to a joint planning board or council (in the case of a complaint that related to a member of an assessment panel appointed by a joined planning board or a council), about a complaint that has been made under this regulation.	Chair, State Planning Commission	
Part 4	Building Envelope Plans		
Regulation 19A(1)	The power of a designated authority to, on application, approve a building envelope plan prepared in accordance with a Practice Direction issued for the purpose of this Regulation.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development PO4 and higher within the Development directorate. 	
Regulation 19A(2)	The power of a designated authority to, on application, vary a building envelope plan.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate. 	

Part 5	Relevant authorities and accredited professionals		
Regulation 23	State Planning Commission (section 94)		
Regulation 23(2)(a)(i) <i>Commission as a relevant authority under s94(1) of the Act</i>	Where the Minister has acted under s94(1)(h) of the Act: The function of receiving any application received by the relevant authority and of determining and indicating whether the entity may retain some or all of the fees.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate. 	
Regulation 23(2)(a)(ii) <i>Commission as a relevant authority under s94(1) of the Act</i>	Where the Minister has acted under s94(1)(h) of the Act: (A) The power to adopt any act or decision in relation to the assessment of the application that has already been made by a relevant authority; and (B) The power to disregard reject any act or decision of a relevant authority that has already been made in relation to the assessment of the application.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate. 	

<p>Regulation 23(2)(b)</p> <p><i>Commission as a relevant authority under s94(1) of the Act</i></p>	<p>Where the Minister has acted under s94(1)(h) of the Act:</p> <p>The function of receiving a report from the Chief Executive Officer of the council for the area in which the development is to be undertaken, and to determine whether to allow for a longer period for the report to be provided.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate. 	
<p>Regulation 23(3)(a)</p>	<p>The power to determine and specify a matter specified for the purposes of a report under reg 23(2)(b).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate. 	
<p>Regulation 26</p>	<p>Requirement to obtain advice of an accredited professional</p>		
<p>Regulation 26(1)</p>	<p>The function of seeking and considering the advice of an accredited professional who would be qualified to give building consent in relation to the building work if the accredited professional were acting as a relevant authority in the particular case.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

Part 7	Assessment – process and assessment facilitation		
Division 1	Applications		
Regulation 29	Application to relevant authority		
Regulation 29(4) <i>Commission as a relevant authority</i>	The function of lodging an application on the SA planning portal within 5 business days after receipt.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Regulation 31	Verification of application		
Regulation 31(1)(a) <i>Commission as a relevant authority</i>	The function of determining the nature of the development.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the 	

		Development directorate.	
<p>Regulation 31(1)(b)</p> <p><i>Commission as a relevant authority</i></p>	<p>If an application is for planning consent, the function of determining whether the development involves 2 or more elements, of identifying each of those elements for the purposes of assessment against the provisions of the Planning and Design Code, and of determining the category or categories of development that apply for the purposes of development assessment.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 31(1)(c)</p> <p><i>Commission as a relevant authority</i></p>	<p>The function of determining whether the relevant authority is the correct entity to assess the application under the Act.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 31(1)(d)</p> <p><i>Commission as a relevant authority and it is the correct entity to assess any part of the application</i></p>	<p>The function of:</p> <p style="padding-left: 40px;">(i) checking that the appropriate documents and information have been lodged with the application; and</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and 	

	<p>(ii) confirming the fees required to be paid at that point under the <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i>; and</p> <p>(iii) providing an appropriate notice via the SA planning portal.</p>	<p>Building</p> <ul style="list-style-type: none"> • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 31(1)(e)</p> <p><i>Commission as a relevant authority but it is <u>not</u> the correct entity to assess any part of the application</i></p> <p><i>Section 42</i></p>	<p>The function of:</p> <p>(i) providing 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 it considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>(ii) providing an appropriate notice via the SA planning portal.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	

<p>Regulation 32 <i>Commission as a relevant authority</i></p>	<p>Application for accepted development The function of advising the applicant of its determination with regard to whether the development falls within the category of accepted development.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 34</p>	<p>Period for additional information and other matters</p>		
<p>Regulation 34(1) <i>Commission as a relevant authority</i></p>	<p>The power to determine whether to allow for a longer period for the applicant to comply with.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 35</p>	<p>Amended applications</p>		

<p>Regulation 35(3) <i>Commission as a relevant authority</i></p>	<p>The power 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>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 35(4) <i>Commission as a relevant authority</i></p>	<p>Where a variation would change the essential nature of a proposed development:</p> <p>The power to enter into an agreement 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 these regulations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 38</p>	<p>Withdrawing/lapsing applications</p>		
<p>Regulation 38(1)</p>	<p>The function of notifying the following of the withdrawal:</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel 	

<p><i>Commission as a relevant authority</i></p>	<p>(a) Any agency to which the application has been referred under Division 2; and (b) Any person who has made a representation in relation to the application under Division 3.</p>	<ul style="list-style-type: none"> • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 38(2) <i>Commission as a relevant authority</i></p>	<p>The power to determine whether an application should be lapsed for a development authorisation under Part 7 of the Act if at least 1 year has passed since the date on which the application was lodged with the relevant authority under the Act.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 38(3) <i>Commission as a relevant authority</i></p>	<p>The function of (before taking action to lapse an application under reg 38(2)) – (a) taking reasonable steps to notify the applicant of the action under consideration; and (b) allowing the applicant a reasonable opportunity to make submissions to the relevant authority (in a manner and form determined by the relevant</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the 	

	authority) about the proposed course of action.	Development directorate.	
Regulation 38(3)(b) <i>Commission as a relevant authority</i>	The power to determine the manner and form in which submissions can be received by the relevant authority or its delegate.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Regulation 40 <i>Commission as a relevant authority</i>	Court proceedings The power to determine whether decline to deal with an application until any proceedings under the Act have been concluded, and to notify the applicant of the decision made in writing.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Division 2	Referrals		
Regulation 42	Additional information or amended plans		

Regulation 42(1) <i>Commission as a relevant authority</i>	The power to repeat the referral process in accordance with this subsection.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Regulation 45	Building matters		
Regulation 45(4) <i>Where the Commission is <u>not</u> the relevant authority</i>	The function of considering an application for building consent referred to the Commission and the power to determine whether to concur in the grant of consent by a relevant authority.	Building Technical Panel	
Regulation 45(4)(e) <i>Commission as a relevant authority</i>	The function of referring the application to the Commission.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Regulation 45(5) <i>Where the Commission is <u>not</u> the relevant authority</i>	The function of receiving a copy of any report received from a fire authority that relates to an application that is referred to the Commission under the Act.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	

Regulation 45(5) <i>Commission as a relevant authority</i>	The function of providing to the Commission a copy of any report received from a fire authority that relates to an application that is referred to the Commission under the Act.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building 	
Regulation 45(6)	The power to determine whether to concur in the granting of consent in relation to building work comprising or including the construction or installation of a private bushfire shelter.	Building Technical Panel	
Regulation 46	Preliminary advice and agreement (section 123)		
Regulation 46(6)(b) <i>Commission as a relevant authority</i>	The power to determine whether the application no longer accords with the agreement indicated by the prescribed body.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Regulation 46(7) <i>Commission as a relevant authority</i>	The function of notifying the relevant prescribed body of the withdrawal.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning 	

