

CITY OF ADELAIDE

DISABILITY INCLUSION REGULATIONS 2019
ENVIRONMENT PROTECTION (NOISE) POLICY 2007

ENVIRONMENT PROTECTION REGULATIONS 2023

LOCAL GOVERNMENT ACT 1999

INSTRUMENT OF DELEGATION BY THE CHIEF EXECUTIVE OFFICER (FOR
THE PURPOSES OF THE LOCAL GOVERNMENT ACT AND FOOD ACT)

INSTRUMENT A – INSTRUMENT OF DELEGATION UNDER THE PLANNING,
PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT 2016

INSTRUMENT B – INSTRUMENT OF DELEGATION UNDER THE PLANNING,
DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS,
PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OR POWERS
OF A COUNCIL AS RELEVANT AUTHORITY

INSTRUMENT C – INSTRUMENT OF DELEGATION UNDER THE PLANNING,
DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS,
PANNING AND DESIGN COFR AND PRACTICE DIRECTIONS OF POWERS
OF AN ASSESSMENT PANEL

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

Note - provisions are separated by category into NEW and then CHANGED and then DELETED.

Disability Inclusion Regulations 2019 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
737115	Disability Inclusion Regulations 2019	regulation 12(2)(a)	Prepare a report on the operation of a disability access and inclusion plan	Chief Executive Officer		State authority

Independent Commission Against Corruption Act 2012 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
755306	Independent Commission Against Corruption Act 2012	section 39A(3)	Apply to the Supreme Court for an order authorising the council to withhold information relating to the determination from a person the subject of the investigation	Chief Executive Officer		public authority

