

COMBINED INSTRUMENT OF DELEGATION

5 SEPTEMBER 2022

Instruments of Delegation in this Document

- INSTRUMENT OF DELEGATION UNDER SECTION 22 OF THE LOCAL GOVERNMENT ACT 1993
 - Burial and Cremation Act 2019
 - Burial and Cremation Regulations 2015
 - Child Care Act 2001
 - Environmental Management and Pollution Control Act 1994
 - Food Act 2003
 - Heavy Vehicle National Law (as set out in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland)
 - Heavy Vehicle National Law (Tasmania) Act 2013
 - Land Acquisition Act 1993
 - Land Titles Act 1980
 - Local Government (Building and Miscellaneous Provisions) Act 1993
 - Local Government Act 1993
 - Miscellaneous Management Functions
 - Monetary Penalties Enforcement Act 2005
 - Public Health Act 1997
 - Strata Titles Act 1998
 - Traffic Act 1925
 - Urban Drainage Act 2013
 - Weed Management Act 1999

- INSTRUMENT OF DELEGATION UNDER SECTIONS 22 OF THE LOCAL GOVERNMENT ACT 1993 AND 124 OF THE LOCAL GOVERNMENT (HIGHWAYS) ACT 1982
 - Local Government (Highways) Act 1982

- INSTRUMENT OF DELEGATION UNDER SECTIONS 64 OF THE LOCAL GOVERNMENT ACT 1993 AND THE COUNCIL LAND AND RECREATIONAL FACILITIES BY-LAW 2017
 - Council Land and Recreational Facilities By-Law 2017

- INSTRUMENT OF DELEGATION UNDER SECTION 6 OF THE LAND USE PLANNING AND APPROVALS ACT 1993
 - Land Use Planning and Approvals Act 1993

- INSTRUMENT OF DELEGATION UNDER SECTION 8(3) OF THE BUILDING ACT 2016
 - Building Act 2016
 - Building Regulations 2016

Delegation Sources

- Building Act 2016
- Building Regulations 2016
- Burial and Cremation Act 2019
- Burial and Cremation Regulations 2015
- Child Care Act 2001
- Council Land and Recreational Facilities By-Law 2017
- Environmental Management and Pollution Control Act 1994
- Food Act 2003
- Heavy Vehicle National Law (as set out in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland)
- Heavy Vehicle National Law (Tasmania) Act 2013
- Land Acquisition Act 1993
- Land Titles Act 1980
- Land Use Planning and Approvals Act 1993
- Local Government (Building and Miscellaneous Provisions) Act 1993
- Local Government (Highways) Act 1982
- Local Government Act 1993
- Miscellaneous Management Functions
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- Public Health Act 1997
- Strata Titles Act 1998
- Traffic Act 1925
- Urban Drainage Act 2013
- Weed Management Act 1999

INDEX

INSTRUMENT OF DELEGATION UNDER SECTION 22 OF THE LOCAL GOVERNMENT ACT 19935	
Burial and Cremation Act 2019	5
Burial and Cremation Regulations 2015.....	6
Child Care Act 2001	7
Environmental Management and Pollution Control Act 1994.....	7
Food Act 2003	8
Heavy Vehicle National Law (as set out in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland	10
Heavy Vehicle National Law (Tasmania) Act 2013.....	11
Land Acquisition Act 1993	12
Land Titles Act 1980	12
Local Government (Building and Miscellaneous Provisions) Act 1993.....	13
Local Government Act 1993.....	15
Miscellaneous Management Functions.....	19
Monetary Penalties Enforcement Act 2005.....	20
Public Health Act 1997	21
Strata Titles Act 1998.....	24
Traffic Act 1925.....	24
Urban Drainage Act 2013	25
Weed Management Act 1999.....	25
INSTRUMENT OF DELEGATION UNDER SECTIONS 22 OF THE LOCAL GOVERNMENT ACT 1993 AND 124 OF THE LOCAL GOVERNMENT (HIGHWAYS) ACT 1982	
Local Government (Highways) Act 1982.....	26
INSTRUMENT OF DELEGATION UNDER SECTIONS 64 OF THE LOCAL GOVERNMENT ACT 1993 AND THE COUNCIL LAND AND RECREATIONAL FACILITIES BY-LAW 2017	
Council Land and Recreational Facilities By-Law 2017	29
INSTRUMENT OF DELEGATION UNDER SECTION 6 OF THE LAND USE PLANNING AND APPROVALS ACT 1993	
Land Use Planning and Approvals Act 1993	32
INSTRUMENT OF DELEGATION UNDER SECTION 8(3) OF THE BUILDING ACT 2016	
Building Act 2016.....	39
Building Regulations 2016	41