		<ul style="list-style-type: none"> • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 46(8)</p> <p><i>Commission as a relevant authority</i></p>	<p>The function of notifying the relevant prescribed body of the lapsing.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 46(9)</p> <p><i>Commission as a relevant authority</i></p>	<p>The function of providing a copy of the notice to the prescribed body.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	

Division 3	Notice requirements and consultation		
Regulation 47	Performance assessed development and restricted development		
Regulation 47(2)(a)	The power to determine the prescribed form for the purposes of this regulation.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Regulation 48 <i>Commission as a relevant authority</i>	Notification of application of tree-damaging activity to owner of land The function of giving the owner notice of the application.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
Regulation 49	Public inspection of applications		

<p>Regulation 49(1) <i>Commission as a relevant authority</i></p>	<p>The function of ensuring that copies of the application and supporting plans, drawings, specifications and other documents or information provided to the relevant authority under section 119 of the Act, are reasonably available for inspection (without charge) by the public at the principal office of the relevant authority.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 49(2) <i>Commission as a relevant authority</i></p>	<p>The function of providing to a member of the public a copy of any document or information available under reg 49(1).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	

<p>Regulation 49(3) <i>Commission as a relevant authority</i></p>	<p>The power to request a person making a request under reg 49(2), to verify information provided as the relevant authority or its delegate thinks fit.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 49(4) <i>Commission as a relevant authority</i></p>	<p>The function of ensuring that any document or information required to be available under reg 49(1) is also available on the SA Planning portal.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 50</p>	<p>Representations</p>		

<p>Regulation 50(5) <i>Commission as a relevant authority</i></p>	<p>The power to allow a person who has made a representation under reg 50(1) in relation to development being assessed under section 107 of the Act, and who has indicated an interest in appearing before the relevant authority, an opportunity to appear personally or by representative before the relevant authority to be heard in support of the representation that has been made under reg 50(1).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. • ASO4 and higher within the Planning Reform and Governance directorate 	
<p>Regulation 50(6) <i>Commission as a relevant authority</i></p>	<p>The duty of giving the applicant notice of the place and time where the person has been invited to appear under that subregulation and, if the applicant appears personally or by representative, allowing the applicant a reasonable opportunity, on request, to respond to any relevant matter.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. • ASO4 and higher within the Planning Reform and Governance directorate 	

Regulation 51	Response by applicant		
Regulation 51(1) <i>Commission as a relevant authority</i>	The power to determine whether to allow a longer period within which an applicant may submit a response.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
Regulation 52	<p>Notice of hearing of submissions Where a person is to be allowed to appear before the Commission pursuant to section 110(2)(c)(ii) of the Act:</p> <p>The function of giving the person at least 5 business days' notice of the place and time at which the person should appear.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. • ASO4 and higher within the Planning Reform and Governance directorate 	
Division 4	Determination of application		
Regulation 53	Time within which decision must be made (section 125(1))		

<p>Regulation 53(7)</p> <p><i>Commission as a relevant authority</i></p>	<p>The power to give final development approval.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
<p>Regulation 54</p>	<p>Deemed consent notice (section 125(2))</p>		
<p>Regulation 54(1)</p>	<p>The function of determining the prescribed form for a deemed consent notice, and of publishing the form on the SA Planning Portal.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate • ASO3 and higher within the Planning Reform and Governance directorate 	
<p>Regulation 55</p>	<p>Notice of decision – accredited professionals (section 89)</p>		

<p>Regulation 55(2)(a)</p>	<p>In relation to a proposed development that is to be undertaken in a part of the State that is not (wholly or in part) within the area of a council:</p> <p>The function of being a prescribed body for the purposes of section 89(a) of the Act and therefore of being notified by an accredited professional pursuant to section 89.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
<p>Regulation 56</p>	<p>Issue of building consent by other bodies</p> <p>The duty of providing the council for the area in which the development is to be undertaken (if any) with –</p> <p style="padding-left: 40px;">(a) a copy of the plans, drawings, specifications and other documents and information lodged by the applicant, endorsed with the relevant consent; and</p> <p style="padding-left: 40px;">(b) if relevant, a schedule of essential safety provisions in the appropriate form which sets out the matters to be specified under these regulations.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO2 and higher within the Building directorate. 	
<p>Regulation 57</p>	<p>Notice of decision (section 126(1))</p>		

<p>Regulation 57(2) <i>Commission as a relevant authority</i></p>	<p>The power to determine the appropriate form for notice to be given under this regulation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 57(4) <i>Commission as a relevant authority</i></p>	<p>The function of endorsing a set of any approved plans and other relevant documentation with an appropriate form of authentication, and the function of ensuring that the notice provided by the SA Planning Portal under reg 57(2) includes the endorsed set of approved plans and other relevant documentation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	

<p>Regulation 57(5) <i>Commission as a relevant authority</i></p>	<p>The function of, in acting under reg 57(4), providing the successful applicant with a copy of the plans, drawings, specifications and other documents and information lodged by the applicant in accordance with the requirements of these regulations (endorsed as required by reg 57(4)).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 57(7) <i>Commission as a relevant authority</i></p>	<p>The power to specify any additional stage of building work for which notice must be given to the council under reg 93.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 57(9) <i>Commission as a relevant authority</i></p>	<p>Where the relevant authority issued a notice under reg 57(1): The duty of providing the notice: (a) to any other relevant authority—</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning 	

	<p>(i) that has already given another development authorisation that relates to the same development; or</p> <p>(ii) that is considering an application for another development authorisation that relates to the same development; and</p> <p>(b) if the application was referred to a prescribed body under section 122 of the Act—to the prescribed body; and</p> <p>(c) if an owner of the land to which the application related was not a party to the application—to that owner.</p>	<ul style="list-style-type: none"> • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Division 5</p>	<p>Conditions</p>		
<p>Regulation 58 <i>Commission as a relevant authority</i></p>	<p>Notice of conditions The function of identifying the prescribed body.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	

Division 6	Other matters		
Regulation 61	Certificate of independent technical expert in certain cases		
Regulation 61(4)(c) <i>Commission as a relevant authority</i>	The power to determine whether (on the basis of advice received from the accreditation authority under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>) a relevant professional association, or another relevant registration or accreditation authority, qualify the person to act as a technical expert under this regulation.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
Regulation 62	Requirement to upgrade building in certain cases		
Regulation 62(3) <i>Commission as a relevant authority</i>	The power to require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Code for bushfire protection.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate 	
Regulation 63	Urgent work		

