

INSTRUMENT OF SUB-DELEGATION

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 OF POWERS OF A COUNCIL AS A COUNCIL – A DESIGNATED AUTHORITY – A DESIGNATED ENTITY

1. On the 13th September 2023 the Yorke Peninsula Council (“the Council”) delegated certain powers and functions under the following **PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 OF POWERS OF A COUNCIL AS A COUNCIL – A DESIGNATED AUTHORITY – A DESIGNATED ENTITY** to the person holding the position of Chief Executive Officer (the “Head Delegation”) subject to the terms and conditions specified in the relevant resolution(s) or in the Schedule of Conditions (if any) in the Head Delegation.
2. The powers and functions so delegated are set out in:
 - **Instrument A.**
3. In exercise of the powers under Section 44(4)(b) and 101 of the Local Government Act 1999, I, as Chief Executive Officer hereby:
 - 3.1 revoke all previous sub-delegations to the positions indicated below; and
 - 3.2 sub-delegate such of those powers and functions identified in the Head Delegation as are specified below to the person holding the positions specified below, on the terms and conditions specified below.
4. The sub-delegated powers and functions may be exercised individually by each sub-delegate in respect of any particular matter where the sub-delegate is required or proposing to act in the course of their duties.



Andrew Cameron
CHIEF EXECUTIVE OFFICER
Date 14th September 2023

POWERS AND FUNCTIONS SUB-DELEGATED IN THIS INSTRUMENT

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 OF POWERS OF A COUNCIL AS A COUNCIL – A DESIGNATED AUTHORITY – A DESIGNATED ENTITY	
PARAGRAPH NO(S) IN HEAD DELEGATION	SUB-DELEGATE
Paragraph 1 (Planning Regions and Greater Adelaide)	No sub delegation
Paragraph 2 (Sub Regions)	No sub delegation
Paragraph 3 (Environment and Food Production Areas – Greater Adelaide)	Not relevant
Paragraph 4 (Functions)	Director Development Services
Paragraph 5 (Planning Agreements)	Director Development Services
Paragraph 6 (Appointment of Administrator)	No sub delegation
Paragraph 7 (Community Engagement Charter)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 8 (Preparation and Amendment of Charter)	Director Development Services
Paragraph 9 (Preparation and Amendment)	Director Development Services
Paragraph 9.2, 9.3 (Preparation and Amendment)	Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer

Paragraph 10 (Parliamentary Scrutiny)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 11 (Complying Changes – Planning and Design Code)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning)
Paragraph 12 (Entities Constituting Relevant Authorities)	No sub delegation
Paragraph 13.1, 13.3, 13.4 (Panels Established by Joint Planning Boards or Councils)	No sub delegation
Paragraph 14 (Panels Established by Minister)	Director Development Services
Paragraph 15 (Substitution of Local Panels)	Director Development Services
Paragraph 16 (Notification of Acting)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor Assessment Manager
Paragraph 17 (Relevant Authority – Commission)	No sub delegation
Paragraph 18 (Matters Against which Development Must be Assessed)	Director Development Services

Paragraph 19.1, 19.2 (Restricted Development)	Director Development Services Manager Development Manager Building & Compliance Assessment Manager Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 19.3 (Restricted Development)	Director Development Services
Paragraph 20 (Level of Detail)	Director Development Services Manager Development Manager Building & Compliance Assessment Manager Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 21 (EIS Process)	Director Development Services
Paragraph 22 (Amendment of EIS)	Director Development Services
Paragraph 23 (Essential Infrastructure – Alternative Assessment Process)	No sub delegation
Paragraph 24 (Development Assessment – Crown Development)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning)
Paragraph 25.1 (Land Division Certificate)	Director Development Services