INSTRUMENT OF DELEGATION UNDER SECTION 22 OF THE LOCAL GOVERNMENT ACT 1993

Pursuant to the powers contained in Section 22 of the Local Government Act 1993 the Council hereby delegates the exercise and performance of the following functions and powers to the General Manager or a person acting in that capacity on the following general conditions of delegations:

- (i) Each delegation is subject to the conditions or limitations (if any) referred to in the table to this delegation.
- (ii) Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- (iii) Each delegation is subject to the Council's By-laws or the provisions of any Act.
- (iv) Each delegation is subject to the General Manager having obtained and taken into account advice of a qualified person in the same manner as if the Council or a Council Committee was making a decision on any particular matter as required by Section 65 of the Local Government Act 1993.

For the purposes of this delegation or any delegation made by the General Manager to an employee of the Council as referred to in paragraph (v), the General Manager or the employee may rely upon their own advice if they have the qualifications or experience necessary to do so as required in Section 65(1) of the Local Government Act 1993.

- (v) The General Manager is authorised pursuant to Section 64 of the Local Government Act 1993 to further delegate such functions or powers to an employee of the Council.

Burial and Cremation Act 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 3	Interpretation (Appointment of Authorised Officers)	General Manager	General conditions of delegation
Section 34	Duties and powers of cemetery managers	General Manager	General conditions of delegation
Section 39	39 Monuments &c.	General Manager	General conditions of delegation
Section 40	Removal of certain monuments in cemeteries	General Manager	General conditions of delegation
Section 41	Exclusive rights of burial	General Manager	General conditions of delegation

Burial and Cremation Regulations 2015

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 27	Certificate of exclusive right of burial	General Manager	General conditions of delegation
Regulation 28	Amendment of certificate of exclusive right of burial	General Manager	General conditions of delegation
Regulation 29	Cancellation or transfer of exclusive right of burial	General Manager	General conditions of delegation
Regulation 30	Permission to inter human remains	General Manager	General conditions of delegation
Regulation 31	Information required before permitting interment of human remains	General Manager	General conditions of delegation
Regulation 44	Power of cemetery manager in relation to graves and plots	General Manager	General conditions of delegation
Regulation 45	Power of cemetery manager to approve permanent items	General Manager	General conditions of delegation
Regulation 46	Power of cemetery manager to remove persons	General Manager	General conditions of delegation
Regulation 47	Duty of cemetery manager on removal of monument	General Manager	General conditions of delegation

Child Care Act 2001

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 44	Emergency removal of children	General Manager	General conditions of delegation Approval of an Authorised Officer or person (as a prescribed officer) for the purposes of the section

Environmental Management and Pollution Control Act 1994

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 21	Council Officers	General Manager	General conditions of delegation
Section 48	Civil Enforcement Proceedings	General Manager	General conditions of delegation
Section 49	Appeal in respect of decision of Appeal Tribunal under Section 48	General Manager	General conditions of delegation Only if the matter is unable to be brought before Council within the time required for lodgement of an appeal and on the advice of the Planning Officer - Council to be advised at the next ordinary meeting of the exercise of this delegation.

Food Act 2003

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 33	Making an Order	General Manager	General conditions of delegation
Section 37	Compensation	General Manager	General conditions of delegation
Section 50	Forfeiture of Item	General Manager	General conditions of delegation
Section 51	Costs of destruction disposal or forfeited item	General Manager	General conditions of delegation
Section 52	Return of forfeited items	General Manager	General conditions of delegation
Section 53	Compensation to be paid in certain circumstances	General Manager	General conditions of delegation
Section 55	Enforcement agency entitled to answer application	General Manager	General conditions of delegation
Section 65	Request for re-inspection	General Manager	General conditions of delegation
Section 68	Compensation	General Manager	General conditions of delegation
Section 87	Registration of food business	General Manager	General conditions of delegation

Food Act 2003

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 89	Renewal of registration	General Manager	General conditions of delegation
Section 91	Variation of conditions, or suspension or cancellation of, registration of food business	General Manager	General conditions of delegation
Section 94	Register of food business to be maintained	General Manager	General conditions of delegation
Section 98	Power of Director of Public Health to order Council to perform functions	General Manager	General conditions of delegation
Section 100	Reports by Councils	General Manager	General conditions of delegation
Section 101	Appointment of Authorised Officers	General Manager	General conditions of delegation
Section 102	Certificates of Authority	General Manager	General conditions of delegation
Section 104	Institution of proceedings	General Manager	General conditions of delegation
Section 118	Service of Infringement Notices	General Manager	General conditions of delegation