<p>Regulation 63(1) <i>Commission as a relevant authority</i></p>	<p>(a) the power to determine and to specify a telephone number to which relevant notification must be given.</p> <p>(b) The power to determine and to specify an email address to which relevant notification must be given.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
<p>Regulation 63(2) <i>Commission as a relevant authority</i></p>	<p>The power to determine and allow a longer period for the commencement of relevant work.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
<p>Regulation 63(3) <i>Commission as a relevant authority</i></p>	<p>The power to determine and allow a longer period for the performance of the relevant tree-damaging activity.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Development directorate. • PO4 and higher within the Building directorate. 	
<p>Regulation 65</p>	<p>Variation of authorisation (section 128)</p>		

Regulation 65(1)(a) <i>Commission as a relevant authority</i>	The power to determine whether to approve a minor variation.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
Part 8	Impact Assessed Development		
Regulation 68	Procedural matters (section 111(2))		
Regulation 68(1) <i>Commission as a relevant authority</i>	The function of ensuring that all relevant documentation is available to the Minister via the SA planning portal.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
Regulation 68(2) <i>Commission as a relevant authority</i>	The function of transmitting to the Minister any fees that have been paid by the proponent under the <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i> (less any amount that the Minister determines should be retained by the relevant authority).	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	

<p>Regulation 70</p>	<p>Level of detail – EIS (section 112(c)) The function of : (a) by written notice, providing an invitation to the proponent to express any view on the level of detail required in the EIS; and (b) determining the manner in which a proponent may respond to the invitation in (a).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate. 	
<p>Regulation 73</p>	<p>Notification of decision</p>		
<p>Regulation 73(3)(b)</p>	<p>The power to determine the manner to give notification of a decision in relation to impact assessed development.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Part 9</p>	<p>Special provisions relating to land division</p>		
<p>Division 2</p>	<p>Advice from Commission</p>		
<p>Regulation 76</p>	<p>Advice from Commission</p>		

<p>Regulation 76(2) <i>Where the Commission is <u>not</u> the relevant authority</i></p>	<p>The power to determine whether to give notice of a longer period to the relevant authority.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 76(3)(b)</p>	<p>The power to determine the manner in which a notice under Regulation 76(2) may be given.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	

<p>Regulation 76(4)</p>	<p>The power to, in relation to an application which relates to a proposed development that involves the division of land, consult with any other agency.</p> <p><u>And</u></p> <p>The power to determine whether to impose a time limit of 20 business days for a response from that agency.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 78</p>	<p>Underground mains areas</p>		
<p>Regulation 78(1)</p> <p><i>Where the Commission is deemed as a council as per reg 75 in this Part</i></p>	<p>The power to consider whether an area should be declared an underground mains area and to seek a report from the relevant electricity authority in relation to the matter.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 78(2)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to, after having received and considered a report from the electricity authority, declare the area to be an underground mains area.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

Regulation 78(3) <i>Commission as a relevant authority</i>	The power to require, as a condition on the relevant authority or it's delegate's decision on the application, that any electricity mains be placed underground.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Division 6	Prescribed requirements – general land division		
Regulation 81	Width of roads and thoroughfares		
Regulation 81(4) <i>Where the Commission is deemed as a council as per reg 75 in this Part</i>	The power to dispense with a width prescribed by Regulation 81(1) or (3) (and specify a different width) if the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Regulation 81(6) <i>Where the Commission is deemed as council as per reg 75 in this Part</i>	The power to dispense with a requirement under Regulation 81(5) if it appears that the cul-de-sac is likely to become a through road.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
Regulation 82	Road Widening		

<p>Regulation 82(1) <i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to determine whether the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area, the proposed division of land must make provision for that widening.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 83</p>	<p>Requirement as to forming of roads</p>		
<p>Regulation 83(1) <i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to determine and specify a width for the roadway of every proposed road on a plan of division.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 83(4) <i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to dispense with the requirements under Regulation 83(3) if the cul-de-sac is likely to become a through road.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

<p>Regulation 83(5)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to determine the satisfactory form of every footpath, water table, kerbing, culvert and drain of every proposed road.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 83(6)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to determine whether to dispense with a requirement under Regulation 83(5).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 84</p>	<p>Construction of roads, bridges, drains and services</p>		
<p>Regulation 84(1)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to require a roadway to be paved and sealed with bitumen, tar or asphalt or an other material approved by the Commission or its delegate.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

<p>Regulation 84(3)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to require any footpath, water-table, kerbing, culvert or drain of a proposed road to be constructed.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 85</p>	<p>Supplementary provisions</p>		
<p>Regulation 85(1)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to approve a road location and grading plan.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Regulation 85(2)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to determine whether works referred to in regulations 83 and 84 have been carried out in a satisfactory manner.</p> <p><u>And</u></p> <p>The power to direct the works to be carried out in conformity with a licensed surveyor.</p> <p><u>And</u></p> <p>The power to approve the work referred to in regulations 83 and 84.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	

<p>Regulation 85(4)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to determine whether to be satisfied 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>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • MAS3 and higher within the Development directorate. 	
<p>Division 7</p>	<p>Certificate in respect of division of land</p>		
<p>Regulation 87</p>	<p>General Land Division</p>		
<p>Regulation 87(1)</p> <p><i>Where the Commission is <u>not</u> a council as per R75 in this Part</i></p>	<p>In accordance with s138(1) of the Act, the power to issue a certificate under that section notwithstanding that the requirements under Division 6 have not been fully satisfied if the council advises the Commission of the matters in this subregulation.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
<p>Regulation 87(1)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to advise the Commission:</p> <p>(a) that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements (other than a requirement under regulation 84(5)) and that the arrangement</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	

	<p>is supported by adequate security; and</p> <p>(b) in a case where a requirement under regulation 84(5) has not been fully satisfied—that the applicant has entered into a binding arrangement with the appropriate electricity authority for the satisfaction of the requirement and that the arrangement is supported by adequate security.</p>		
Regulation 87(2)	<p>In accordance with section 138(1) of the Act, the power to determine whether to issue a certificate under that section notwithstanding that the requirements of the relevant responsible Minister relating to the provision of water supply and sewerage services have not been fully satisfied if that Minister advises the Commission that the applicant has entered into a binding arrangement with the Minister for the satisfaction of those requirements and that the arrangement is supported by adequate security.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
Regulation 88	Division of land by strata title		
Regulation 88(1)	<p>In accordance with s138(1) of the Act, the power to issue a certificate under</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning 	

<p><i>Where the Commission is <u>not</u> a council as per R75 in this Part</i></p>	<p>that section in relation to the division of land by strata plan under the <i>Community Titles Act 1996</i> or the <i>Strata Titles Act 1988</i> notwithstanding that the requirements of section 102(1)(d) of the Act have not been fully satisfied if the council advises the Commission that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements and that the arrangement is supported by adequate security.</p>	<ul style="list-style-type: none"> • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
<p>Regulation 88(1) <i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to advise the Commission that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements and that the arrangement is supported by adequate security.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 89</p>	<p>General Provisions</p>		
<p>Regulation 89(3)(a)(i)</p>	<p>The power to determine whether to approve a certification for the purposes of this subparagraph.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	