Paragraph 25.2 (Land Division Certificate)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 26 (Action if Development not Completed)	Director Development Services
Paragraph 27.1, 27.4 (Completion of Work)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Planning Officer Building Officer Building Surveyor Senior Compliance Officer
Paragraph 27.2 (Completion of Work)	Director Development Services Manager Building & Compliance Building Officer Building Surveyor Senior Compliance Officer
Paragraph 27.3 (Completion of Work)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 28 (Notification During Building)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor Planning Officer Senior Compliance Officer Cadet Building Officer

Paragraph 29 (Classification of Building)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor Cadet Building Officer
Paragraph 30 (Certificates of Occupancy)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 31 (Temporary Occupation)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 32.1 (Emergency Orders)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 32.2, 32.3 (Emergency Orders)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 33 (Fire Safety)	No sub delegation
Paragraph 34 (Initiation of Scheme)	Director Development Services
Paragraph 35 (Initiation of Scheme)	Director Development Services
Paragraph 36 (Consideration of Proposed Scheme)	Director Development Services Manager Development Manager Building & Compliance

Paragraph 37 (Adoption of Scheme)	Director Development Services
Paragraph 38 (Funding Arrangements)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 39 (Contributions by Constituent Councils)	No sub delegation
Paragraph 40 (Imposition of Charge by Councils)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 41 (Authorised Works)	Director Development Services Manager Development Manager Building & Compliance Director Assets & Infrastructure Services
Paragraph 42 (Entry onto Land)	Director Development Services Manager Development Manager Building & Compliance Director Assets & Infrastructure Services Planning Officer Building Officer Senior Compliance Officer
Paragraph 43 (Acquisition of Land)	No sub delegation
Paragraph 44.1, 44.2, 44.3, 44.6, 44.7, 44.8, 44.11, 44.12 (Land Management Agreements)	No sub delegation
Paragraph 44.4, 44.5, 44.9, 44.10 (Land Management Agreements)	Director Development Services
Paragraph 44.13, 44.14 (Land Management Agreements)	Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor

Paragraph 45.1, 45.2, 45.3, 45.5, 45.6 (Land Management Agreements – Development Applications)	No sub delegation
Paragraph 45.4, 45.7, 45.8 (Land Management Agreements – Development Applications)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 45.9 (Land Management Agreements – Development Applications)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 46.1, 46.2, 46.3, 46.6 (Off-setting Contributions)	Director Development Services
Paragraph 46.4 (Off-setting Contributions)	Director Corporate & Community Services Manager Financial Services
Paragraph 47.1, 47.2, 47.3, 47.5 (Open Space Contribution Scheme)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 47.4 (Open Space Contribution Scheme)	Director Development Services Director Corporate & Community Services Manager Financial Services
Paragraph 48 (Urban Trees Fund)	No sub delegation
Paragraph 49 (Appointment of Authorised Officers)	No sub delegation

Paragraph 50 (Enforcement Notices)	Director Development Services Manager Development Manager Building & Compliance Building Officer Building Surveyor Planning Officer Senior Compliance Officer Ranger
Paragraph 51 (Applications to Court)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 52 (Proceedings for Offences)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 53 (Adverse Publicity Orders)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 54 (Civil Penalties)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 55 (Make Good Order)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 56 (Recovery of Economic Benefit)	Director Development Services Manager Development Manager Building & Compliance Director Corporate & Community Services Manager Financial Services
Paragraph 57 (Enforceable Voluntary Undertakings)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 58 (Advertisements)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer Building Officer Building Surveyor Senior Compliance Officer Ranger

Paragraph 59 (Professional Advice to be Obtained in Relation to Certain Matters)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Planning Officer Building Officer Building Surveyor Senior Compliance Officer Ranger
Paragraph 60 (Charges on Land)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 61 (Registering Authorities to Note Transfer)	No sub delegation
Paragraph 62 (Reporting)	No sub delegation
Paragraph 63 (Review of Performance)	Director Development Services
Paragraph 64 (Planning and Design Code)	Director Development Services
Paragraph 65 (General Schemes)	Director Development Services
Paragraph 66 (Adoption of DPAs)	Director Development Services
Paragraph 67 (Mutual Liability Scheme – Rights of Indemnity)	No sub delegation
Paragraph 68 (Performance Assessed Development and Restricted Development)	Director Development Services Manager Development Manager Building & Compliance