Instrument A – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of powers of a council as council - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754905	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(1)	89. Initiating a Code Amendment 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instrument (PD2), to initiate a Code Amendment and lodge the following documents to the Department via the SA Planning Portal: 89.1.1 a Proposal to Initiate; 89.1.2 SA Planning Portal Publication Instructions – for Initiation; 89.1.3 Heritage Report with datasheet(s) and analysis of historic themes (relevant proposals only); 89.1.4 Significant Tree Report with description/s and assessment/s (relevant proposals only).	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754906	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.1 Code Policy 89.2.1.1 an outline of: (a) any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or (b) the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area;	Chief Executive Officer	
754907	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2.2 Affected Area 89.2.2.1 a map or description of the Affected Area;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754908	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.3 State Planning Policies 89.2.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies;	Chief Executive Officer	
754909	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.4 Regional Plan 89.2.4.1 identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan;	Chief Executive Officer	
754910	State Planning Commission Practice	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.5 Consultation	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Direction 2 - Preparation and Amendment of Designated Instruments		89.2.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 89.2.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment;		
754911	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.6 Planning Merit Statement 89.2.6.1 provide a statement detailing how the proposed Code Amendment relates to strategic directions and outlines desired policy/development outcomes and anticipated residential/ employment yields;	Chief Executive Officer	
754912	State Planning Commission Practice Direction 2 - Preparation and Amendment	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.7 Investigation Information 89.2.7.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	of Designated Instruments		<p>89.2.7.2 commitment to undertake further investigations to support the proposed Code Amendment including the following as applicable:</p> <ul style="list-style-type: none"> (a) infrastructure (road, civil, corridor); (b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications); (c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects); (d) Code policy (zone, overlay, TNVs, concept plan); (e) hazard risk (analysis of relevant overlays and site conditions); (f) the extent to which there are social, economic, land use, built form or environmental features that present a barrier to the outcomes sought; <p>89.2.7.3 high-level details of any infrastructure required to support development arising through the proposed Code Amendment and how that infrastructure will be provided (for example potable water and sewerage connection requirements);</p> <p>89.2.7.4 where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with</p>		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			the proposed Code Amendment.		
754913	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.8 The power pursuant to clause 5(3) of PD2 to set out in the SA Planning Portal Publication Instructions – for Initiation: 89.2.8.1 a summary of the Code Amendment in plain English, which will be published on the SA Planning Portal; 89.2.8.2 where possible, an indication of when consultation may begin.	Chief Executive Officer	
754914	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	89. Initiating a Code Amendment 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate: 89.2.9 The power pursuant to clause 5(4) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a place as a place of local heritage value, provide a report which: 89.2.9.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes: (a) all relevant property details and descriptions (including images); (b) historical background and thematic analysis;	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>(c) a statement of heritage value;</p> <p>(d) an assessment against the Local Heritage Criteria; and</p> <p>(e) the extent of listing (including any exclusions);</p> <p>89.2.9.2 includes an analysis of historic themes of importance to the area;</p> <p>89.2.9.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and</p> <p>89.2.9.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.</p>		
754915	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)	<p>89. Initiating a Code Amendment</p> <p>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:</p> <p>89.2.10 The power pursuant to clause 5(5) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), provide a report which:</p> <p>89.2.10.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary);</p> <p>89.2.10.2 includes an assessment of the tree</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			(or stand of trees) against the Significant Tree Criteria; 89.2.10.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.		
754916	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.1 carry out investigations and obtain such information: 90.1.1.1 as provided in the Proposal to Initiate approved by the Minister; 90.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and 90.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;	Chief Executive Officer	
754917	State Planning Commission Practice Direction 2 - Preparation	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.2 provide the Department with:	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		90.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and 90.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Agreement;		
754918	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;	Chief Executive Officer	
754919	State Planning Commission	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2,	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		to prior to consultation occurring on a draft Code Amendment: 90.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and		
754920	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 6(1)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment: 90.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.	Chief Executive Officer	
754921	State Planning Commission Practice Direction 2 - Preparation and	clause 6(2)	90. Preparation of a Draft Code Amendment (Prior to Consultation) 90.2 The power pursuant to clause 6(2) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report under PD2, to provide the Department with the	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal		
754922	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 7(1)	<p>91. Requirements for a Draft Code Amendment</p> <p>91.1 The power pursuant to clause 7(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>91.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment);</p> <p>91.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>91.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Polices, the Regional Plan and any other relevant strategic plans;</p> <p>91.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>91.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			infrastructure will be provided.		
754923	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(1)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.1 The power pursuant to clause 9(1) of PD2 to prepare an engagement plan that: 92.1.1 meets the principles and performance outcomes of the Charter; 92.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies: 92.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act; 92.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and 92.1.2.3 who must be consulted with under the Charter; 92.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 92.1.4 describes the evaluation framework for the engagement.	Chief Executive Officer	