Heavy Vehicle National Law (as set out in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 156	Deciding request for consent generally	General Manager	General conditions of delegation
Section 158	Action pending consultation with third party	General Manager	General conditions of delegation
Section 159	Deciding request for consent if route assessment required	General Manager	General conditions of delegation
Section 160	Imposition of road conditions	General Manager	General conditions of delegation
Section 161	Imposition of travel conditions	General Manager	General conditions of delegation
Section 162	Imposition of vehicle condition	General Manager	General conditions of delegation
Section 167	Expedite a procedure for Road Manager's consent for renewal of mass or dimension authority	General Manager	General conditions of delegation
Section 169	Granting limited consent for trial purposes	General Manager	General conditions of delegation
Section 170	Renewal of limited consent for trial purposes	General Manager	General conditions of delegation

Heavy Vehicle National Law (as set out in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 172	Requirements for statements explaining adverse decision of Road Manager	General Manager	General conditions of delegation
Section 174	Amendment or cancellation on request by relevant Road Manager	General Manager	General conditions of delegation
Section 176	Amendment or cancellation on application by permit holder	General Manager	General conditions of delegation
Section 178	Amendment or cancellation on request by relevant Road Manager	General Manager	General conditions of delegation

Heavy Vehicle National Law (Tasmania) Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 16	Road Manager	General Manager	General conditions of delegation To perform the duties of the Council as Road Manager

Land Acquisition Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 54	Powers of Entry and Examination	General Manager	General conditions of delegation
Section 55	Immediate Entry	General Manager	General conditions of delegation
Section 56	Power to occupy adjacent land	General Manager	General conditions of delegation

Land Titles Act 1980			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 138Y	Avoidance of sub-minimum lots	General Manager	General Conditions of Delegation
Section 138U	Restriction on title by possession	General Manager	General Conditions of Delegation

Local Government (Building and Miscellaneous Provisions) Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 111	Subdivision of sub-minimum lots	General Manager	General Conditions of Delegation
Section 92	Amendment to Final Plans	General Manager	General Conditions of Delegation
Section 89	Approval of Final Plans By Council	General Manager	General Conditions of Delegation
Section 83	Approval for Plan of Subdivision	General Manager	General conditions of delegation
Section 86	Security for Payment	General Manager	<p>General conditions of delegation</p> <p>Further to this power:</p> <ul style="list-style-type: none"> - To accept as a guarantee as security for subdivision work from any organisation that meets the requirements of the section. - To authorise the total or partial release of bonds, guarantees and security deposits where the work or things to which the bond, guarantee or deposit relates has been satisfied in whole or in part. - To call on any bonds and bank guarantees to carry out work or uncompleted work.
Section 90	Determine applicability of provisions	General Manager	General conditions of delegation
Section 91	Corrections to Final Plans	General Manager	General conditions of delegation

Local Government (Building and Miscellaneous Provisions) Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 103	Amendment of Sealed Plans	General Manager	General conditions of delegation Only where there is no person affected by the proposed amendment who asks to be heard in support or opposition
Section 107	Access Orders	General Manager	General conditions of delegation
Section 108	Road Widening	General Manager	General conditions of delegation
Section 110	Adhesion Orders	General Manager	General conditions of delegation
Section 115	Exemption	General Manager	General conditions of delegation
Section 116	Limitation on requirement for public open space	General Manager	General conditions of delegation
Section 117	Payment instead of increasing public open space	General Manager	General conditions of delegation
Section 246	Advertising Hoardings	General Manager	General conditions of delegation For temporary advertising hoardings for period not exceeding 6 months
Section 247	Removal of Advertising Hoardings	General Manager	General conditions of delegation