<p>Regulation 89(3)(b)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The function of providing a certificate.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
<p>Regulation 89(6)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The function of being furnished with a copy of the certificate and plan referred to in reg 89(3) –</p> <p>(a) via electronic access on the SA planning portal; and</p> <p>(b) by requesting that the certificate and plan be provided via written copy to the council.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
<p>Regulation 89(6)(b)</p> <p><i>Where the Commission is <u>not</u> a council as per reg 75 in this Part</i></p>	<p>The power to determine the manner in which a copy of the certificate and plan referred to in Regulation 89(3) must be furnished to the relevant council.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	

<p>Regulation 89(6)(b)</p> <p><i>Where the Commission is deemed as council as per reg 75 in this Part</i></p>	<p>The power to request a written copy of the certificate/s and plan/s referred to in reg 89(3).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate. 	
<p>Regulation 89(7)</p>	<p>The power to determine whether to extend the expiration date of a certificate in response to an application made prior to the lapse of the certificate.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
<p>Regulation 89(8)</p> <p><i>Where the Commission is <u>not</u> a council as per reg 75 in this Part</i></p>	<p>The function of consulting with the relevant council before granting an extension period under reg 89(7).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO4 and higher within the Planning Services business unit in the Development directorate. 	
<p>Regulation 89(9)</p>	<p>The power to consult with and determine whether to agree to a scheme with the Registrar-General in connection with the operation of this regulation.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

		<ul style="list-style-type: none"> • Director, Building 	
Part 10	Special provisions relating to buildings and building work		
Division 3	Safety, health and amenity		
Regulation 94	Essential safety provisions		
Regulation 94(4) <i>Commission as a relevant authority</i>	The function of issuing a schedule in the form determined by the Chief Executive for the purposes of this Regulation.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
Regulation 99	Construction Industry Training Fund		
Regulation 99(4) <i>Commission as a relevant authority</i>	The power to notify the applicant that it cannot issue a building rules consent until the relevant authority is satisfied that the levy has been paid or is not payable.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	

Regulation 99(5)(b) <i>Commission as a relevant authority</i>	The power to determine whether the application has lapsed.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
Regulation 103	Certificates of occupancy		
Regulation 103(6b) <i>Commission as a relevant authority</i>	<p>The function of receiving from a council:</p> <p>(a) notice of its determination to carry out an inspection of building work in accordance with reg 103(6a); and</p> <p>(b) notice of the completion of the inspection (after any building work or other action required by the inspection has been undertaken).</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
Regulation 104	Statement of Compliance		
Regulation 104(5) <i>Commission as a relevant authority</i>	The power to indicate (by notice issued at the time that the relevant building consent was given) which certificates, reports or other documents need to be furnished.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	

Part 11A	Essential Infrastructure		
Regulation 104A	Essential Infrastructure – alternative assessment process		
Regulation 104A(5)	<p>For the purpose of section 130(9) of the Act:</p> <p>The function of referring the application, together with a copy of any relevant information provided by the State agency, to the relevant body under Schedule 9 for comment and report within the period of 30 business days.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Part 12	Crown development		
Regulation 107	General Scheme		
Regulation 107(5)	<p>For the purpose of section 131(10) of the Act:</p> <p>The function of referring the application, together with a copy of any relevant information provided by the State agency, to the relevant body under Schedule 9 for comment and report within the period of 30 business days.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

<p>Regulation 107(6)</p>	<p>The power to determine the form required for a notice on the land for the purposes of section 131(13)(a) of the Act.</p> <p><u>And</u></p> <p>The power to cause the sign to be removed at a later time.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Regulation 107(7)</p>	<p>The power to require the relevant State agency to place the notice on the land under reg 107(6) on behalf of the Commission.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

Regulation 107(8)(b)	The power to determine whether it is impracticable or unnecessary to place a notice on the land under that subregulation.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
Part 13	Mining		
Regulation 109(4)	Providing a report to the Minister for the purpose of section 160(5) of the Act	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
Part 14	Land Management Agreements		
Regulation 111(7) <i>Commission as a relevant authority</i>	<p>The function of providing a copy of a notice under reg 111(6) to –</p> <p>(a) any owner of the land who is not a party to the agreement; and</p> <p>(b) if the council for the area where the relevant land is situated is not a party to the agreement – the council.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

		<ul style="list-style-type: none"> ASO2 and higher within the Development directorate 	
Part 18	Miscellaneous		
Regulation 120	Record of applications		
Regulation 120(1) <i>Commission as a relevant authority</i>	<p>The function of ensuring that the following matters are recorded on the SA planning portal in respect of each application for a development authorisation under section 102 of the Act:</p> <p>(a) the name and contact details of the relevant authority;</p> <p>(b) the name and address of the applicant (or of each applicant);</p> <p>(c) the date on which the application was lodged under section 119 of the Act;</p> <p>(d) the date on which the application was verified under regulation 31;</p> <p>(e) the date (or dates) on which the fees relating to the application were paid in accordance with these regulations and the <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i>;</p>	<ul style="list-style-type: none"> State Commission Assessment Panel Land Division Assessment Panel Deputy Chief Executive - Planning Executive Director, Planning and Building Director, Development ASO2 and higher within the Development directorate ASO3 and higher within the Planning Reform and Governance directorate 	

	<p>(f) a description of the land which is the subject of the application;</p> <p>(g) a brief summary of the matters, acts or things in respect of which any consent or approval is sought;</p> <p>(h) details of any referral or concurrence on the application;</p> <p>(i) details of any other decision made on the application by another entity exercising a power under this Act that has been notified to the relevant authority in accordance with these regulations;</p> <p>(j) any decision on the application (including the date of the decision and any conditions that are imposed);</p> <p>(k) the date of the commencement of any building work, and the date of the completion of any building work, as notified under regulation 93;</p> <p>(l) if any decision on the application is the subject of an appeal, the result of the appeal.</p>		
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Regulation 120(4)(a) <i>Commission as a relevant authority</i>	The power to form the opinion whether including a document on the SA Planning portal would unreasonably jeopardise the present or future security of a building.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Schedule 6	Relevant authority - Commission		
Clause 3	City of Adelaide – developments over \$10m		
Clause 3(2)(b)	The power to determine whether development is ancillary to or in association with a development the subject of an authorisation given by the Commission (or its delegate) under this clause.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Clause 4	Inner Metropolitan Area – buildings exceeding 4 storeys		

Clause 4(2)(b)	The power to determine whether development is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Clause 4A	Morphettville and Camden Park – buildings exceeding 4 storeys		
Clause 4A(2)(b)	The power to determine whether development is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Clause 5	City of Port Adelaide Enfield – developments over \$3m in identified area		

Clause 5(2)(b)	The power to determine whether development is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Clause 8	City of Charles Sturt – developments over \$3m in identified area		
Clause 8(2)(b)	The power to determine whether development is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Clause 17	Variations of authorisations		