754924	State Planning Commission	clause 9(2)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.2 The power pursuant to clause 9(2) of PD2	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		to, in relation to engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan submit the engagement plan to the Commission for approval prior to commencement of formal engagement on the proposal.		
754925	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 9(3)	92. Preparation of an Engagement Plan (Prior to Consultation) 92.3 The power pursuant to clause 9(3) of PD2 to, in relation to an engagement plan relating to a proposed amendment to the Code or a Design Standard, submit the engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval.	Chief Executive Officer	
754926	State Planning Commission Practice Direction 2 - Preparation and	clause 10(1)	93. Preparation of an Engagement Report (Following Consultation) 93.1 The power pursuant to clause 10(1) of PD2 to, at the completion of engagement on a proposal prepare or amend a Designated Instrument, provide the Department with: 93.1.1 if amendments to the proposal are	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		<p>required:</p> <p>93.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the draft Designated Instrument; and/or</p> <p>93.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Designated Instrument;</p> <p>93.1.2 the updated draft Designated Instrument or amendment to the Designated Instrument in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and</p> <p>93.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister.</p>		
754927	State Planning	clause 10(2)	93. Preparation of an Engagement Report (Following Consultation)	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments		<p>93.2 The power pursuant to clause 10(2) of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act:</p> <p>93.2.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement plan;</p> <p>93.2.2 the outcome of the engagement including a summary of the written submissions or feedback received;</p> <p>93.2.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes. This should specifically indicate:</p> <p>93.2.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>93.2.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
754928	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 10(3)	<p>93. Preparation of an Engagement Report (Following Consultation)</p> <p>93.3 The power pursuant to clause 10(3) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether:</p> <p>93.3.1 the principles of the Charter have been activated; and</p> <p>93.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).</p>	Chief Executive Officer	
754929	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 11(1)	<p>94. Complying Changes to the Code of Conduct</p> <p>94.1 The power pursuant to clause 11(1) of PD2 to, in relation to a request for the Minister to agree to a complying change to the Code under Section 75 of the PDI Act provide the request to the Department and include the following information:</p> <p>94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>94.1.2 a summary of any consultation which</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan. This should include a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p> <p>94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.</p>		
754930	State Planning Commission Practice Direction 2 - Preparation and Amendment of	clause 12(1)	<p>95. Early Commencement of a Code Amendment</p> <p>95.1 The power pursuant to clause 12(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include:</p> <p>95.1.1 explanation, justification and evidence as necessary to demonstrate how early</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Designated Instruments		<p>commencement of the Code Amendment is:</p> <p>95.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and</p> <p>95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;</p> <p>95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.</p>		
766403	State Planning Commission	cl 11(4)	<p>94. Lodgement of Proposal</p> <p>94.1 The power pursuant to clause 11(4) of PD2 to submit a completed Lodgement Form with</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		the Department via the SA Planning Portal, to commence the process for a proposed Complying Change.		
766404	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 11(5)	<p>94. Lodgement of Proposal</p> <p>94.2The power pursuant to clause 11(5) of PD2 to set out in the Lodgement Form:</p> <p>94.2.1Affected Area</p> <p>94.2.1.1a map of the Affected Area (confirming its consistency with the boundaries of the map(s) relating to the relevant Regional Plan recommendation);</p> <p>94.2.2Code Mapping</p> <p>94.2.2.1an outline of:</p> <p>(a) any existing overlay, zone, subzone, concept plan or technical and numeric variation in the Code within the Affected Area which is proposed to be amended;</p> <p>(b) the proposed spatial application of any overlay/s and/or amendment/s to the boundary of a zone or subzone; and</p> <p>(c) any associated proposed application of a concept plan/s and/or all relevant technical or numeric variation/s within the Affected Area in</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>connection with the proposed change outlined in clause 11(5)(c)(ii) of PD2;</p> <p>94.2.3Regional Plan Recommendation</p> <p>94.2.3.1 a description of the relevant recommendation/s in the Regional Plan;</p> <p>94.2.3.2confirmation that the details outlined in clauses 11(5)(c)(ii) and (iii) of PD2 are consistent with the recommendation in the Regional Plan (where relevant); and</p> <p>confirmation that a time period of not more than two years has elapsed since the relevant recommendation in the Regional Plan was given effect pursuant to Section 73(12) of the PDI Act (unless the Commission considers that a longer period shall apply for the purposes of clause 11 of PD2).</p>		
766405	State Planning Commission Practice Direction 2 - Preparation and Amendment of	cl 13(1)	<p>95.Final Determination of Minister</p> <p>95.1The power pursuant to clause 13(1) of PD2 when consultation on a proposed Complying Change is complete, to provide the Department with:</p> <p>95.1.1written instructions (in a form acceptable to the Department) that set out any changes to the Complying Change as it was initially proposed; and/or</p> <p>95.1.1.2mapping instructions or a description of</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Designated Instruments		<p>the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare mapping which is suitable for inclusion in the Code;</p> <p>95.1.2the updated draft proposed Complying Change in the form of amendment instructions (once finalised by the Council, incorporating any changes); and</p> <p>95.1.3if any submissions were received, a consultation report to be furnished to the Commission.</p>		
766406	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 13(2)	<p>95.Final Determination of Minister</p> <p>95.2The power pursuant to clause 13(2) of PD2 to set out in the consultation report in clause 13(1)(c) of PD2:</p> <p>95.2.1the outcome of the consultation, including a summary of the written submissions or feedback received; and</p> <p>95.2.2 any proposed changes to the Complying Change (when compared with the proposal that was consulted on) and the reasons for those proposed changes and specifically indicate:</p> <p>95.2.2.1 where changes are proposed to the Complying Change as a result of the consultation; and</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			95.2.2.2 any other changes proposed as a result of additional investigations or information that was not available when the proposal was released for consultation.		