Local Government Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 205	Fees and Charges	General Manager	General Conditions of Delegation To impose and set fees and charges when a resolution made pursuant to this section sets a fee or charge that is designated "Negotiated Fee"
Section 19	Corporations of Councils	General Manager	General conditions of delegations and to keep and authorise use of the common seal and to attest the execution of any document sealed by Council.
Section 20(5)(b)	Functions and Powers	General Manager	General conditions of delegation To institute, defend, abandon, settle or compromise any proceedings before any Court or Tribunal for the recovery of debts due to the Council or for any breaches of any Acts or By-laws affecting the Council, or to protect, recover or secure recompense for damages, to or loss of, any property of the Council.
Section 74	Expenditure	General Manager	General conditions of delegation
Section 75	Investments	General Manager	General conditions of delegation
Section 76	Writing Off Bad Debts	General Manager	General conditions of delegation To remit or excuse payment of the whole or any part of any debt due or payable to the Council with the exception of rates and charges levied under the Act where the amount cannot be collected or in the interests of the Council it is advisable to do so provided such amount does not exceed \$500.00 in accordance with Council determined policies and procedures.

Local Government Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 77	Grants and Benefits	General Manager	General conditions of delegation In accordance with Council determined policies and procedures
Section 81	Authorised deposit-taking institution accounts	General Manager	General conditions of delegation
Section 113	Declaration of Land as Urban Farm Land	General Manager	General conditions of delegation
Section 114	Revocation of Declaration (of Urban Farm Land)	General Manager	General conditions of delegation
Section 126	Conditions of Postponement of Payment	General Manager	General conditions of delegation In accordance with Council determined policies and procedures
Section 127	Postponement Ceases to Operate	General Manager	General conditions of delegations In accordance with Council determined policies and procedures
Section 129	Remission of Rates	General Manager	General conditions of delegation In accordance with Council determined policies and procedures
Section 133	Recovery of Rates	General Manager	General conditions of delegation In accordance with Council determined policies and procedures

Local Government Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 134	Recovery from certain persons	General Manager	General conditions of delegation
Section 135	Rents under leases and for unpaid rates	General Manager	General conditions of delegation
Section 140	Procedure if Council cannot sell land	General Manager	General conditions of delegation To apply to the Minister for an order to have the land transferred to Council
Section 175	Purchase or lease of land	General Manager	General conditions of delegation To lease land only
Section 177	Sale and disposal of land	General Manager	General conditions of delegation To lease land only
Section 185	Compliance with Notice	General Manager	General conditions of delegation
Section 189	Closure of Local Highways	General Manager	General conditions of delegation
Section 190	Objections	General Manager	General conditions of delegations
Section 193	Establish Pounds	General Manager	General conditions of delegation

Local Government Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 196	Fees Costs and Charges	General Manager	General conditions of delegation
Section 197	Sale or destruction of unclaimed animals	General Manager	General conditions of delegation
Section 198A	Operation of private pounds	General Manager	General conditions of delegation
Section 200	Abatement Notices	General Manager	General conditions of delegation
Section 201	General Manager may take necessary action	General Manager	General conditions of delegation
Section 207	Remission of Fees and Charges	General Manager	General conditions of delegation To remit or excuse payment of the whole or any part of any debt due or payable to the Council with the exception of rates and charges levied under the Act where the amount cannot be collected or in the interests of the Council it is advisable to do so provided such amount does not exceed \$500.00.
Section 333A	Tenders	General Manager	General conditions of delegation In accordance with the Council's Code relating to Tenders and Contracts adopted pursuant to section 333B of the Local Government Act 1993.

Miscellaneous Management Functions

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Miscellaneous Management Functions	Upon request for advice from the Crown the authority to object or not object to the licence, lease or sale of Crown Land including the unmade portion of reserve roads.	General Manager	<p>General conditions of delegation</p> <p>Taking into account that:</p> <ul style="list-style-type: none"> - A proposed sale or lease of a road reservation will not deny a fee simple frontage to a road to any land title. - On a sale, the portion of road reservation being sold is to be adhered to the adjoining title of the purchaser. - The land is not otherwise required by the Council for current future identified purposes. - There are no particular restrictions or limitations on the proposed use of the land under the Planning Scheme that would make the proposal unviable.
Miscellaneous Management Functions	To authorise Councillors attendance at conferences and training and to nominate and authority a substitute Councillors to attend any conference or training in lieu of the Mayor or another nominated or authorised member. This delegation to be exercised in accordance with Council Policy.	General Manager	General conditions of delegation

Monetary Penalties Enforcement Act 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 17	Options for dealing with Infringement Notices issued by fee-paying public sector body	General Manager	General conditions of delegation
Section 18	Referral to Director of Infringement Notice issued by fee-paying public sector body	General Manager	General conditions of delegation
Section 21	Election to have matter heard by Court	General Manager	General conditions of delegation
Section 23	Withdrawal of infringement notice	General Manager	General conditions of delegation
Section 28	Application to fee-paying public sector body for variation of payment conditions	General Manager	General conditions of delegation
Section 39	Hearing of offence by court	General Manager	General conditions of delegation
Section 40	Application to Court	General Manager	General conditions of delegation