Clause 17(b)	The power to determine whether development is ancillary to or in association with a development the subject of an authorisation given by the Commission under this Schedule.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Schedule 8	Plans		
Clause 2	Plans for residential alterations, additions and new dwellings		
Clause 2(d)(ii)	The power to determine whether 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.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
Clause 4	Plans for building work		

<p>Clause 4(3)</p>	<p>The power to require such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application), as is reasonable to show that the entire building will, on completion of the building work, comply with the requirements of the Act and these 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>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Building directorate. 	
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<p><i>Planning Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i></p>			
<p>Part 3</p>	<p>General</p>		
<p>Regulation 5</p>	<p>Calculation or assessment of fees</p>		

<p>Regulation 5(1)</p> <p><i>Where the Commission is an 'authority' with which an application is duly lodged under a related set of regulations (including via the SA planning portal)</i></p>	<p>The power to:</p> <p>(a) Require the applicant to provide such information as is reasonably required to calculate any fee payable under these regulations or a related set of regulations; and</p> <p>(b) Make any other determination for the purposes of these regulations or a related set of regulations (even if it is not a relevant authority).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 5(2)</p> <p><i>Where the Commission is an 'authority' acting under (1) or a relevant authority in any event</i></p>	<p>If any information provided by an applicant is incomplete or inaccurate:</p> <p>The power to calculate any fee on the basis of estimates made.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	

<p>Regulation 5(3) <i>Where the Commission is an 'authority'</i></p>	<p>The power to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under these regulations or a related set of regulations.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 7 <i>Where the Commission is an 'authority' to which a fee is payable under these regulations or a related set of regulations</i></p>	<p>Waiver or refund of fee Where a fee is payable under these regulations or a related set of delegations to the delegate: The power to waive or refund the payment of the whole or a part of the fee.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • PO4 and higher within the Development directorate 	
<p><i>Planning Development and Infrastructure (Transitional Provisions) Regulations 2017</i></p>			
<p>Part 4</p>	<p>Staged commencement of development assessment under Act</p>		
<p>Regulation 11</p>	<p>Related provisions</p>		

<p>Regulation 11(3)(b)</p>	<p>The power to adopt any findings or determinations of the Minister under those subsections made before the relevant day to give effect to this subregulation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	
<p>Regulation 11(3)</p>	<p>The power to adopt any findings or determinations of the Minister under those sections 46B(9) to (12), 46C(9) to (12), 46D(8) to (10) and 47(3) of the repealed Act, made before the relevant day to give effect to this subregulation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • Director, Building • ASO2 and higher within the Development directorate 	

Character Preservation (Barossa Valley) Act 2012

<p>Section 8</p>	<p>Limitations on land division in district.</p>		
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<p>Section 8(2)</p>	<p>The power to determine whether to concur in the granting of authorisation to a development to which this section applies.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	
<p>Section 8(3)</p>	<p>The function of seeking the concurrence of the council for the area where the proposed development is situated in the granting of authorisation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 8(5)</p>	<p>The power to determine whether to refuse to grant development authorisation in relation to a proposed development to which this section applies.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	

Section 8(6)	The function of notifying the applicant that the relevant authority has determined an application in respect of a development authorisation on the basis of section 8(5).	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
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Character Preservation (McLaren Vale) Act 2012

Section 8	Limitations on land division in district.		
Section 8(2)	The power to determine whether to concur in the granting of authorisation to a development to which this section applies.	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	

<p>Section 8(3)</p>	<p>The function of seeking the concurrence of the council for the area where the proposed development is situated in the granting of authorisation.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	
<p>Section 8(5)</p>	<p>The power to determine whether to refuse to grant development authorisation in relation to a proposed development to which this section applies.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • MAS3 and higher within the Development directorate 	
<p>Section 8(6)</p>	<p>The function of notifying the applicant the relevant authority has determined an application in respect of a development authorisation on the basis of section 8(5).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • ASO2 and higher within the Development directorate 	

Development Act 1993			
As per Planning Development and Infrastructure (Transitional Provisions) Regulations 2017:			
Part 4, Regulation 11(3)(b)			
On or after the relevant day:			
Section 46B	EIS process – Specific Provisions		
Section 46B(9) <i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i>	The power and function of preparing an Assessment Report in accordance with the requirements of section 46B(9).	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel 	
Section 46B(10) <i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i>	The power and function to: <ul style="list-style-type: none"> (a) notify a person who made a written submission under section 46B(5) of the availability of the Assessment Report in the manner prescribed by the regulations; and (b) by public advertisement, give notice of the place or places at which copies of the Assessment Report are available for inspection and purchase. 	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
Section 46B(11) <i>Where the Minister is to be read as a reference to the Commission as per the (Transitional</i>	The power and function to keep available for inspection and purchase copies of the EIS, the proponent's response under section 46B(8) and the Assessment Report, at a place	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – 	

<p><i>Provisions) Regulations reg 11(3)(b):</i></p>	<p>determined by the delegate and for a period determined by the delegate.</p>	<p>Planning</p> <ul style="list-style-type: none"> • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 46B(12) <i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function, if a proposed development or project to which an EIS relates will, if the development or project proceeds, be situated wholly or partly within the area of a council, to give a copy of the EIS, the proponent's response under section 46B(8) and the Assessment Report to the council.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 46C</p>	<p>PER Process – Specific provisions</p>		
<p>Section 46C(9) <i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function of preparing an Assessment Report in accordance with the requirements of section 46C(9).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel 	

<p>Section 46C(10)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The function of, by public advertisement, giving notice of the place or places at which copies of the Assessment Report are available for inspection and purchase.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive – Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 46C(11)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function to keep available for inspection and purchase copies of the PER, the proponent's response under section 46C(8) and the Assessment Report, at a place determined by the delegate and for a period determined by the delegate.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	

<p>Section 46C(12)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function, if a proposed development or project to which an PER relates will, if the development or project proceeds, be situated wholly or partly within the area of a council, to give a copy of the PER, the proponent's response under section 46C(8) and the Assessment Report to the council.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 46D</p>	<p>DR process – specific provisions</p>		
<p>Section 46D(8)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function of preparing an Assessment Report in accordance with the requirements of section 46D(8).</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel 	
<p>Section 46D(9)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function to keep available for inspection and purchase copies of any response under section 46D(7) and the Assessment Report, at a place determined by the delegate and for a period determined by the delegate.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	

<p>Section 46D(10)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The power and function, if a proposed development or project to which an DR relates will, if the development or project proceeds, be situated wholly or partly within the area of a council, to give a copy of the DR, the any response under section 46D(7) and the Assessment Report to the council.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	
<p>Section 47</p>	<p>Amendment of EIS, PER or DR</p>		
<p>Section 47(3)</p> <p><i>Where the Minister is to be read as a reference to the Commission as per the (Transitional Provisions) Regulations reg 11(3)(b):</i></p>	<p>The function of, if an EIS, PER, DR, or Assessment Report is amended under section 47, by public advertisement, giving notice of the place or places at which copies of the relevant document or documents (with the amendments) are available for inspection and purchase.</p>	<ul style="list-style-type: none"> • State Commission Assessment Panel • Land Division Assessment Panel • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development • PO4 and higher within the Development directorate 	

National Parks and Wildlife Act 1972

Part 3	Reserves and sanctuaries		
Division 5	Control and management of reserves		
Section 38	Management plans		
Section 38(2a)(a)	To receive and respond to consultation from the Minister responsible for the <i>National Parks and Wildlife Act 1972</i> regarding a plan of management.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building 	Limited to responses addressing operational matters (including consistency with the Planning and Design Code).