Local Government Act 1999 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
711630	Local Government Act 1999	section 125(3)	Ensure appropriate policies, systems and procedures relating to risk management are implemented and maintained	Chief Executive Officer		council
711631	Local Government Act 1999	section 126(9)	Ensure annual report of audit and risk committee is included in annual report	Chief Executive Officer		council

City of Adelaide

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
711632	Local Government Act 1999	section 126A(1)	Establish a regional audit and risk committee	Chief Executive Officer		council
711633	Local Government Act 1999	section 126A(9)	Ensure annual report of regional audit and risk committee is included in annual report	Chief Executive Officer		Council
507525	Local Government Act 1999	section 190	Agree to acquire land	Chief Executive Officer	Leases and licences for the purpose of commercial parking	council

Instrument of Delegation by the Chief Executive Officer (for the purposes of the Local Government Act and Food Act) - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
711683	Local Government Act 1999	section 99(1)(ia)	Ensure that effective policies, systems and procedures are established and maintained for the identification, assessment, monitoring, management and annual review of strategic, financial and operational risks	Chief Executive Officer	
711684	Local Government Act 1999	section 99(1)(ib)	Report annually to the relevant audit and risk committee on the council's internal audit processes	Chief Executive Officer	
711685	Local Government Act 1999	section 125A(1)	Consult with the relevant audit and risk committee before appointing a person to be primarily responsible for the internal audit function or assigning such responsibility to an employee of the council on the appointment or assignment of responsibility	Chief Executive Officer	
711686	Local Government Act 1999	section 126(4)(g)(ii)	Provide annual report in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures	Chief Executive Officer	

City of Adelaide

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
711687	Local Government Act 1999	section 126A(4)(g)(ii)	Provide annual report in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures	Chief Executive Officer	
755370	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 5(2)(g)	Provide submissions on the proposal to initiate	Chief Executive Officer	

Instrument B – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions or powers of a Council as Relevant Authority - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
752599	Planning, Development and Infrastructure (General) Regulations 2017	r57(2)(b)	24. Notice of Decision (Section 126(1)) 24.1 The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.	Chief Executive Officer	
736963	State Planning Commission Practice Direction 18 Outline Consent	cl5(1)(b)	33. Circumstances in Which Outline Consent May be Granted 33.1 The power pursuant to clause 5(1)(b) of the State Planning Commission Practice Direction 18 Outline Consent (PD18) to provide advice to an applicant that if the application were to be for planning consent, the council would request the Minister to give notice under Section 94(1)(g) of the PDI Act.	Chief Executive Officer	

Local Government (General) Regulations 2013 - NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
755356	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer		

Environment Protection Regulations 2023 - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
506176	Environment Protection Regulations 2023 (was 2009)	regulation 82(2)(was 75(2))	Elect by written notice to the Environment Protection Authority not to comply with regulations 74 (was 71) and 75 (was 71(2)) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulation 82(2)(b) (was 75(2)(b))	Chief Executive Officer Director City Shaping Associate Director Park Lands Policy and Sustainability Deputy Chief Executive Officer Chief Operating Officer		council

Local Government Act 1999 - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
507396	Local Government Act 1999	section 128(2)	Appoint an auditor on the recommendation of the relevant audit and risk committee.	Chief Executive Officer Associate Director Finance & Procurement Chief Operating Officer Corporate Accountant		council

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
			(was council's audit committee)	Team Leader Financial Planning and Reporting		
507423	Local Government Act 1999	section 143(1)	Write off bad debts	Chief Executive Officer Chief Operating Officer Associate Director Finance & Procurement Director City Shaping Manager Rates and Receivables	Chief Executive Officer – up to \$50,000 Chief Operating Officer – up to \$10,000 Associate Director Finance and Procurement – up to \$5,000 Manager Rates and Receivables – up to \$1,000	
507506	Local Government Act 1999	section 184(12)	Deal with money under the Unclaimed Money Act 2021 (was 1891)	Chief Executive Officer Associate Director Finance & Procurement Director City Shaping Chief Operating Officer		council