Public Health Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 77	Grant or refuse licence (Public Assembly Licence)	General Manager	General conditions of delegation
Section 81	Renewal of licence (Public Assembly Licence)	General Manager	General conditions of delegation
Section 82	Variation of licence (Public Assembly Licence)	General Manager	General conditions of delegation
Section 83	Cancellation of licence (Public Assembly Licence)	General Manager	General conditions of delegation
Section 87	Closure Order	General Manager	General conditions of delegation
Section 89	Revocation of Closure Order	General Manager	General conditions of delegation
Section 92	Rectification Notice	General Manager	General conditions of delegation
Section 97	Grant or refusal of registration of premises (Public Risk Activity)	General Manager	General conditions of delegation
Section 101	Renewal of registration of premises (Public Risk Activity)	General Manager	General conditions of delegation

Public Health Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 102	Variation of registration of premises (Public Risk Activity)	General Manager	General conditions of delegation
Section 103	Cancellation of registration of premises (Public Risk Activity)	General Manager	General conditions of delegation
Section 106	Grant or refusal of licence (Public Health Risk Activity)	General Manager	General conditions of delegation
Section 110	Renewal of licence (Public Health Risk Activity)	General Manager	General conditions of delegation
Section 111	Variation of licence (Public Health Risk Activity)	General Manager	General conditions of delegation
Section 112	Cancellation of licence (Public Health Risk Activity)	General Manager	General conditions of delegation
Section 115	Grant or refusal of registration of regulated system	General Manager	General conditions of delegation
Section 119	Notice to comply with direction (Regulated System)	General Manager	General conditions of delegation

Public Health Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 121	Renewal of registration (Regulated System)	General Manager	General conditions of delegation
Section 122	Variation of registration (Regulated System)	General Manager	General conditions of delegation
Section 123	Cancellation of registration (Regulated System)	General Manager	General conditions of delegation
Section 129	Orders relating to water quality	General Manager	General conditions of delegation
Section 135	Grant or refusal of registration (water source)	General Manager	General conditions of delegation
Section 136B	Variation of registration (water source)	General Manager	General conditions of delegation
Section 136C	Cancellation of registration (water source)	General Manager	General conditions of delegation

Strata Titles Act 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 19	Application for Amendment (Strata Scheme)	General Manager	General conditions of delegation
Section 23	Application for Consolidation (Strata Scheme)	General Manager	General conditions of delegation
Section 27	Application for Cancellation (Strata Scheme)	General Manager	General conditions of delegation
Section 31	Application for, and grant of Certificate of Approval (Strata Scheme)	General Manager	General conditions of delegation
Section 37	Approval of Scheme in Principle (Staged Development Scheme)	General Manager	General conditions of delegation
Section 42	Application for variation of scheme (Staged Development Scheme)	General Manager	General conditions of delegation
Section 54	Approval of Scheme (Community Development Scheme)	General Manager	General conditions of delegation
Section 58	Application for variation of scheme (Community Development Scheme)	General Manager	General conditions of delegation

Traffic Act 1925			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 43	Removal of things obstructing public streets	General Manager	General conditions of delegation

Urban Drainage Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 5(4)	Council to provide adequate public stormwater systems	General Manager	General conditions of delegation In accordance with sub-section (4) to lodge an appeal only where it is not possible to have the matter considered by the Council at a Council meeting and that the General Manager provides a report to the next available Council meeting stating the grounds of the appeal and the reasons why it is not considered appropriate to comply with the Ministerial Order.
Section 17	Power to undertake construction of public stormwater systems	General Manager	General conditions of delegation In accordance with an approved Stormwater Management Plan, Stormwater Asset Management Plan or Stormwater Strategy and an approved budget allocation.