Roads (Opening and Closing Act) 1991

Part 3	Road Process		
Division 2	Making of a Road Process Order		
Section 15			
Section 15(1)	<p>The power to -</p> <p>(a) make a road process order in relation to all or part of the land to which the proposed road process relates; or</p> <p>(b) determine that no road process order is to be made.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	<p>Limitations:</p> <ul style="list-style-type: none"> • The period after the expiration of the time to make objections and applications is not less than 10 business days. • No person, business or organisation has made an objection or application in relation to the proposed road process (except where agreement was subsequently reached to resolve any issues and/or requests for

			easements to the satisfaction of all parties)
Section 17			
Section 17(a)-(e)	<p>The power to make one or more of the following orders dealing, or together dealing, with all of the subject land to the road closure:</p> <p>(a) if an agreement for exchange or transfer has been made in respect of land subject to the road closure—an order that the land be transferred or added to other land in accordance with the agreement;</p> <p>(b) if the relevant authority considers that land subject to the road closure can conveniently be used separately from other land—an order that the land be sold by public auction or tender;</p> <p>(c) an order that land subject to the road closure be sold, or transferred, for use for some public, charitable or beneficial community purpose;</p> <p>(d) if land subject to the road closure is required by the council for some purpose—an order that the land be retained by the council and a certificate of title be issued to the council;</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

	<p>(e) an order that land subject to the road closure—</p> <p>(i) be added to adjoining land that is dedicated under the Crown Lands Act 1929; or</p> <p>(ii) be transferred to the proprietor of adjoining land that is alienated in fee simple in trust under the Crown Lands Act 1929; or</p> <p>(iii) be vested in the Crown</p>		
Section 18			
Section 18(1)	<p>The power - as part of making a road process order for a road closure - make an order for the granting of an easement over land subject to the road closure.</p>	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Development 	

<i>Non-Statutory Matters</i>			
State Planning Commission Governance Manual			
Governance Manual clause 4.4 (Agenda Reports) and 4.5 (Minutes)	To change the confidentiality treatments of the Commission's Agenda Reports, Attachments or Appendices, and authorise the publication (or not) of such documents.	Chair, State Planning Commission	

Environment Protection (Commercial and Industrial Noise) Policy 2023

Part 1	Preliminary		
Clause 4	Principal land uses and land use categories		
Clause 4 (6)	To provide advice to the EPA in relation to a disagreement on principal land use and/or land use categories if consulted.	<ul style="list-style-type: none"> • Deputy Chief Executive - Planning • Executive Director, Planning and Building • Director, Building 	

Delegations Policy

Planning and Building

Department for Housing and Urban Development



Government
of South Australia

Purpose

This Policy guides the management, administration and exercise of statutory delegations within the Planning and Building Division of the Department for Housing and Urban Development to ensure those delegations are used and maintained appropriately.

Definitions

Delegate means a Planning and Building Officer or executive who holds or is seeking to exercise a statutory power or function under delegation.

Delegation means the act by a statutory body or entity, as the body or entity vested with powers or functions in legislation or regulations, of allocating that power or function to a particular role or person.

Delegations Manager means the Planning and Building Officer(s) allocated to the position responsible for management, administration and oversight of Planning and Building Delegations.

Department means the Department responsible for the administration of the *Planning, Development and Infrastructure Act 2016*.

Planning and Building means the Planning and Building Division of the Department for Housing and Urban Development.

Planning and Building Delegations means all instruments of delegation made from statutory entities involving activities within Planning and Building, including the Minister for Planning, the State Planning Commission and the Chief Executive of the Department as relevant, and includes any sub delegations made under those instruments.

Planning and Building Intranet means the internal Planning and Building website accessible by Delegates and Planning and Building Officers here: [Delegations \(sharepoint.com\)](#).

Planning and Building Officer means an officer within Planning and Building.

Scope

This Policy applies to all Planning and Building activities involving the exercise of delegations (or sub-delegations), including delegations (or sub delegations) from the Minister for Planning, the State Planning Commission, the State Commission Assessment Panel, the Chief Executive of the Department and the Deputy Chief Executive, Planning and Building.

Policy Statement

This Policy is aimed at ensuring:

- Delegates are able to easily access and apply the current delegation/s which are applicable to their role, and are appropriately advised and supported in exercising those delegations.

- legal risk is managed by ensuring both annual and urgent reviews of Planning and Building Delegations are undertaken as appropriate in the circumstances and otherwise in a timely manner.
- Changes to Planning and Building Delegations are appropriately captured, recorded and actioned in line with urgency and risk.

Exercise of Planning and Building Delegations

Responsibility of Delegates

It is the Delegate's responsibility to ensure that they:

- inform themselves or seek advice as necessary on their delegated powers and functions, prior to exercising such powers or functions; and
- exercise their delegated powers and functions in accordance with the relevant Planning and Building Delegations, including any limitations which may apply.

Responsibilities of Planning and Building Officers

Planning and Building Officers should ensure that, where practicable, minutes or other documents seeking exercise of delegated powers or functions by a Delegate should include the following:

- description and copy of the relevant Planning and Building Delegation (or extract);
- consideration of any limitations on the delegated powers or functions, and advice to the Delegate on whether the delegation can be exercised;
- recommendation for the Delegate to note the relevant Planning and Building Delegation; and
- recommendation regarding the statutory power or function to be exercised by the Delegate.

The template wording in **Appendix A** can be used by Planning and Building Officers to complete documentation seeking exercise of delegated powers or functions by a Delegate. The Delegations Manager can provide assistance in completing such documentation as necessary.

Exercise of Delegated Powers and Functions from Statutory Entities

Statutory powers and functions will be exercised by Delegates, and advice provided by Planning and Building Officers (if required) in line with the following principles, where reasonably practicable:

- Where multiple statutory entities are involved in the decision making for a particular matter, a different Delegate will exercise delegated powers and functions for each statutory entity.
- Where the Ex Officio of the State Planning Commission has been involved in a decision of the Commission on a particular matter (whether it be a decision by the Ex Officio acting under delegation from the Commission or a decision of the Commission itself), the Ex Officio will not also provide advice from the Department with respect to that same matter. However the Ex Officio may still be kept reasonably informed of such advice provided by the Department, for the purpose of fulfilling the role of Deputy Chief Executive, Planning and Building .