Instrument A – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of powers of a council as council - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
610072	Planning, Development and Infrastructure (General) Regulations 2017	Regulation 103A(2)	<p>79. (was 64) Required Documentation</p> <p>79.2 9 (was 64) The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 October 2024 (was July 2022) of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:</p> <p>79.2.(was 64) 1if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the suitability of the building for occupation have been satisfied,</p>	Chief Executive Officer	
506607	Instrument of Delegation under the Planning, Development	s193(15)	<p>45.(was 33) Land Management Agreements – Development Applications</p> <p>45. (was 33) 8The power pursuant to Section 193(15) of the PDI Act</p>	Chief Executive Officer	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.		
754930	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	clause 14(1) (was 12)	96. (was 95) Early Commencement of a Code Amendment 96.1 (was 95.1) The power pursuant to clause 14(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include: 96.1.1 (was 95.1.1) explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is: 96.1.1.1 (was 95.1.1.1) necessary in the interest of the orderly and proper development of an area of the State; and 96.1.1.2 (was 95.1.1.2) required in order to counter applications for undesirable development (which should identify possible future	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;</p> <p>96.1.2 (was 95.1.2) written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>96.1.3 (was 95.1.3) mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment.</p>		
506727	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	<p>97. (was 81) Responsibility to Undertake Notification</p> <p>97.1 (was 81.1) The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority’s reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.</p>	Chief Executive Officer	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506728	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	<p>98. (was 82) Mandatory Inspections</p> <p>98.1 (was 82.1) The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:</p> <p>98.1.1 (was 82.1.1) primary structural elements;</p> <p>98.1.2 (was 82.1.1) structural framing and roof trusses;</p> <p>98.1.3 (was 82.1.3) wet areas and waterproofing;</p> <p>98.1.4 (was 82.1.4) barriers to prevent falls;</p> <p>98.1.5 (was 82.1.5) cladding;</p> <p>98.1.6 (was 82.1.6) egress provisions;</p> <p>98.1.7 (was 82.1.7) bushfire protection systems;</p> <p>98.1.8 (was 82.1.8) passive and active fire safety elements;</p> <p>98.1.9 (was 82.1.9) private bushfire shelters; and</p> <p>98.1.10 (was 82.1.10) performance solutions.</p>	Chief Executive Officer	
506729	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	<p>99. (was 83) Additional Inspections</p> <p>99.1 (was 83.1) The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.</p>	Chief Executive Officer	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506730	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	100. (was 84) Inspections Generally 100.1 (was 84.1) The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.	Chief Executive Officer	
506731	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	101. (was 85) General Requirements 100.1 (was 85.1) The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.	Chief Executive Officer	

Instrument B – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions or powers of a Council as Relevant Authority - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506804	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a) (was r57(2)(b))	<p>24.(was 25) Notice of Decision (Section 126(1))</p> <p>24.1The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate.</p> <p>24.2 (was 24.1) The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.</p>	Chief Executive Officer	
506815	Planning, Development and Infrastructure (Fees, Charges and Contributions)	r7	<p>32.(was 33) Waiver or Refund of Fee</p> <p>32.1(was 33.1) The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2019		<p>32.1. (was 33) 1waive the payment of the fee, or the payment of part of the fee; or</p> <p>32.1 (was 33).2refund the whole or a part of the fee.</p>		

Supported Residential Facilities Regulations 2024 - CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
508253	Supported Residential Facilities Regulations 2024 (was 2009)	regulation 18(1)	Approve a (registered) nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority
508254	Supported Residential Facilities Regulations	regulation 18(2)	Revoke the approval of a (registered) nurse to (overseeing) oversee the provision of nursing care at a facility	Not delegated		licensing authority

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	2024(was 2009)					
508255	Supported Residential Facilities Regulations 2024(was 2009)	regulation 18(2)	Require a new appointment of a (registered) nurse to oversee the provision of nursing care at a facility	Not delegated		licensing authority

Environment Protection (Noise) Policy 2007 - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
506097	Environment Protection (Noise) Policy 2007	clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions	Chief Executive Officer		council
506098	Environment Protection	clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in	Chief Executive Officer		council

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
	(Noise) Policy 2007		what land use category a land use principally promoted by relevant Development Plan provisions falls			