Weed Management Act 1999

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 34	Appointment of inspectors	General Manager	General conditions of delegation

INSTRUMENT OF DELEGATION UNDER SECTIONS 22 OF THE LOCAL GOVERNMENT ACT 1993 AND 124 OF THE LOCAL GOVERNMENT (HIGHWAYS) ACT 1982

Pursuant to the powers contained in Section 22 of the Local Government Act 1993 and Section 124 of the Local Government (Highways) Act 1982 the Council hereby delegates the exercise and performance of the following functions and powers to each person employed by the Council who are the holders of the office or position specified in the table to this delegation, or a person acting in that capacity, on the following general conditions of delegation:

- (i) Each delegation is subject to the conditions or limitations (if any) referred to in the table to this delegation.
- (ii) Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- (iii) Each delegation is subject to the Council's By-laws or the provisions of any Act.
- (iv) Each delegation is subject to the delegated employee having obtained and taken into account advice of a qualified person in the same manner as if the Council or a Council Committee was making a decision on any particular matter as required by Section 65 of the Local Government Act 1993.

For the purposes of this delegation the delegated employee may rely upon their own advice if they have the qualifications or experience necessary to do so as required in Section 65(1) of the Local Government Act 1993.

Local Government (Highways) Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 10	Obligations on landowners opening highways	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation On advice that all items, including maintenance, have been satisfactorily completed and 'as constructed' drawings have been received
Section 11	Enforcement of obligations of landowners opening highways	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 19	Closure of local highways for public functions, & c	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation

Local Government (Highways) Act 1982

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 20	Closure of local highways for sale of goods	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 32	Lighting	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 33	Lighting of private ways and courts	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 35	Crossings over footpaths, table-drains and gutters	General Manager, Manager Development Services, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 36	Fencing of streets in towns	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 37	Alterations of entrances to highways	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 39	Obligation of occupiers to cut back vegetation	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 40	Animal barriers on highways	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation

Local Government (Highways) Act 1982

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 41	Prohibition likely to cause damage to highways	General Manager	General conditions of delegation
Section 42	Closure of dangerous highways	General Manager	General conditions of delegation
Section 43	Recovery of costs of repairs caused by excessive weight	General Manager	General conditions of delegation
Section 44	Protection of bridges from excessive loading	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 45	Removal and disposal of abandoned articles	Compliance Officer, General Manager, Manager Infrastructure Works Implementation, Road Works Coordinator, Director Governance Strategy and Sustainable Development, Director Infrastructure Climate and Environmental Services, Manager Governance and Regulation	General conditions of delegation
Section 46	Permission to carry out various works in relation to highways	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 61	Grant of private rights over lands held for highway purposes	General Manager	General conditions of delegation
Section 63	Letting of highways not presently used	General Manager	General conditions of delegation

INSTRUMENT OF DELEGATION UNDER SECTION 64 OF THE LOCAL GOVERNMENT ACT 1993 AND THE COUNCIL LAND AND RECREATIONAL FACILITIES BY-LAW 2017

Pursuant to the powers contained in 64 of the Local Government Act 1993 the Council hereby delegates the exercise and performance of the following functions and powers to each person employed by the Council who are the holders of the office or position specified in the table to this delegation, or a person acting in that capacity on the following general conditions of delegations:

- (i) Each delegation is subject to the conditions or limitations (if any) referred to in the table to this delegation.
- (ii) Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- (iii) Each delegation is subject to the Council's By-laws or the provisions of any Act.

Council Land and Recreational Facilities By-law 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Clause 6	Closure of council land or a recreational facility	Director Community Services, Manager Recreation Services, Parks and Reserves Coordinator, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 7	Hire of council land and recreational facilities	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 8	Security Bond	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 53	Grant of a Permit	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation

Council Land and Recreational Facilities By-law 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Clause 55	Conditions of permit	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 56	Bond and Deposit	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 57	Competing applications	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 59	Cancellation of permits	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 61	Assignment of permit	Manager Customer Services, Director Community Services, Manager Recreation Services, Manager Community Development, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Clause 65	Removed articles	Manager Infrastructure Works Implementation, Director Community Services, Manager Recreation Services, Parks and Reserves Coordinator, Director Environment and Development Services, Manager Environmental Services, Manager Development Services, Director Infrastructure Climate and	General conditions of delegation