The Roles and Responsibilities Matrix at **Appendix B** provides an overview of the statutory processes in the Act, and the role of statutory entities involved in those processes – including whether they are responsible, accountable, consulted or informed.

The most common scenarios for application of these principles within Planning and Building functions are described in the Decision Matrix at **Appendix C**. This includes a description of the power or function, the statutory entity or body involved, and the preferred approach to exercise of the delegation, and/or the provision of advice or recommendations from Planning and Building.

Management of Planning and Building Delegations

Responsibilities of the Delegations Manager

The Delegations Manager will:

- Ensure that the Delegations Register at **Attachment 1** is up to date and current, and made available on the Planning and Building Intranet for Planning and Building Officers to access.
- Provide advice and assistance to Planning and Building Officers in interpreting and applying the Planning and Building Delegations as necessary. Requests for assistance regarding Planning and Building Delegations should be made to DHUD.PLUSLegalServicesCoordinator@sa.gov.au as necessary.
- Undertake and manage annual and urgent reviews of the Planning and Building Delegations in line with this Delegations Policy.
- Consult with Delegates and Planning and Building Officers as necessary to ensure any changes resulting from an annual review or urgent review are effective and fit-for-purpose from an operational perspective.

Department Delegations and Authorisations

The Department's delegations apply in addition to the Planning and Building Delegations. These primarily relate to human resources and financial matters.

Delegates should ensure that any statutory powers or functions exercised also comply with any additional Department delegations, including financial authorisations where relevant.

For example, the power to enter into a funding agreement for expenditure from the Planning and Development Fund may be delegated by the Minister to Delegates in Planning and Building. However, in order to execute such funding agreement, the Delegate should also have sufficient financial authorisation to enter into the Agreement on behalf of the Minister (which will depend on the value of the funding provided under the agreement).

Other Delegations Policies

Any specific Delegations Policy approved by the Chief Executive, the SPC, the SCAP or LDAP from time to time will apply in addition to this Delegations Policy. In the event of inconsistency between the two, the specific Delegations Policy will apply.

With respect to powers to waive or refund fees, prior to exercising this power, Delegates should take note of the Chief Executive's Internal Fee Waiver and Refund Delegation Policy 2021 (as varied from time to time), which is available on the Planning and Building Intranet.

Changes to Planning and Building Delegations

Annual Reviews of Planning and Building Delegations

Planning and Building Delegations will be reviewed on an annual basis by the Delegations Manager, and remade by the statutory entity as necessary. The annual review will include changes to Planning and Building Delegations as requested throughout the year which are of a non-urgent nature. Examples of these kinds of changes to delegations may include the following:

1. to improve administrative efficiency; and
2. to reflect updates to position titles as a result of organisational restructure or other administrative matters.

Urgent Reviews of Planning and Building Delegations

Planning and Building Delegations will also be reviewed by the Delegations Manager on an urgent and ad-hoc basis as required between annual reviews. This will include changes arising from the following events:

1. machinery of government changes;
2. approval of internal policies affecting the exercise of delegations; or
3. amendments to legislation or regulations or the making of new legislation or regulations affecting Planning and Building activities.

Where practicable, urgent reviews will be actioned and provided to the statutory entity for their consideration within **thirty (30) days** of the event taking place.

Requesting changes to Planning and Building Delegations

The following steps should be followed to request a change to Planning and Building Delegations. This process applies to changes to Planning and Building Delegations as part of an annual review, as well as an urgent review:

1. The Planning and Building Officer sends the request for change to the Delegations Manager via email to DHUD:PLUSLegalServicesCoordinator@sa.gov.au. The request should provide details of the statutory power or function to be delegated, which roles or positions are to be delegated to, as well as any proposed limitations on the delegation which may be necessary.
2. The Delegations Manager will advise the Planning and Building Officer whether the request will be actioned through the annual review or an urgent review of Planning and Building Delegations, and the anticipated timing of the requested changes.
3. The Delegations Manager will action the request as appropriate, including by seeking clarifications or advice from the Planning and Building Officer on operational matters as necessary.
4. Following the remaking of Planning and Building Delegations as a result of either an annual or urgent review, the Delegations Manager will:
 - update the relevant Planning and Building Delegations as necessary in the Delegations Register and on the Planning, and Building Intranet; and
 - prepare and send internal communications to Delegates and relevant Planning and Building Officers as necessary.

Attachments

1. Planning and Building Delegations Register – Knet #15843287

Appendices

- A. Template Wording for Decisions Under Delegation
- B. Decision Matrix – Roles and Responsibilities
- C. Key Statutory Processes

Appendix A

Template Wording for Decisions under Delegation

Exercise of Delegation

By Instrument of Delegation dated *[insert date]* (see extract in Attachment *[insert]*), the *[insert name of statutory entity]* delegated its powers and functions under section *[insert as necessary]* of the *Planning, Development and Infrastructure Act 2016 [amend as necessary]* to *[insert Delegate Role Title]*.

The delegated power under section *[insert]* is limited to *[insert or delete as necessary]*. It is recommended that delegation can be exercised as *[insert as necessary]*.

Recommendations

It is recommended that, as delegate of the *[insert name of statutory entity]*, you:

- | | | |
|------|---|-------------------------|
| 1. | Note the extract from the current Instrument of Delegation at Attachment [#] which delegates to you the power to <i>[insert description of statutory power]</i> on behalf of the <i>[insert name of statutory entity]</i> under section <i>[include as necessary]</i> of the <i>[insert name of Act or Regulation]</i> . | NOTED / NOT NOTED |
| [#]. | Approve the <i>[insert details as necessary]</i> under section <i>[include as necessary]</i> of the <i>[insert name of Act or Regulation]</i> . | APPROVED / NOT APPROVED |

[INSERT DELEGATE ROLE TITLE]

As Delegate of *[insert name of statutory entity]*

/ / 20##

Appendix B

Roles and Responsibilities Matrix

Item	Parli	Gov	Minister	SPC	CE or P+B
EFPA Review or Inquiry (section 7)	C		I	A	R
Planning Agreements, JPB (section 35, 36)			A	C	R
Practice Directions (section 42)			I	A	R
Practice Guidelines (section 43)			A	R	R
Charter Compliance (section 44(12))			I	A	R
Charter Amendment (section 45, 46)	C		A	R	R
e-planning services (section 48-53)			C	C	A
Proponent-Led Designated Instrument (SPP, Regional Plan, Code, Design Standard) Amendment (section 73, 74)	C		A	I	R
SPC-Led Designated Instrument (SPP, Regional Plan, Code, Design Standard) Preparation or Amendment (section 73, 74)	C		A	R	R
Ministerial Building Standards (section 80)			A	C	R
Design Review Scheme (section 121)			A	C	R
Infrastructure Schemes (section 162-184)			A	C	R
Off-Set Schemes (section 197)			A	I	R
Performance Indicators Scheme (Schedule 4)			A	C	R
PDI Regulations (Schedule 5)	C	A	A	I	R
Fees and Charges (Schedule 5)	C	A	A	I	R

Responsible - Those who do the work to achieve the task or deliverable.