Instrument A – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of powers of a council as council - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506716	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl5(1)	<p>89. Requirements in Relation to Preparing an Engagement Plan</p> <p>89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare an engagement plan that:</p> <p>89.1.1 meets the principles and performance outcomes of the Charter;</p> <p>89.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:</p> <p>89.1.2.1 require to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act</p> <p>89.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act;</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			89.1.2.3 who must be consulted with under the Charter; 89.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 89.1.4 describes the evaluation framework for the engagement.		
506717	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl5(2)	89. Requirements in Relation to Preparing an Engagement Plan 89.2 The power pursuant to clause 5(2) of PD2 to submit all engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan to the Commission for approval prior to commencement of formal engagement on the proposal.	Chief Executive Officer	
623836	State Planning Commission Practice Direction 2 - Preparation and Amendment of	cl6(1)	90.Preparation of an Engagement Report (Following Consultation) 90.1The power pursuant to clause 6(1) of PD2, at the completion of engagement on a draft of a proposal to prepare or amend a designated instrument to provide an engagement report to the Minister.	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Designated Instruments				
506718	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl6(2)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.1 The power pursuant to clause 6(2) of PD2 to set out in an engagement report:</p> <p>90.1.1 details of the engagement undertaken and how that engagement met the engagement plan, and reasons for variations, if any to the engagement plan;</p> <p>90.1.2 the outcome of the engagement including a summary of the written submission or feedback made;</p> <p>90.1.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes which specifically indicates:</p> <p>90.1.3.1 where changes are proposed to the Designated Instrument based on or as a result of the engagement; and</p> <p>90.1.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not available when the proposal was released for engagement.</p>	Chief Executive Officer	
506720	State Planning Commission Practice Direction 2 - Preparation and	cl7(1)	<p>91. Initiating a Code Amendment</p> <p>91.1 The power pursuant to clauses 7(1) and (2) of PD2 to lodge a Proposal to initiate with the Department via the SA Planning Portal that sets out:</p> <p>91.1.1 Code Policy – an outline of:</p> <p>91.1.1.1 any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment;</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		and/or 91.1.1.2 the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area; 91.1.2 Affected Area 91.1.2.1 a map or description of the Affected Area; 91.1.3 State Planning Policies 91.1.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies; 91.1.4 Regional Plan 91.1.4.1 Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan; 91.1.5 Consultation - 91.1.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment; 91.1.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment; 91.1.6 Investigations - 91.1.6.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment 91.1.6.2 an outline of the further investigations that will be undertaken to support the proposed Code Amendment; 91.1.6.3 details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided; 91.1.6.4 details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment 91.1.7 Timetable		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>91.1.7.1 identification of a consultation start date;</p> <p>91.1.7.2 an outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.</p>		
623838	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl7(1) and (3)	<p>91.1. Initiating a Code Amendment</p> <p>91.2 The power pursuant to clauses 7(1) and (3) of PD2 to lodge the SA Planning Portal Publication Instructions – for Initiation that sets out:</p> <p>91.2.1 identification of a consultation start date, consistent with the Proposal to Initiate timetable;</p> <p>91.2.2 an outline of the consultation approach including period of consultation, key audience and consultation methods (noting the Commission may also recommend specific conditions); and</p> <p>91.2.3 a summary of the Code Amendment in plain English.</p>	Chief Executive Officer	
506721	State Planning Commission Practice Direction 2 - Preparation and	cl7(4)	<p>91.3 Initiating a Code Amendment</p> <p>The power pursuant to clause 7(4) of PD2, in addition to a Code Amendment which is intended to designate a place as a place of local heritage value, to provide a report which:</p> <p>91.3.1 includes a heritage datasheet for each proposed Local Heritage Place, which includes:</p> <p>91.3.1.1 all relevant property details and descriptions (including images);</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Amendment of Designated Instruments		91.3.1.2 historical background and thematic analysis; 91.3.1.3 a statement of heritage value; 91.3.1.4 an assessment against the Local Heritage Criteria; and 91.3.1.5 the extent of listing (including any exclusions); 91.3.2 includes an analysis of historic themes of importance to the area; 91.3.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and 91.3.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section 67(2)(c) of the PDI Act.		
506733	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl 7(5)	91. Initiating a Code Amendment 91.4 The power pursuant to clause 7(5) of PD2 in relation to a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), to provide a report which: 91.4.1 includes relevant details and descriptions of the tree or stand of trees (including images as necessary) 91.4.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria; 91.4.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.	Chief Executive Officer	
506722	State Planning Commission Practice Direction 2 -	cl8(1)	92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation) 92.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation occurring on a draft Code Amendment, to: 92.1.1 carry out investigations and obtain such information:	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Preparation and Amendment of Designated Instruments		<p>92.1.1.1 as provided in the Proposal to Initiate approved by the Minister;</p> <p>92.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and</p> <p>92.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act;</p> <p>92.1.2 provide the Department with:</p> <p>92.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>92.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment;</p> <p>92.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction;</p> <p>92.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and</p> <p>92.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal.</p>		
506723	State Planning Commission	cl8(2)	<p>92. Preparation of a Draft Proposal Code Amendment (Prior to Consultation)</p> <p>92.2 The power pursuant to clause 8(2) of PD2, where an engagement</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Practice Direction 2 - Preparation and Amendment of Designated Instruments		plan is amended during any period of consultation or at any time prior to finalisation of the engagement report under the Practice Directions, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal		
506724	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl9(1)	<p>93. Requirements For a Draft Code Amendment</p> <p>93.1 The power pursuant to clause 9(1) of PD2 to support a draft Code Amendment by the following information:</p> <p>93.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment)</p> <p>93.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;</p> <p>93.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code Amendment with the relevant provisions of State Planning Policies, the Regional Plan and any other relevant strategic plans;</p> <p>93.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and</p> <p>93.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided.</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506725	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl11(1)	<p>94. Complying Changes to the Code</p> <p>94.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change to the Code under Section 75 of the PDI Act, to provide the following information to the Department:</p> <p>94.1.1 description of the relevant recommendations in the Regional Plan which relate to the proposed Code Amendment, including any specific maps or other specific information which clearly and expressly identify the changes relevant to the proposed Code Amendment;</p> <p>94.1.2 a summary of any consultation which has occurred in accordance with the Charter in relation to the proposed Code Amendment or the relevant Regional Plan, including a copy of the engagement report prepared for the relevant Regional Plan and any additional consultation that has occurred for the proposed Code Amendment;</p> <p>94.1.3 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>94.1.4 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>	Chief Executive Officer	
506726	State Planning Commission Practice Direction 2 - Preparation	cl12(1)	<p>95. Early Commencement of a Code Amendment</p> <p>95.1 The power pursuant to clause 12(1) of PD2, in relation to a request for early commencement of a Code Amendment under Section 78 of the PDI Act to provide to the Department:</p> <p>95.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:</p>	Chief Executive Officer	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	and Amendment of Designated Instruments		<p>95.1.1.1 necessary in the interest of the orderly and proper development of an area of the state; and</p> <p>95.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;</p> <p>95.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and</p> <p>95.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment</p>		
623837	State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments	cl6(3)	<p>90. Preparation of an Engagement Report (Following Consultation)</p> <p>90.3The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether:</p> <p>90.3.1the principles of the Charter have been achieved; and</p> <p>90.3.2all mandatory requirements identified in the Charter have been met (where the consultation category is applicable).</p>	Chief Executive Officer	