Council Land and Recreational Facilities By-law 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Services, Acting Environment and Development Services Projects Manager	
Clause 66	Fees, Costs and Charges	Compliance Officer, Municipal Inspector, Manager Infrastructure Works Implementation, Manager Recreation Services, Parks and Reserves Coordinator, Senior Compliance Officer, Director Environment and Development Services, Manager Environmental Services, Director Infrastructure Climate and Environmental Services, Acting Environment and Development Services Projects Manager	General conditions of delegation
Clause 67	Storage and Disposal of unclaimed articles	Compliance Officer, Municipal Inspector, Manager Infrastructure Works Implementation, Manager Recreation Services, Parks and Reserves Coordinator, Senior Compliance Officer, Director Environment and Development Services, Manager Environmental Services, Director Infrastructure Climate and Environmental Services, Acting Environment and Development Services Projects Manager	General conditions of delegation
Clause 68	Notices and directions generally	Compliance Officer, Municipal Inspector, Manager Infrastructure Works Implementation, Director Community Services, Manager Recreation Services, Parks and Reserves Coordinator, Senior Compliance Officer, Director Environment and Development Services, Manager Environmental Services, Director Infrastructure Climate and Environmental Services, Acting Environment and Development Services Projects Manager	General conditions of delegation

INSTRUMENT OF DELEGATION UNDER SECTION 6 OF THE LAND USE PLANNING AND APPROVALS ACT 1993

Pursuant to the powers contained in Section 6 of the Land Use Planning and Approvals Act 1993 the Council as a Planning Authority hereby delegates the exercise and performance of the following powers and functions to each person employed by the Council who are the holders of the office or position specified in the table to this delegation, or a person acting in that capacity, on the following general conditions of delegation:

- (i) Each delegation is subject to the conditions or limitations (if any) referred to in the table to this delegation.
- (ii) Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- (iii) Each delegation is subject to the Council's By-laws or the provisions of any Act.
- (iv) Each delegation is subject to the delegated person having obtained and taken into account advice of a qualified person in the same manner as if the Council or a Council Committee was making a decision on any particular matter as required by Section 65 of the Local Government Act 1993.

For the purposes of this delegation the delegated person may rely upon their own advice if they have the qualifications or experience necessary to do so as required in Section 65(1) of the Local Government Act 1993.

Land Use Planning and Approvals Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 41A	Direction to undertake modification or alteration to draft amendment	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 43J	Correction of mistakes in permits referred to in Section 43H	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development	General conditions of delegation

Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 43E	Additional Information	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development, Planning Officer	General conditions of delegation
Section 43I(4A)	When does a permit referred to in section 43H take effect? (extension of time)	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development	General conditions of delegation. To grant an extension of time only
Section 48A	Notice to remove signs	Compliance Officer, General Manager, Director Governance Strategy and Sustainable Development, Manager Governance and Regulation	General conditions of delegation
Section 51(1AB)	Permits (Acceptance of applications)	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development, Planning Officer	General conditions of delegation To refuse to accept an application that is not a valid application
Section 53(5A)	When does a permit take effect? (extension of time)	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation To grant an extension of time only
Section 53(5B)	When does a permit take effect? (Second extension of time)	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation To grant an extension of time only

Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 54	Additional Information	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development, Planning Officer	General conditions of delegation
Section 55	Correction of mistakes	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 56	Minor Amendments to Permits	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development	General conditions of delegation Only where the permit was granted under delegation and limited to the authority of the delegated person with respect to that permit as per the conditions and restrictions set out in delegations related to sections 57 and 58 of the Land Use Planning and Approvals Act 1993
Section 57(2)	Applications for discretionary permits (to refuse to grant a permit)	General Manager, Director Environment and Development Services	General conditions of delegation Only where the application is not in accordance with the Land Use Planning and Approvals Act 1993 or the relevant Planning Scheme
Section 43I(6)	When does a permit referred to in section 43H take effect? (Second extension of time)	General Manager, Manager Development Services, Senior Planning Officer, Director Infrastructure Climate and Environmental Services	General conditions of delegation. To grant an extension of time only

Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 57(5)	Applications for discretionary permits (extension of time to make representations)	General Manager, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 57(6)	Applications for discretionary permits (to grant permits)	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	<p>General conditions of delegation</p> <p>The General Manager limited to grant a permit only where two or less (including no) representations have been received in respect of the application.</p> <p>The Director Environment and Development Services limited to grant a permit only where there are no representations received objecting to the application or parts thereof (including requests for application of conditions).</p> <p>The General Manager and the Director Environment and Development Services may, irrespective of representations having been made, refuse to grant a permit only in cases where the application is unable to be put before the next ordinary meeting of the Council due to the expiration of the statutory time and where the applicant has not agreed to an extension of time to that meeting before the 2nd last day of the period referred to in section 57(6) or any extension thereof under section 57(6A).</p> <p>The General Manager and the Director Environment and Development Services may, irrespective of representations having been made, grant or refuse to grant a permit in accordance with section 59(7) only in cases where section 59 applies to the application.</p>
Section 57(6A)	Applications for discretionary permits (extension of time)	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development	<p>General conditions of delegation</p> <p>To grant an extension of time only</p>

Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 57A	Mediation	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 58	Application for other permits	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 59(7)	Failure to determine an application for a permit (making a decision)	General Manager, Director Governance Strategy and Sustainable Development	General conditions of delegation To grant or refuse to grant a permit in accordance with section 59(7) irrespective of representations having been made or not
Section 61	Appeals against planning decisions	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation To consent to a variation to a decision or an amendment, deletion or variation to any condition on a permit only where the: - application the subject of appeal was made under delegation; or, - outcome does not result in a change of a decision to refuse the application to an approval if the decision on the application was made by the Council as a Planning Authority
Section 63	Obstruction of sealed schemes (commencement and conduct of prosecution action)	General Manager, Director Governance Strategy and Sustainable Development	General conditions of delegation

Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 63B(3)	Notice of suspected contravention, &c., may be given (notice to the complainant)	General Manager, Manager Environmental Services, Director Governance Strategy and Sustainable Development, Manager Governance and Regulation	General conditions of delegation
Section 64	Civil enforcement proceedings	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 65	Appeal in respect of decision of appeal tribunal under section 64	General Manager	General conditions of delegation Only where the time for lodging an appeal expires before the next ordinary meeting of the Council as a Planning Authority Where an appeal is lodged under this delegation the General Manager is to notify the Council of the decision for ratification at the next ordinary meeting of the Council
Section 65C(5)	Enforcement Notices (notification of owner)	General Manager, Manager Environmental Services, Director Governance Strategy and Sustainable Development, Manager Governance and Regulation	General conditions of delegation
Section 71	Planning authority may enter into agreements	General Manager, Director Governance Strategy and Sustainable Development	General conditions of delegation

Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 73	Bonds and guarantees	General Manager	<p>General conditions of delegation</p> <p>Further to this delegation:</p> <ul style="list-style-type: none"> - To authorise the total or partial release of bonds, guarantees and security deposits held pursuant to section 71 upon certification from the relevant Council Officer that the work or things to which the bond, guarantee or deposit relates has been satisfied in whole or in part - To call on any bonds and bank guarantees to carry out work that has not been completed to the Council requirements upon certification from the relevant Director
Section 74(3)	Duration of agreement (ending of agreement)	General Manager, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 75	Amendment of agreements	General Manager, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 33A	Additional Information	General Manager, Manager Development Services, Senior Planning Officer, Director Governance Strategy and Sustainable Development, Planning Officer	General Conditions of Delegation

INSTRUMENT OF DELEGATION UNDER SECTION 8(3) OF THE BUILDING ACT 2016

Pursuant to the powers contained in Section 8(3) of the Building Act 2016 the Council hereby delegates the exercise and performance of the following functions and powers to each person employed by the Council who are the holders of the office or position specified in the table to this delegation, or a person acting in that capacity, on the following general conditions of delegation:

- (i) Each delegation is subject to the conditions or limitations (if any) referred to in the table to this delegation.
- (ii) Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- (iii) Each delegation is subject to the Council's By-laws or the provisions of any Act.
- (iv) Each delegation is subject to the delegated person having obtained and taken into account advice of a qualified person in the same manner as if the Council or a Council Committee was making a decision on any particular matter as required by Section 65 of the Local Government Act 1993.

For the purposes of this delegation the delegated person may rely upon their own advice if they have the qualifications or experience necessary to do so as required in Section 65(1) of the Local Government Act 1993.

Building Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 74	Works involving, or in proximity of, service easements	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 265	Failure to comply with emergency, building or plumbing order	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 266	Possession of building	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation

Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 267	Demolition order	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 269	Recovery of performance costs	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 271	Purchasing buildings and materials	General Manager, Manager Development Services, Director Governance Strategy and Sustainable Development	General conditions of delegation
Section 276	Appeals relating to permits (as applicant)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 277	Appeals relating to notifiable work (as owner of premises)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 278	Appeals relating to orders (as owner of premises)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 279	Appeals relating to protection work (as owner of premises)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation

Building Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 280	Appeals relating to building surveyor (as owner of premises)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 281	Appeals relating to permit authority (as owner of premises)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation
Section 282	Appeals relating to fire regulations (as owner of premises)	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation

Building Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 43	Plumbing work involving network utility operator's stormwater drainage systems	General Manager, Director Infrastructure Climate and Environmental Services	General conditions of delegation