Accountable / Approver - Those who are accountable for the completion of the deliverable, task or decision. An Accountable must sign off (approve) work that Responsible provides.

Consulted / Confirmed - Those whose opinion or oversight is sought or required, with two-way communication or input, or the ability to disallow following an approval.

Informed - Those who are kept up-to-date on progress, often only on completion of the task, deliverable or decision, with only one-way communication.

Appendix C

Key Statutory Processes

Power, function or administrative step	Statutory body or other entity	Section Reference (PDI Act)	Delegate or Planning and Building Officer Responsible
Impact Assessed Developments (Minister Declared)			
Determine to declare an Impact Assessed Development, by notice in the Gazette and on the SA Planning Portal.	Minister	108(1)(c)	None – Not Delegated
Provide advice to the Minister on the merits of a proposal for declaration as an Impact Assessed Development.	Planning and Building	None	Executive Director, Planning and Building
Determine the level of detail required in relation to an EIS.	SPC	112	None – Not Delegated
Undertake administrative processes relating to the EIS (require particulars to be included, undertake referrals, make copies available for inspection, undertake consultation).	Minister	113	Deputy Chief Executive, Planning; Director Development; ASO2 and higher within the Development Directorate
Prepare an Assessment Report.	SPC	113(9)	None – Not Delegated
Provide procedural or administrative advice to the Minister to support the provision of the Assessment Report by the SPC – including advice on statutory process.	PLUS	None	Director, Development
Determine to grant a development authorisation or refuse approval to the development.	Minister	115(2)(b)	None – Not Delegated

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Provide procedural or administrative advice to the Minister to support a determination by the Minister to grant or refuse development authorisation (including preparation of Gazette Notice).	Planning and Building	None	Director, Development
Code Amendments - Initiation			
Advise the Minister on initiation of a Code Amendment.	SPC	73(2)(b)	Ex Officio, Executive Director, Planning and Building
Specify persons or bodies to be consulted with or investigations to be carried out or information to be obtained for a proposed Code Amendment	SPC	73(6)(e) and 73(6)(f)	Ex Officio, Executive Director, Planning and Building
Advise the Minister on procedural or administrative matters relating to initiation of a Code Amendment.	Planning and Building	None	Director, Strategic Planning
Advise the Minister on the merits of the proposal to initiate the Code Amendment (if PLUS advice is required in addition to SPC advice).	Planning and Building	None	Director, Strategic Planning
Approval of proposal to initiate a Code Amendment	Minister	73(2)(b)	None – Not Delegated
Impose conditions on a proposal to initiate a Code Amendment	Minister	73(5)(b)	None – Not Delegated
Code Amendments – Determination (Proponent-Led)			
Determine whether consultation is required with the State Planning Commission (where the matter is significant or where a funding agreement is in place).	Minister	73(10)(a) or (b)	Director, Strategic Planning; Manager Planning & Design Code; Manager Code Amendments
Provide advice to the Minister to support the provision of an Engagement Report prepared and provided by a Proponent for a Code Amendment. This includes departmental advice on compliance with the Community Engagement Charter.	Planning and Building	None	Where consultation with SPC has occurred – Director, Strategic Planning

			Where consultation with SPC has not occurred and is not recommended – Executive Director, Planning and Building
Provide a response to consultation from the Minister prior to determination on a proposed Code Amendment.	SPC	73(10)(a) or (b)	None – Not Delegated
Make a determination regarding compliance with the Community Engagement Charter for a proposed Code Amendment.	SPC	44(12)	Ex Officio, Executive Director, Planning and Building (if required)
Determine to adopt, make alterations, divide a Code Amendment or determine that the Code Amendment should not proceed.	Minister	73(10)(c)-(f)	None – Not Delegated
Code Amendments – Determination (CE-Led)			
Prepare the Engagement Report and furnish it on the Minister. Advice from Planning and Building to be included in package to the Minister.	CE	73(7)	None – Not Delegated. Executive Director, Planning and Building should only sign Minute to CE where no consultation with SPC has occurred, and consultation is not recommended.
Determine whether consultation is required with the State Planning Commission.	Minister	73(10)	Director, Strategic Planning, Manager P&D Code or Manager Strategic Planning
Provide a response to consultation from the Minister prior to determination on a proposed Code Amendment.	SPC	73(10)	None – Not Delegated
Make a determination regarding compliance with the Community Engagement Charter for a proposed Code Amendment.	SPC	44(12)	Ex Officio, Executive Director, Planning and Building (if required)
Determine whether to adopt, make alterations to or divide a Code Amendment or determine not to proceed with a Code Amendment.	Minister	73(10)	None – Not Delegated
Provide a report to the ERDC regarding a Code Amendment referred by the Minister.	SPC	74(3)	Ex Officio, Executive Director, Planning and Building

Code Amendments – ERDC Referral			
Refer the Code Amendment to the ERDC within 28 days of it taking effect.	Minister	74(2)	Not Delegated, but this is an administrative function which may be undertaken by the Department without delegation if necessary.
Proceed to make an amendment to the Code Amendment as suggested by the ERDC.	Minister	74(9)(a)	None – Not Delegated
Consult with the Commission before making an amendment to the Code Amendment as suggested by the ERDC.	Minister	74(10)	Director, Strategic Planning, Manager P&D Code or Manager Strategic Planning
Report back to the ERDC that its suggested changes will not be made.	Minister	74(9)(b)	None – Not Delegated
Code Amendments – Minor or Operational Amendments			
Consult with the Commission prior to making a minor or operational Code Amendment.	Minister	76(4)	Director, Strategic Planning, Manager P&D Code or Manager Code Amendments
Receive and respond to consultation from the Minister on a minor or operational Code Amendment (if required).	SPC	76(4)	Ex Officio, Executive Director, Planning and Building
Approve a minor or operational Code Amendment by notice in the Gazette.	Minister	76(1), (2) and (3)	Director, Strategic Planning, Manager P&D Code or Manager Strategic Planning
Practice Directions			
Approval to issue a Practice Direction or variation to existing Practice Direction	SPC	42(1) and 42(4)(b)	Ex Officio, Executive Director, Planning and Building
Certification of Practice Direction (or updated Practice Direction) prior to publication on the PlanSA Portal	CE	52(1)	Director of the Directorate responsible for the Practice Direction

Practice Guidelines			
Approval to make a Practice Guideline or variation to existing Practice Guideline	SPC	43(1) and (4)	Ex Officio, Executive Director, Planning and Building
Approval of Practice Guideline proposed by the State Planning Commission	Minister	43(1)	Chief Executive
Certification of Practice Guideline (or updated Practice Guideline) prior to publication on the PlanSA Portal	CE	52(1)	Director of the Directorate responsible for the Practice Guideline