Instrument B – Instrument of delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions or powers of a Council as Relevant Authority - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
506759	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant	s120(1)	6.Outline Consent 6.1The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	Chief Executive Officer	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Authority (Instrument B);				
506760	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(3)	6.Outline Consent 6.2The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to: 6.2.1grant any consent contemplated by the outline consent; and 6.2.2not impose a requirement that is inconsistent with the outline consent.	Chief Executive Officer	

Instrument of Delegation by the Chief Executive Officer (for the purpose of the Local Government Act and Food Act) - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
525971	Local Government (General) Regulations 2013	clause 1(2), Schedule 2A	Receive details of a gift or benefit received by an employee of the council	Chief Executive Officer	
525972	Local Government (General) Regulations 2013	clause 1(2), Schedule 2A	Determine any requirements applying to an employee of the council notifying the receipt of a gift or benefit	Chief Executive Officer	
525973	Local Government (General) Regulations 2013	clause 1(3), Schedule 2A	Maintain a register of gifts or benefits received by employees of the council	Chief Executive Officer	
525974	Local Government (General)	clause 1(4)(b), Schedule 2A	Determine a website for the publication of the register of gifts or benefits received by employees of the council	Chief Executive Officer	

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#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2013				

Local Government Act 1999 - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
507342	Local Government Act 1999	section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	Not delegated		council

Local Government (General) Regulations 2013 - DELETED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
507236	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer		council
755356	Local Government (General) Regulations 2013	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	Chief Executive Officer		