Paragraph 69 (Underground Main Areas)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning)
Paragraph 70 (Width of Roads and Thoroughfares)	Director Development Services
Paragraph 71 (Road Widening)	Director Development Services
Paragraph 72 (Requirement as to Forming of Roads)	Director Development Services
Paragraph 73 (Construction of Roads, Bridges, Drains and Services)	Director Development Services
Paragraph 74 (Supplementary Provisions)	Director Development Services
Paragraph 75 (General Provisions)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 76 (Notifications During Building Work)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor Cadet Building Officer
Paragraph 77 (Essential Safety Provisions)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor

Paragraph 78 (Classification of Buildings)	Director Development Services Manager Development Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer Building Officer Building Surveyor Cadet Building Officer
Paragraph 79 (Required Documentation)	Director Development Services Manager Development Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer Building Officer Building Surveyor Cadet Building Officer
Paragraph 80 (Statement of Site Suitability)	Director Development Services Manager Development Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer Building Officer Building Surveyor Cadet Building Officer
Paragraph 81 (Report from Fire Authority)	Director Development Services Manager Development Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer Building Officer Building Surveyor Cadet Building Officer

Paragraph 82 (Issue of Certificate of Occupancy)	Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 83 (Revocation)	Director Development Services Manager Development Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer Building Officer Building Surveyor
Paragraph 84 (Mining Production Tenements)	No sub delegation
Paragraph 85 (Register of Land Management Agreements Section 193)	Director Development Services Manager Development Manager Building & Compliance
Paragraph 86 (Authorised Officers and Inspections)	No sub delegation
Paragraph 87 (Calculation or Assessment of Fees)	Director Development Services Manager Development Manager Building & Compliance Building Officer Building Surveyor Planning Officer Cadet Building Officer
Paragraph 88 (Waiver or Refund of Fee)	Director Development Services Manager Development Manager Building & Compliance

Paragraph 89 (Requirements in Relation to Preparing an Engagement Plan)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 90 (Preparation of an Engagement Report – Following Consultation)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 91 (Initiating a Code Amendment)	Director Development Services
Paragraph 92 (Preparation of a Draft Code Amendment – Prior to Consultation)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 93 (Requirements For a Draft Code Amendment)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 94 (Complying Changes to the Code)	Director Development Services Manager Development Manager Building & Compliance Consultant Town Planner – Mr David Hutchison (Access Planning) Planning Officer
Paragraph 95 (Early Commencement of a Code Amendment)	Director Development Services

Paragraph 96 (Responsibility Notification)	to Undertake	Director Development Services Manager Development
Paragraph 97 (Mandatory Inspections)		Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 98 (Additional Inspections)		Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 99 (Inspections Generally)		Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor
Paragraph 100 (General Requirements)		Director Development Services Manager Development Manager Building & Compliance
Paragraph 101 (Conditions that Must be Met for the Staged Occupation of a Partially Completed Building)		Director Development Services Manager Building & Compliance Consultant Building Surveyor – Mr Peter Harmer (Harmer Consulting) Building Officer Building Surveyor

SCHEDULE OF CONDITIONS**CONDITIONS OR LIMITATIONS
APPLICABLE TO DELEGATIONS
CONTAINED IN THIS INSTRUMENT**

Paragraph(s) in instrument to which conditions/limitations apply	Conditions/Limitations
1-82	The sub-delegate must exercise the powers and functions in accordance with the Planning, Development and Infrastructure Act 2016 including the requirement that the sub-delegate not exercise any powers and functions delegated to the sub-delegate for which prescribed qualifications are required under the Planning, Development and Infrastructure Act 2016 unless the sub-delegate holds the prescribed qualifications specified.